

Application No: 25/4184/PIP

Application Type: Permission in Principle

Location: Land At Lostock Hall Road, Poynton

Proposal: Permission in principle for one dwelling

Applicant: Mr Gordon Turner

Expiry Date: 16 January 2026

Summary

- The application proposals seek planning permission in principle for the development of one residential dwelling.
- The proposals are not considered to fall within the 'limited infilling in villages' exception to inappropriate development.
- In consideration of the exception within paragraph 155 of the NPPF, that relating to grey belt, it is accepted that the application site represents grey belt land, it is also considered that the application site falls in a sustainable location.
- Given the statutory constraints of a permission in principle, it is considered that a residential scheme in principle (site location, the type and amount of development) could be provided on site.
- The presumption in favour of sustainable development applies which points towards the grant of planning permission.

Summary recommendation

Approve

1. REASON FOR REFERRAL

- 1.1. The application relates to a significant departure from Cheshire East's Local Plan Policies, which the Head of Planning is minded to approve, and under the terms of the Constitution it is required to be determined by the Northern Planning Committee.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site is located at Lostock Hall Road, Poynton. The site is a vacant parcel of land which has been recently cleared of vegetation. Some tree stumps are present, but the site is now generally free from significant vegetation. The site is bounded by post and rail fencing and hedgerows to various boundaries.
- 2.2. The site is accessed via the existing private access track off Lostock Hall Road which also serves the spur to the approved development site and existing properties at 33A and 33B Squirrels Chase.
- 2.3. The site and its surrounds are washed over by a Green Belt designation, and for the purposes of the Local Plan the land is within the open countryside.

3. DESCRIPTION OF PROPOSAL

3.1. The application proposals seek planning permission in principle for the development of a single residential dwelling.

4. RELEVANT PLANNING HISTORY

4.1. There is no relevant planning history for the application site.

4.2. However, there are recent decisions on the nearby site at land adjacent to 33B Squirrels Chase, off Lostock Hall Road. These being: -

4.2.1. Appeal Decision APP/R0660/W/24/3342165 (November 2024): A Planning Inspector allowed an appeal for 2 detached dwellings, finding that the site was located in a village for the purposes of paragraph 154(e) of the NPPF and that the proposal constituted limited infilling. The Council had indicated it would have refused the application on Green Belt grounds, but the Inspector concluded that the development was not inappropriate.

4.2.2. Planning Permission 25/2028/FUL (October 2025): Following the appeal decision, Cheshire East Council granted planning permission for 3 detached dwellings on the same site under delegated powers. The Officer Report concluded that the site constitutes limited infilling in a village in accordance with paragraph 154(e) of the NPPF and Policy PG3 of the Local Plan. The Council accepted the Inspector's findings and applied them to grant permission for an increased number of dwellings.

5. NATIONAL PLANNING POLICY

5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

- MP1 Presumption in Favour of Sustainable Development
- PG1 Overall Development Strategy
- PG2 Settlement Hierarchy
- PG3 Green Belt
- PG6 Open Countryside

- PG7 Spatial Distribution of Development
- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- IN1 Infrastructure
- IN2 Developer Contributions
- SC4 Residential Mix
- SE1 Design
- SE2 Efficient Use of Land
- SE4 The Landscape
- SE5 Trees, Hedgerows and Woodland
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood Risk and Water Management
- CO1 Sustainable Travel and Transport
- CO4 Travel Plans and Transport Assessments
- Appendix C Parking Standards
- PG8 Development at local service centres
- PG9 Settlement Boundaries
- PG10 Infill villages
- GEN1 Design principles
- ENV1 Ecological network
- ENV5 Landscaping
- ENV6 Trees, hedgerows and woodland implementation
- ENV16 Surface water management and flood risk
- HOU1 Housing mix
- HOU12 Amenity
- HOU13 Residential standards
- HOU14 Housing density
- HOU16 Small and medium sized sites
- INF1 Cycleways, bridleways and footpaths
- INF3 Highways safety and access

