

Application No: 13/0580C

Location: WOODSIDE GOLF CLUB, KNUTSFORD ROAD, CRANAGE, CREWE, CHESHIRE, CW4 8HJ

Proposal: Creation of a new 27no. bedroom hotel, 6no. garden suites with minor modifications to the golf course & construction of 7no dwellings with community leisure facilities (resub 12/0682C)

Applicant: Woodside Golf Club

Expiry Date: 10-May-2013

## **SUMMARY RECOMMENDATION**

**Refuse**

## **MAIN ISSUES**

**The principle of enabling development**

**Housing Land Supply**

**Sustainable Development**

**Affordable Housing**

**Tourism Related development**

**Jodrell Bank Interference**

**Landscape and Visual Impact**

**Design and layout**

**Highway Safety**

## **PREVIOUS MEETING**

Strategic Planning Board considered this application on 19<sup>th</sup> June 2013 and resolved to defer the application for further information. This has taken some time to resolve due to the complex nature of the legal issues. The reasons for deferral are set out below.

- Details regarding the type and quality of the community facilities proposed
- Details regarding the funding necessary to provide the community facilities and the financial and management arrangements proposed to secure their ongoing maintenance into the future
- Further advice regarding the extent to which non-heritage assets such

as community facilities may be considered enabling development and taken into account as material planning considerations, together with a more detailed consideration of the existing need and enabling link identified in this case

- following from the above, a more detailed assessment regarding the balance of public benefit in this case
- the consultation response of the University of Manchester regarding harm to the radio telescopes at Jodrell Bank

These matters are covered within the updated report below.

## **REFERRAL**

The application was originally referred to Strategic Planning Board because it is a major development including housing in the open countryside and is a departure from the Development Plan.

## **SITE DESCRIPTION**

The site comprises part of Woodside golf course which lies in the open countryside to the north of Holmes Chapel on the A50. The golf course comprises 9 holes, associated club house, car park and golf driving range. The golf course is accessed via the A50, a long drive leads to the club house and golf driving range. The application site comprises circa 3.9 hectares of the golf course comprising the existing club house, car park, parts of the existing golf course playing area and a practice green. The site also extends to a circa 100m length of Kings Lane to the south of the site.

The application site is characterised by a large number of trees which define the nature of the area. A woodland tree preservation order (Kings Lane/Sandy lane (South) TPO 1997) adjoins the site and there are a considerable number of trees within the site. The golf course itself comprises 9 holes, tees, putting greens and fairways. A Bridleway passes through the golf course

The site is close to the M6 motorway. A small number of residential dwellings are located to the Kings Lane frontage and a further small number of large dwellings in generous gardens are located to Oak Tree Lane.

## **DETAILS OF PROPOSAL**

The proposals are for a number of buildings across the application site. To the south, along the boundary with King's Lane the proposals include a small development of 7 no dwellings (5 detached and 2 semi detached), all of which are accessed off Kings Lane. To the north of these is a 27 bedroom hotel with 6 no detached suites next to the hotel, one of which is 'the 19<sup>th</sup> hole'

function room, associated car parking and to the northwest the proposals include a multi-use games facility and a bowling green, outdoor gym, and children's play area and .

The houses are submitted as an enabling development for the provision of the multi-use games area, children's playground, outdoor gym and bowling green which are proposed as being community facilities for use by local people secured by a Section 106 Agreement.

The car parking provision for the hotel and lodges will be 40 spaces. The existing car park comprising 92 spaces to the rear of the club house is unchanged.

## **RELEVANT PLANNING HISTORY**

12/0682C - Withdrawn application for the creation of a New 27 No. Bedroom Hotel, 2 No. Garden Suites and a '19th hole' building with associated car parking. Minor Modifications to the Golf Course and Construction of 7 No. Dwellings to Kings Lane (as enabling development) for Community Leisure Facilities (Bowling green/Hut and 3 no tennis courts) to be provided within the Golf Course.