6.3. Poynton Neighbourhood Development Plan (PNDP):

6.4. The PNDP passed referendum on the 10 October 2019. The plan was made on the 21 November 2019. The relevant policies of the PNDP are summarised below: -

- Policy EGB1 – Surface Water Management
- Policy EGB8 – Protection of rural landscape
- Policy HOU6 – Housing mix
- Policy HOU7 – Environmental considerations
- Policy HOU8 – Density and site coverage
- Policy HOU11 – Design

7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

7.2. Cheshire East Design Guide.

8. CONSULTATIONS (External to Planning)

Poynton with Worth Town Council – object on the following grounds:

- The proposed development and associated use would cause substantial harm to the character, openness and appearance of the area and in particular cause harm to the North Cheshire Green Belt within which the application site lies.
- The proposal for the redevelopment of an area of open land for residential purposes is considered to constitute inappropriate development in the Green Belt which would be detrimental to its character and openness whilst conflicting with the purposes of including land within it.
- The case put forward by the applicant to justify inappropriate development in the Green Belt does not constitute very special circumstances sufficient to outweigh the harm by reason of inappropriateness and any other harm to the Green Belt.
- The site is not part of the so-called grey belt.
- The development proposals will not be considered to be ‘limited infilling in villages’
- It would extend the developed area into an undeveloped part of the Green Belt, so constituting both urban sprawl and the encroachment of urban areas into the countryside and breach two of the five purposes of Green Belt.
- The applicant has referred to another site off Lostock Hall Road granted planning consent for two houses on appeal (ref. 23/0927M) and subsequently three houses (25/2028/FUL). However, the current application site is entirely distinct and separate from the earlier site, which therefore does not establish any type of precedent. In particular, the earlier site is largely surrounded by existing houses while this site borders open countryside.
- The intrusion of the proposed dwelling into open land would result in a loss of landscaping and detract from the character and appearance of the rural setting.
- The proposed development has inadequate access, on what the applicants concede in their Design and Access statement is a “track”. This section of Lostock Hall Road has a confusing layout, no streetlights and is unadopted.
- The nearest shops are in the centre of Poynton, a mile away. If the development proceeds, access would be by private car. The bus service along Chester Road has only one bus every hour and does not run on Sundays or in the evening.
- Undeveloped land of this type provides an essential habitat for endangered species such as bats, badgers, frogs, toads, newts, butterflies, moths and hedgehogs. Even if boundary trees are retained, the loss of open space and increased proximity of a new house will drive away wildlife. Increased artificial illumination is a particular threat to bats and disrupts the breeding cycles of frogs and toads. Moths and glow-worms are especially impacted by bright artificial lights.
- The proposed new house would detract from the rural nature of the area and begin a process of urbanisation. Utilities Public utilities are under strain in semi-rural areas of Poynton.

Highways – No objection

Environmental Health – No objection

United Utilities – No objection

9. REPRESENTATIONS

The application has been duly advertised by means of direct neighbour notification letters and site notice.

Five letters of representation have been received, and their comments can be summarised as follows: -

- The overhead electricity and telephone supply cables to our property pass over this ground. It is suggested that both of these supplies will be impeded by a building being built on this site.
- There were a number of established trees on this site, which appear to have been removed prior to this application being submitted, probably so that this could not be raised as a reason for objection. However, during the process of the tree removal they brought a telephone line down.
- How many more properties can be crammed into this once open space with only a single-track access, which is already much busier with traffic and disruption than was originally planned for this type of unadopted road.
- When the Council previously agreed planning permission from the same applicant for five properties to be built on the lane there was around two years of disruption caused to neighbours, Aqua Life Nursery and the general public who use this lane regularly as a public footpath. In addition, the lane became a mud bath for the whole duration of the construction of those properties.
- The site is adjacent to the electrical sub-station which feeds the area and is bounded and crossed by mains water, electricity and telecom services which supply the area, thereby preventing development within the site from being able to be provided that would be in compliance with the standards set within the Plan for layout, location and design and would be overdevelopment
- The relevant services which abut or cross the site are provided by Electricity North West, United Utilities, Virgin Media and BT, and there is no evidence within the Application that proper investigations have been carried out to ascertain the extent of those services, their location, and/or the effect that proposed development may have. In the absence of such information, and details of how any adverse effects on the operation of these services, the conflict with existing wayleaves and rights, and proof of the ability to re-negotiate and/or relocate these services, it cannot be accepted in principle that the site is suitable for residential development.
- The Planning Statement is mistaken in its interpretation of both current planning law and the quoted decision of the Inspector. The site is not in a village, it is not infill, it is not grey belt, and it is inappropriate development within the Green Belt and there are no overwhelming benefits which outweigh the presumption against.
- The only means of access to the site is from the track which abuts public footpath 70. To agree in principle with proposals which will inevitably adversely conflict with and interfere with the function and usage of this important footpath, as well as general usage of the accesses within the area, is entirely wrong in principle.