## **POLICIES**

### **National Guidance**

National Planning Policy Framework

#### **Local Policy**

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies of the **Cheshire East Local Plan Strategy – Submission Version** are:

Policy SD 1 Sustainable Development in Cheshire East  
Policy SD 2 Sustainable Development Principles  
Policy SE 1 Design  
Policy SE 2 Efficient Use of Land  
Policy SE 3 Biodiversity and Geodiversity  
Policy SE 4 The Landscape  
Policy SE 5 Trees, Hedgerows and Woodland  
Policy SE 9 Energy Efficient Development  
Policy SE 12 Pollution, Land Contamination and Land Instability  
Policy PG 1 Overall Development Strategy  
Policy PG 2 Settlement Hierarchy  
Policy PG5 Open Countryside  
Policy EG1 Economic Prosperity

The relevant policies saved in the **Congleton Borough Local Plan First Review 2005** are:

PS5 Villages in the Open Countryside  
PS8 Open Countryside  
NR4 Non-statutory sites  
GR1 New Development  
GR2 Design  
GR3 Residential Development  
GR5 Landscaping  
GR6 Amenity and Health  
GR9 Accessibility, servicing and provision of parking  
GR14 Cycling Measures  
GR15 Pedestrian Measures  
GR17 Car parking  
GR18 Traffic Generation  
NR1 Trees and Woodland  
NR3 habitats  
NR5 Habitats  
H2 Provision of New Housing Development  
H6 Residential Development in the Open countryside  
H13 affordable Housing and low cost housing  
E5 Employment development in the Open Countryside  
E16 Tourism and Visitor Development  
PS10 Jodrell Bank Radio Telescope Consultation Zone  
RC1 Recreation and Community facilities Policies

## **OBSERVATIONS OF CONSULTEES**

### **Jodrell Bank**

Object on the same grounds as the affordable housing site in Twemlow (10/2647C), but understand the position of the Council since that appeal was allowed.

### **United Utilities**

No objection.

### **Environmental Health**

Recommend conditions relating to hours of construction, piling, a travel plan, dust control and contaminated land.

### **Strategic Highways Manager**

No objections have been raised on highway safety grounds, but the Strategic Highways Manager does raise objections to the community facilities being unsustainably located.

### **Housing**

None received at the time of report writing.

### **Visitor Economy**

None received at the time of report writing.

### **Leisure and Play Development Manager**

Having received this letter with regards the planning application I would like to make the following assessment and we are only addressing the sport element not the housing. My colleagues went out last year to meet with the owners with regards their plans for development and we fed back to them and planning at the time our thoughts:

“Woodside is well established as a pay and play golf facility which can accommodate beginners with its driving range and par 3 course as well as a 9 hole course. It is difficult to see from the plans but they have mentioned the shortening of holes which may prove to be a negative point for the course against the traditional set up of a golf course.

I would also like to comment on a couple of other aspects of the proposed development as to whether there is a need from a community use point of view.

There is already a number of tennis courts and clubs in the local area. Cranage Hall (1 mile away) has 1 court, Goostrey Tennis Club (2 miles away) has 3 courts, Holmes Chapel Leisure Centre (2.5 miles away) has 4 courts and The Victoria Club, Holmes Chapel (2.5 miles away) has 3 courts. There is also community tennis facilities in Sandbach, Middlewich and Knutsford.

There are also bowls facilities at Cranage (1 mile away), Goostrey (2 miles away) and The Victoria Club, Holmes Chapel (2.5 miles away) which have clubs operating from them.

Finally I can't see from the plans but a jogging track is mentioned. I was worried on a possible health and safety point of view as people on the jogging track if it is near the golf course which I presume it would be in danger of being hit by stray golf balls.

One area for consideration may be around the proposed tennis courts and whether the Astroturf surface could be used for team sports. It may not fit in with the image they are trying to portray but this need could be argued more strongly in terms of community need as the nearest artificial pitches are in Sandbach (7 miles away) and Knutsford (8 miles away) since the Astroturf at Middlewich LC (4.5 miles away) was closed.”

Whilst we are very much for increased participation and sustainable opportunities so any provision would be supported from our service but we would be unsure of the need in this particular area of need for all the facilities and what effect this may have on local neighbouring facilities.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

There needs to be a protection for users of the bridleway by installing hunter gates either side of drive with a short stretch of fencing. There needs to be no access/exit from Kings Lane to golf club site.

To be noted that the facilities for locals is a great benefit and the local jobs it will create is excellent.

## **OTHER REPRESENTATIONS**

In excess of 200 representations have been received in relation to this application including responses to a questionnaire distributed by the applicant. The majority of the representations were in support of the application.