10. OFFICER APPRAISAL

Preliminary Matters

- 10.1. The proposal is for permission in principle (PIP). The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development.
- 10.2. The permission in principle consent route has two stages: the first stage (or PIP stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed proposals are assessed. This application relates to the first of these 2 stages.

- 10.3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted.
- 10.4. The Local Planning Authority may not grant Permission in Principle for a major development. Major development in the case of Permission in Principle are applications which is where the number of houses is 10 or more, the floor space created is 1,000m² or more or the development is carried out on a site having an area of 1 hectare or more.
- 10.5. In this case the development is for a single unit, and the red line site has an area of less than 1 hectare (0.06ha). The floor-space to be created is unknown at this stage but would need to be assessed at the Technical Details Consent stage.
- 10.6. Therefore, the main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and amount of development.

Location

- 10.7. The site is located within the Green Belt.

Inappropriate development

- 10.8. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being their openness and permanence.
- 10.9. The Framework goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.10. Policy PG3 of the Cheshire East Local Plan Strategy 2017 (CELPS) seeks to protect the Cheshire East Green Belt. In that respect, its aims are broadly consistent with the Framework.
- 10.11. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraphs 154 and 155.
- 10.12. Paragraph 154 of the Framework notes that the construction of new buildings in the Green Belt should be regarded as inappropriate. Several exceptions are listed in Paragraph 154. One of the exceptions included is the limited infilling in villages. Policy PG3 of the Cheshire East Local Plan Strategy 2017 (CELPS) also includes this exception. Therefore, the CELPS, insofar as it is relevant to this issue, is consistent with the Framework.
- 10.13. Policy PG10 of the Cheshire East Site Allocations and Development Policies Document 2022 (SADPD) addresses which settlements are defined as infill villages. Poynton is not listed in this policy. Policy PG10 states that outside of the village infill boundaries, development proposals will not be considered to be limited infilling in villages when applying CELPS Policy PG3.
- 10.14. Therefore, when considering a development proposal against this exception to inappropriate development, there are two key matters to look at:
 - Whether the location is in a village; and

- Whether the proposals represent limited infilling.

In terms of the definitions;

There is no definition within The Framework of 'limited infilling'.

The glossary to the CELPS defines 'infill development' as: -

"The development of a relatively small gap between existing buildings."

The glossary to the SADPD defines 'infill development' as:

"Infill development is generally the development of a relatively small gap between existing buildings. The scale of infill development will depend upon the location of the site."

There is no definition within the Framework of 'village'.

There is no definition within the CELPS of 'village'.

The glossary to the SADPD does however define 'Infill village' as: -

"Infill villages are settlements within the 'other settlements and rural areas' tier of the settlement hierarchy. They do not have a settlement boundary and are Infill village within the open countryside, but they do have a defined infill boundary, in which limited infilling can be allowed."