The objectors expressed the following concerns:

- Adverse impact on the open countryside
- Highway safety
- Lack of need for a hotel
- The sports facilities cannot be secured for use by local people
- Disruption during construction
- Most of the support is for members of the golf club
- Noise from the hotel

The supporters expressed the following views:

- Welcomed provision of low cost sports facilities
- Employment creation
- Attractive new dwellings
- Inspiration for future athletes
- Benefits for the tourism economy
- Valuable addition to a place for local people to socialise
- Family run business

The local MP, Fiona Bruce has also expressed support for the proposal.

## **OFFICER APPRAISAL**

### ***The Concept of Enabling Development.***

Enabling Development is that which would normally be rejected as clearly contrary to other objectives of national, regional or local planning policy, but is permitted on the grounds that it would achieve a significant benefit to a heritage asset. Such proposals are normally put forward on the basis that the benefit to the community of conserving the heritage asset would outweigh the harm to other material interests. Therefore the essence of a scheme of enabling development is that the public accepts some dis-benefit as a result of planning permission being granted for development

which would not otherwise gain consent, in return for a benefit funded from the value added to the land by that consent.

In this case the 7 new dwellings that are proposed are contrary to planning policies because they would constitute development within the Open Countryside, where there is a general presumption against new residential development. Accordingly, the application has been advertised as a departure. The case for the Applicant for the housing being treated as enabling development is that the funds that would be generated by the development of these houses would enable the Applicant to fund the delivery of the community facilities in the form of a bowling green/hut and 3no tennis courts for the use of the people of Cranage (the tennis courts are also referred by the Applicant as Multi-Use Games facility however no plans have been provided to illustrate this).

The proposal also includes a 27 bedroom hotel, with swimming pool, fitness suite, restaurant, and function rooms. None of these items however, are put forward within the planning application as part of the community facilities.

With specific regard to Enabling Development, Para 55 of the NPPF seeks to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and specifically refers to the circumstances where enabling development is appropriate and states;

*‘.. Local planning authorities should avoid new isolated homes in the countryside unless there are **special circumstances** such as (amongst other things)*

- *where such development would represent the optimal viable use of a **Heritage asset** or would be **appropriate enabling development** to secure the future of **heritage assets**;*

The NPPF goes on to say at paragraph 140:

*“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would **secure the future conservation of a heritage asset**, outweigh the disbenefits of departing from those policies.”*

In determining this case, the housing is put forward as being the enabling development to fund the delivery of the community facilities - the multi-use games area, playground, outdoor gym and the bowling green.

The community facilities are not a heritage asset as referred to within the NPPF and there are no listed buildings/heritage assets on this site. Accordingly, it is considered that to treat the housing as enabling development would be a mis-application of planning policy in this instance.

The application should be looked at as three elements, the housing, the hotel and the ‘community facilities’.

### **Housing Land Supply**

The National Planning Policy Framework (NPPF) confirms at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

*“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.*

The NPPF clearly states at paragraph 49 that:

*“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

*“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.”*

Appeal decisions in October 2013 concluded that the Council could not conclusively demonstrate a five year supply of deliverable housing land. This was founded on information with a base date of 31 March 2012 selectively updated to 31 March 2013.

In response, in February 2014 The Council published a 5 Year Supply Position Statement which seeks to bring evidence up to date to 31 December 2013. The approach taken to the Statement has been informed by policy requirements and by consultation with the Housing Market Partnership.

The Position Statement set out that the Borough's five year housing land requirement as 8,311. This was calculated using the 'Sedgefield' method of apportioning the past shortfall in housing supply across the first five years. It included a 5% buffer, which was considered appropriate in light of the Borough's past housing delivery performance and the historic imposition of a moratorium.

A standard formula of build rates and lead-in times was applied to most housing sites, unless more detailed site-specific information is available. Those considered deliverable within the five year supply were 'sense-checked' and assumptions altered to reflect the circumstances of the particular site. The Criticisms made of the yields from certain sites in the recent appeals, particularly those in the merging Local Plan, were also been taken on board.

Sources of supply included sites under construction; sites with full and outline planning permission; sites awaiting Section 106 Agreements; selected Strategic Sites which are included in the emerging Local Plan; sites in adopted Local Plans; and small sites. This approach



accorded with the National Planning Policy Framework, existing guidance and the emerging National Planning Policy Guidance at that time. A discount was been applied to small sites, and a windfall allowance included reflecting the applications which will come forward for delivery of small sites in years four and five. A number of sites without planning permission were identified and could contribute to the supply if required. However, these sites were not relied upon for the five year supply.

The current deliverable supply of housing was therefore assessed as being some 9,757 homes. With a total annual requirement of 1,662 based on the 'Sedgefield' methodology and a 5% 'buffer' the Five Year Housing Land Supply Position Statement demonstrated that the Council has a 5.87 year housing land supply. If a 20% 'buffer' was applied, this reduced to 5.14 years supply.

Notwithstanding this, however, the recent appeal at Elworth Hall Farm, Sandbach (11 April 2014) determined that the Council had still not evidenced sufficiently the 5 year supply position, although the Inspector declined to indicate what he actually considered the actual supply figure to be.

Members should note, however, that the Elworth Hall Farm inquiry took place shortly after the publication of the Position Statement with only very limited time available to evidence the case. Since that time, the housing figures have been continuously refined as part of the preparation of evidence for further public inquiries which have taken place during March and April 2014 and are scheduled to take place within the coming months and against the RSS target, Cheshire East Council can now demonstrate a 5.94 year housing land supply with a 5% buffer or 5.2 year housing land supply with a 20% buffer.

Following the release of the Planning Practice Guidance (PPG), which now proposes that Council's include development which falls into the C2 Use Class category (i.e. care homes, halls of residence etc.) when considering housing land supply figures, the requirement provisionally drops to 6,496 (due to increased delivery in previous years) and the supply is elevated to 10,514. This equates to 8.09 years supply.

At the time of the Elworth Hall Farm inquiry the PPG was only in draft form, and although the Inspector gave consideration to the potential contribution of C2 accommodation to supply, the full implications of its inclusion were not known at that stage. The Inspector considered that the Council had a record of under-delivery and expressed the view that a 20% buffer would be appropriate. However, the inclusion of the C2 consents takes away the suggestion of persistent under supply.

The Elworth Hall Farm inspector also criticised assumptions which the Council had made around build rates and lead in times, which he considered to be overly optimistic. In response Officers have been reworking the supply figures using longer lead in times, and on build rates which do not assume that on large sites there will be two or more developers except where there is the actual site specific evidence. Whilst this clearly reduces the overall supply, this is balanced out by the inclusion of the C2 permissions, and (subject to confirmation) the most recent figures still indicate that the Council can demonstrate a 5 year supply of housing land.

In the light of the above the Council considers that the objective of the framework to significantly boost the supply of housing is currently being met and accordingly there is no justification for a

departure from Local Plan policies and policies within the Framework relating to housing land supply, settlement zone lines and open countryside in this area.

Additionally, the adverse impacts in terms of conflict of this proposal with the emerging draft Local Plan of releasing this site for housing development would, in the planning balance, outweigh the benefits of the proposal in terms of housing land supply, since the site is not relied upon with the emerging Core Strategy or the Assessed Housing land supply.

Therefore, the site is not required for the 5 year housing land supply plus buffer.

### **Open Countryside Policy**

As well as assessing housing supply, the recent Appeal decisions at Sandbach Road North Congleton Road Sandbach, the Moorings/Goldfinch Close in Congleton and Crewe Road, Gresty Green are also significant for clarifying the status and intent of settlement zone line and countryside policies within the existing Plan.

Some have sought to argue that as settlement boundaries effectively contain the built area of a town or village – and so define the area in which development is usually concentrated – that accordingly they should be viewed as housing supply policies. This subsequently could mean that those policies, along with normal countryside policies, should be considered “out of date” if there is no five year supply of housing land. This view is derived from paragraph 49 of the framework which states that:

*“Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.*

There are appeal decisions that appear to support this perspective, although the recent appeals in Cheshire East (mentioned above) have generally taken a different approach.

The recent appeal decisions consider this matter in some detail. It was noted by Inspectors decisions” that the settlement zone lines serve a variety of purposes – and take account of land allocated for development up to a particular point (in this case 2011). However, the Inspector considered that settlement zones lines were not driven by the need to identify land for development, but rather are based on the objective of protecting countryside once development land is identified. Consequently, he concluded that the related policy (Policy PS4 of the Congleton Local Plan) was “not sufficient directly related to housing land supply that it can be considered time expired for that purpose.” Instead the Policy is “primarily aimed at countryside & green belt protection”. These objectives are largely in conformity with the NPPF and attract “significant weight”. In both appeals conflict with countryside policies were acknowledged.