Whether the location is in a village

- 10.15. In this instance, this particular site lies outside of the Poynton settlement boundary, but it is not within a defined village infill boundary and as such, under Criterion 4 of Policy PG10, development proposals will not be considered to be limited infilling in villages when applying CELPS Policy PG3 (Green Belt).
- 10.16. Therefore, considering the development plan policies alone, this development at this site is not limited infilling in a village and the proposals would be considered to be inappropriate development in the Green Belt.
- 10.17. However, under planning law, applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration and there is no definition of what constitutes a village for the purposes of applying paragraph 154(e).
- 10.18. Whilst the development plan does define the locations within which limited infilling in villages is permitted, case law establishes that when applying the NPPF policy directly to the case, the boundary of a village defined in a local plan may not be determinative in considering whether a site is within a village and that regard should also be had to the situation on the ground as well as any relevant policies.
- 10.19. As a result, the decision-maker, will need to carry out an on the ground assessment of whether the site is within a village for the purpose of the NPPF Green Belt test and, if it is,

whether this (as a material consideration), indicates that a decision should be made other than in accordance with the development plan.

10.20. There is no specific guidance on the factors that must be considered, but recent appeal decisions indicate that Inspectors have had regard to whether the site is physically and functionally part of a village. Some of the factors considered have been: -

- Whether the site is within the built-up environment of a village and/or surrounded by other development;
- Whether it is readily accessible from local services and amenities;
- Its visual and physical relationship with a village;
- Whether it is connected to a village by ribbon development;
- The presence or absence of walking routes and safe pedestrian connectivity to a village;
- Whether the surrounding pattern of development is denser with prominent built form, or whether it is more loose-knit and less dense; and
- Whether existing development is visually prominent and whether there are more domestic boundary treatments such as close boarded fences, gateways, or manicured hedging.

10.21. In this particular case, Poynton is clearly a town, rather than a village. It is a key service centre in the settlement hierarchy and, as a higher-order centre, the development plan has allocated a number of large sites (including through making Green Belt boundary alterations) to meet development needs arising in Poynton over the plan period and also identified safeguarded land to meet potential longer-term development needs. It has a defined town centre in SADPD Policy RET1 (Retail hierarchy) and it has its own Town Council.

10.22. These issues (and arguments) were raised at a recent appeal in Poynton, on Squirrels Chase, off Lostock Hall Road. In upholding that appeal, the Inspector stated: -

"In consideration of all of these matters, the development would not immediately accord with Policy PG10 of the SADP as it would be located outside of a designated infill village boundary as listed within the policy. The site is also located outside of the settlement boundary as set out in the Poynton Neighbourhood Development Plan 2019".

10.23. The Inspector concluded that: -

"However, in assessing the spatial and visual circumstances of this specific case, I find that the appeal site would be located in a village for the purposes of paragraph 154 (e) when undertaking an 'on the ground' assessment."

10.24. In consideration of the specific characteristics in this case in terms of the spatial pattern of development as well as the appearance of the site within the context of other development, it is accepted that the site is located in a village for the purposes of paragraph 154(e) of the Framework. This is bearing the above in mind and given that Poynton can be assessed in this manner in relation to infilling applications.

Whether the proposals represent limited infilling

10.25. With regard to infill, whilst the Framework does not include a definition of 'limited infilling', SADPD Policy PG10 defines limited infilling as "the development of a relatively small gap between existing buildings". These policies however do not define what is "a relatively small gap".

10.26. Case law has established that whether a development constitutes limited infill or not is a matter of fact and planning judgement for the decision maker.

10.27. This site is some distance from the house to the north, and is a long, thin, roughly triangular piece of land which has no neighbours to the south. It therefore cannot be regarded as being "a relatively small gap between existing buildings."

10.28. It is considered the proposal do not represent, either limited infilling that would be located in a village, nor limited infilling or the partial or complete redevelopment of previously developed land for the purposes of CELPS Policy PG3, or the Framework test at paragraph 154 (e) or (g).

10.29. Therefore, again when judged against the wording of both local (PG3) and national policy (para 154), the proposal still represents inappropriate development in the Green Belt.

Identifying grey belt:

10.30. However, Paragraph 155 of the Framework now identifies further circumstances where development is not inappropriate in the Green Belt. Paragraph 155 states that: -

"Development of homes should not be regarded as inappropriate where: -

(a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

(b) there is a demonstrable unmet need for the type of development proposed;

(c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and

(d) where applicable the development proposed meets the 'Golden Rules' requirements set out in Framework paragraphs 156-157."

10.31. It is acknowledged that CELPS Policy PG3 would usually be a key policy for determining the appropriateness of development in the Green Belt, however the policy is no longer consistent with the NPPF as it does not include 'grey belt' in the list of exceptions. See above. However, Paragraph 225 of the Framework states that due weight should be given to policies according to their degree of consistency with the Framework.

Identifying grey belt (purposes a, b and d)

10.32. The NPPF defines 'Grey Belt' in Annex 2 as: -

Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

10.33. The application site in this case would constitute 'other land'.

10.34. Whether the site should be classed as 'grey belt' is based on an assessment of how that site contributes to the purpose (a), (b) or (d) of the Green Belt as defined by paragraph 143 of the NPPF.

- Purpose (a) is – ‘to check the unrestricted sprawl of large built-up areas’;
- Purpose (b) is – ‘to prevent neighbouring towns merging into one another’; and
- Purpose (d) is – ‘to preserve the setting and special character of historic towns’.

10.35. With regards to ‘*Purpose A*’ (*sprawl*), the application site is on the edge of Poynton, a large built-up area in the context of Purpose (a). The site is bound by some existing development as with the approved development nearby. Development of this site would not extend into open land. The site is not free of existing development on its boundaries, with buildings immediately adjacent to the north, east and south. Physical features restrict development, including the access track, existing buildings, and field track and fields. Development would not result in an incongruous pattern given the existing cluster of development. The site does not strongly contribute to checking unrestricted sprawl because it is near development and features which restrict sprawl, it is not free of development on its boundaries, and strong boundaries prevent sprawl beyond the site. The site therefore passes the Purpose (a) test for grey belt.

10.36. With regard to ‘*Purpose B*’ (*towns merging*), the nearest settlement to Poynton is Woodford to the west, which is a village rather than a town. The site does not lie in a gap between towns. Development of this site would have no effect on any separation between towns. The site does not strongly contribute to preventing neighbouring towns merging because it does not lie in a gap between towns. The site therefore passes the Purpose (b) test for grey belt.

10.37. Finally, in regard to ‘*Purpose D*’ (*character*) of the Green Belt, this relates to preserve the setting and special character of historic towns. It is considered that the contribution that the land subject to the application makes to the special character of historic towns is ‘Weak’. Poynton has some historic origins, but the application site is located on the edge of Poynton in an area characterized by 20th century development including modern housing, a primary school, and commercial garden centre buildings. The site is not within or adjacent to any conservation areas and is not in a location that contributes to views of or the setting of any historic core. The site does not strongly contribute to preserving the setting of historic towns. The site therefore passes the Purpose (d) test for grey belt.

Identifying grey belt – Footnote 7

10.38. Footnote 7 identifies protected areas or assets of particular importance, where the overall scale, type or distribution of development can be restricted.

10.39. Footnote 7 reads as:

Footnote 7: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

10.40. None of the areas or assets listed in footnote 7 apply to the application site.

Identifying Grey Belt – Conclusions

10.41. The application proposals are deemed to meet this key test as to whether a site represents Grey Belt in that the site is not considered to 'strongly' contribute to either purposes a, b or d.

10.42. It is not considered that the application site falls within any of the policies, areas nor assets in footnote 7 that would provide a strong reason for refusing or restricting development.

Grey belt and fundamentally undermine purposes of Green Belt (155a)

10.43. Given the above, the impact of the scheme at a site-specific level would be very limited. However, the key consideration is whether there would be a fundamental impact on the remaining Green Belt across the plan area of Cheshire East as a whole.

10.44. The use of this modest site for a minor development of a dwelling would not affect the ability of the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way for the purposes of paragraph 155(a) of the Framework.

Unmet Need (155b)

10.45. The application proposes the erection of a dwellings.

10.46. The Cheshire East Local Plan Strategy was adopted on the 27 July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

10.47. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.

10.48. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:

- Where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with appropriate buffer) or;
- Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.

10.49. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five-year housing land supply of 10,011 dwellings which equates to a **3.8-year supply** measured against the five-year local housing need figure of 13,015 dwellings.

10.50. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

10.51. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the ‘tilted balance’ at paragraph 11 of the NPPF is engaged.

10.52. As such, the proposals would be acceptable under paragraph 155(b) as the type of development proposed is housing, and there currently is an unmet need for housing in Cheshire East.

Sustainable location (155c):

10.53. The Framework is clear that, when reviewing Green Belt boundaries, the need to promote sustainable patterns of development should determine whether a site’s location would be appropriate for the kind of development proposed. Similarly, when making decisions regarding planning applications on grey belt land, authorities should ensure that the development would be in a sustainable location. For the purpose of these decisions, where grey belt land is not in a location that is or can be made sustainable, development on this land is inappropriate.

10.54. Whether locations are sustainable should be determined in light of local context and site or development-specific considerations. However, in reaching these judgements, national policy is clear that authorities should consider opportunities to maximise sustainable transport solutions, as set out in paragraphs 110 and 115 of the NPPF.

10.55. Paragraph 110 of the Framework seeks to actively manage patterns of growth to support the objectives in Paragraph 109 of the Framework. In this instance, the most relevant objective in Paragraph 109 (when considering whether the development would be in a sustainable location for the purposes of Paragraph 155 of the Framework) is pursuing opportunities to promote walking, cycling and public transport using a vision-led approach.

10.56. This objective needs to be considered in the context that Paragraph 110 also states that opportunities to maximise sustainable transport will vary between urban and rural areas.

10.57. In other words, some allowance should be made for a site’s rural location. However, that does not mean that all sites in rural areas should be considered equally. Some will be better placed for development than others when considering access to services and facilities.

10.58. The Development Plan of Cheshire East sets out what can be described as a vision-led approach to the sustainable location of development through a spatial strategy. It seeks to direct development to built-up areas with the precise location depending on accessibility to facilities by suitable travel modes. Thus, the development plan identifies sustainable locations for development through Policies MP1 and PG1.

10.59. The site is in a sustainable location with Lostock Hall Primary School adjacent, Poynton town centre accessible via footpaths providing shops, services, employment and healthcare, bus stops providing regular services, Poynton railway station within reasonable distance providing services to Manchester and Stockport, primary and secondary schools within walking distance, and recreation facilities nearby.

10.60. The November 2024 appeal decision and October 2025 planning permission both accepted that the site locationally sustainable in the round.

10.61. Given the above, the site is a sustainable location for the purposes of meeting Paragraph 155(c) of the Framework with due regard given to paragraphs 110 and 115 of the Framework and the PPG.

Golden Rules 155d

10.62. NPPF Paragraph 155 (d), states that '*Where applicable, the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 and 157 below.*'

10.63. Paragraph 156 states: -

'Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b. necessary improvements to local or national infrastructure; and*
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces."*

10.64. As this application does not meet the criteria of a 'major' development, none of the Golden Rules apply.

Green Belt Conclusion

10.65. The site does not make a strong contribution to purposes a), b) or d) of the Green Belt as set out at paragraph 143 of the Framework and therefore comprises 'Grey Belt' land. The development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The Council cannot currently demonstrate a five-year supply of housing and there is a demonstrable unmet need for the type of development proposed. The development would be in a sustainable location having regard to paragraphs 110 and 115 of the Framework. The proposed scheme is not major development and therefore is not required to meet the 'Golden Rules' requirements set out in paragraphs 156-157 of the Framework.

10.66. It has been demonstrated above that the site and proposals would meet the requirements of paragraph 155 of the Framework, therefore the proposed delivery of housing on the site should not be regarded as inappropriate development in the Green Belt.

Land Use

10.67. The proposed land use is for residential purposes.

10.68. The Local Planning Authority are keen to make sure that new residential development creates satisfactory living environments for both new and existing residents. Therefore, we need to look at any 'in principle constraints' the site has for a residential use.

Highway Access, Safety and Parking Provision

10.69. CELPS Policy CO1 deals with Sustainable Travel and Transport. It seeks to encourage a shift away from car travel to public transport, cycling and walking. SADPD Policy INF3 relates to highway safety and access.

10.70. It sets out the circulation and access criteria for new development. This includes amongst other matters, the provision of adequate visibility splays, manoeuvring vehicles and emergency vehicles.

10.71. There is sufficient space within the site for off-street parking provision to be in accordance with CEC parking standards for one dwelling.

10.72. The Council Head of Strategic Transport has stated that in principle, one dwelling is likely to be acceptable depending on the access design. Lostock Hall Road is a private single lane track where the site is located.

Ecology

10.73. CELPS Policy SE3 deals with biodiversity and geodiversity. It seeks to protect areas of high biodiversity and geodiversity. It also requires all development to aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity.

10.74. The site is not covered by a statutory or non-statutory nature conservation designation. The proposed works are unlikely to have an impact on any statutory nature designated sites, including SSSI's and RAMSAR sites. The Council's Ecologist has therefore advised that there are no ecological constraints to warrant withholding a permission in principle for this application.

Arboricultural Implications

10.75. CELPS Policy SE5 relates to Trees Hedgerows and Woodland. It seeks to protect trees hedgerows and woodlands, that provide a significant contribution to the amenity, biodiversity, landscape character, or historic character of a surrounding area. SADPD Policy ENV6, seeks to protect trees and woodlands worthy of formal protection from development unless certain circumstances apply.

10.76. Although no arboricultural information was submitted with the application, it can be seen that the application site was heavily treed.

10.77. Whilst this would not preclude the possibility of a residential scheme being acceptable on the site, this may constrain the design and amount of any dwellings provided.

Amenity

10.78. SADPD Policy HOU12 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation. SADPD Policy HOU13 sets out guidelines of space between buildings.

10.79. A residential use which is compatible with the mainly residential surroundings. Although there is farm land in close proximity of the site, there are numerous other dwellings in close

proximity that are already affected by the general noise, disturbance and odours of living next to such buildings.

10.80. The proposal would provide adequate separation distances to existing properties with a generous garden for the proposed dwelling. No loss of light, privacy or overlooking issues are anticipated, with these matters to be addressed in detail at Technical Details Consent stage.

10.81. As such, the proposed land use is acceptable in principle.

Flood Risk

10.82. CELPS Policy SE13 (*Flood Risk and Water Management*) states that “all planning applications for development at risk of flooding are supported by an appropriate Flood Risk Assessment (FRA) to demonstrate that development proposals will not increase flood risk on site or elsewhere and opportunities to reduce the risk of flooding are sought, taking into account the impacts of Climate Change in line with the Cheshire East SFRA”. SADPD Policies ENV16 (*Surface water management and flood risk*) and ENV17 (*Protecting water resources*) also seek to manage surface water drainage effectively and reduce the risk of flooding elsewhere, and also to ensure development proposals will not have a detrimental impact on the flow or quality of groundwater or surface water.

10.83. It is noted that the LLFA and United Utilities have not found any reason to object to this application, subject to a planning condition to submit a drainage strategy before development commences. This of course can be provided at the technical consent stage.

10.84. The site is not within a Flood Risk Zone, and is not at risk of surface water flooding. United Utilities have commented that they will make another recommendation if a subsequent application is submitted at the Technical Detail Consent stage. They have requested further information regarding sustainable drainage systems. The previous comments apply.

Contamination

10.85. CELPS Policy SE12 (Pollution, Land Contamination and Land Instability) states that “The council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm”.

10.86. The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site.

10.87. Given the history of the site, significant contamination is unlikely, to warrant an objection to a residential use at this stage. Any Technical Matters Consent would need to address contamination risks.

Public Rights of Way

10.88. SADPD Policy INF1 relates to cycleways, bridleways and footpaths. National planning policy highlights that the transport system needs to be balanced in favour of sustainable

transport modes, giving people a real choice about how they travel. It also says that planning policies should protect and enhance public rights of way and access.

10.89. The property is adjacent to public footpath Poynton with Worth No. 70 as recorded on the Definitive Map. PROWs are of course, protected, and it appears unlikely that the proposal would affect the public right of way. This matter could be further examined at the Technical Matters Consent stage.

Manchester Airport (Aerodrome Safeguarding)

10.90. SADPD Policy GEN5 relates to aerodrome safeguarding. Development that would adversely affect the operational integrity or safety of any officially safeguarded civil aerodrome or associated aerodrome navigation aids, radio aids or telecommunications systems will not be permitted.

10.91. The proposed development has not been examined against aerodrome safeguarding measures. The assessment of any not conflict with any safeguarding criteria would be undertaken during the Technical Matters Consent stage.

Land Use Summary

10.92. Having regard to the above, the land use elements of the permission in principle scheme are deemed to be acceptable

Amount

10.93. This proposal seeks to bring forward a dwelling on this site of 0.6 hectares, giving an overall density of 16 dwellings per hectare.

10.94. SADPD Policy HOU14 (Housing Density) states that “residential development proposals will generally be expected to achieve a net density of at least 30 dwellings per hectare”. Whilst this target is somewhat higher than that which is provided, it is considered to be an appropriate balance to making efficient use of land and preserving the local character.

10.95. While detailed design is not for determination at Planning in Principle stage, the indicative proposals demonstrate that 1 dwelling can be accommodated without harm to character. The surrounding area comprises a mixture of residential properties, the primary school, and the garden centre commercial buildings. A single dwelling would sit comfortably within this context.

11. PLANNING BALANCE/CONCLUSION

11.1. A Planning Authority must exercise its judgement and consider many (sometimes) conflicting issues to decide whether planning permission should be granted. This will mean examining the Development Plan and taking material considerations which apply to the proposal into account. These things must be properly considered otherwise the decision of whether or not to grant permission may be unlawful.

11.2. The application proposals seek planning permission in principle for the development of a residential dwelling.

11.3. The application site is within the Green Belt and is not previously developed.

- 11.4. The proposals are not considered to fall within the 'limited infilling in villages' exception to inappropriate development. In consideration of the exception within paragraph 155 of the NPPF, that relating to grey belt, it is accepted that the application site represents grey belt land, it is also considered that the application site falls in a sustainable location. As such, it is also deemed that the proposals fall within the grey belt exception to inappropriate development in the Green Belt.
- 11.5. Given the statutory constraints of a permission in principle, it is considered that a residential scheme in principle (site location, the type and amount of development) could be provided on site.
- 11.6. The Council current housing land supply position is 3.8 years. In an era of national, and in this instance, local housing shortages, the provision of a unit would assist in increasing the supply of housing across Cheshire East. These matters attract moderate weight in favour of the proposal.
- 11.7. The impact of the development on residential amenity, noise, air quality, contaminated land, highways, ecology and drainage and flood risk would all be considered at the Technical Details Stage.
- 11.8. The proposal would also provide economic benefits during the construction period. The future occupiers would also provide economic benefits to the nearby area once the development would be complete through their use of nearby shops and services. These matters attract limited yet additional positive weight.
- 11.9. The benefits are that the development would provide an additional house and are a social benefit, considering the housing land supply shortfall. The benefits of the scheme also include investment in the local economy and the creation of jobs during the construction phase, increased support for local shops and businesses by the future occupants. The scheme would generate Council Tax income, which could provide a source of revenue funding for the Local Authority in delivering services as well as investing in the locality.
- 11.10. In the context of paragraph 11 of the Framework, the adverse impacts of the development when assessed against the policies in the Framework taken as a whole, including those seeking to boost the supply of homes, achieve well designed places and making effective use of land, would significantly and demonstrably outweigh the benefits. Therefore, the presumption in favour of sustainable development applies which points towards the grant of planning permission.
- 11.11. For the reasons set out above, and having taken account of all matters raised, it is recommended that this application is approved.
- 11.12. It is not possible for conditions to be attached to a grant of permission in principle, and its terms may only include the site location, the type of development and amount of development. The PPG advises that where permission in principle is granted by application, the default duration of that permission is 3 years. Planning obligations (S.106 Legal Agreements) cannot be secured at the permission in principle stage.

12. RECOMMENDATION

Approve permission in principle

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add Conditions / Informatics / Planning Obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