This means that these policies remain important in the planning balance – but are not necessarily determinative. The two decisions (Congleton Road and Sandbach Road North) pinpoint that much depends on the nature and character of the site and the individual circumstances pertaining to the application. At Congleton Road, the Inspector considered that the objective to boost significantly the supply of housing outweighed the “relatively moderate” landscape harm. In contrast, at Sandbach Road North the provision of housing was viewed as an “important and substantial” material consideration, but there would also be serious harm resulting from the impact on the character and appearance of the countryside. On that occasion that identified harm, combined with the significant weight attributed to countryside policies,

outweighed the benefits in terms of housing supply and notwithstanding the housing supply position previously identified by Inspector Major, the appeal was dismissed.

In reaching this conclusion, the Inspector memorably noted that:

*“the lack of a 5 year supply of housing land does not provide an automatic ‘green light’ to planning permission”.*

It is acknowledged that the Council has recently consented to judgement in a High Court challenge to the Sandbach Road decision and that accordingly that decision has been quashed on the grounds that the Inspector erred in law in concluding that Policies PS4, PS8 and H6 were not a relevant policy for the supply of housing within the meaning of paragraph 49 of the national Planning Policy framework to the extent that it seeks to restrict the supply of housing. This is consistent with other recent court cases such as *South Northamptonshire v Secretary of State for Communities and Local Government and Barwood Land*.

Whilst the implications of this judgement are still being considered, the Council’s current stance on this matter, as put at recent inquiries, such as Weston Lane, Shavington is that, countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies in so far as their primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the NPPF– and thus are not of date, even if a 5 year supply is not in evidence. However, it is acknowledged that where the Council cannot demonstrate a 5 year supply, they may be out of date in terms of their geographical extent, in that the effect of such policies is to restrict the supply of housing. They accordingly need to be played into the planning balance when decisions are made. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Therefore, the proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question.

### **The location of the houses**

The site is in an isolated position as part of an existing golf course accessed via Knutsford Road and having a small area of frontage to Kings Lane. The houses will be accessed via Kings Lane.

With respect to accessibility, the North West Development Agency toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions. However, as stated previously, these are just guidelines and are not part of the development plan.

The toolkit sets maximum distances between the development and local amenities. These comprise of everyday services that a future inhabitant would call upon on a regular basis, these are:

- a local shop (500m),

- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

In this case, the application, in keeping with the isolated rural nature of this site, significantly fails the majority of these sustainability distances.

An assessment undertaken by Officers indicates that the houses were within a sustainability compliant distance for a post box (Kings Lane/Oak Lane) and a bus stop on Knutsford Road (which has an infrequent service)

The purpose of this assessment is to provide an indication of the extent to which potential future users of a site could walk to access key services and amenities.

The Applicant considers that the golf club house is a community facility with a club room that can be available, the applicant also proposes to provide a post office on site and a retail store and a bank machine will be provided in the hotel. However, it is clear, even if there was a retail shop selling day to day groceries and/or a post office performing all the functions such as payment of bills/car tax etc to be provided on this Golf Course part of the site, such facilities could not be controlled in planning terms. Such facilities/works of operational development do not form part of the application, in any event.

In conclusion the proposed houses would be within the open countryside in an unsustainable location, contrary to policy. The Council can demonstrate a 5 year housing land supply. Housing cannot be considered as enabling development to provide 'community facilities'.

## **Tourism Related Development**

*There are three dimensions to sustainable development: economic, social and environmental...The economic role is about...contributing to building a strong, responsive and competitive economy...The environmental role is about...contributing to protecting and enhancing our natural, built and historic environment...These roles should not be undertaken in isolation...*

A set of core land use planning principles underpin plan-making and decision-taking, which include (amongst many other things)...*supporting a prosperous rural economy by taking a positive approach to sustainable new development...**support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in***

***appropriate locations where identified needs are not met by existing facilities in rural service centres and promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.*** (Para 28 NPPF)

A 27 bedroom hotel and 6 garden suites forms part of the application. The proposed multi-use games area, playground, outdoor gym and bowling green do not appear to be for the exclusive use of local residents so it is entirely likely the facilities would also be available to any future guests of the hotel or users of the golf course (as suggested by the representations submitted in support of the application).

The Tourism Department on the previous application advised the following (with respect to tourism related development in Cheshire East as a whole):

- Cheshire East figures for 2010 (latest figures available) show that staying visitors are increasing but the proportion of staying visitors needs to be increased:
  - Day visitors contributed £402m (70% of the visitor spend)
  - Staying Visitors contributed £176m (30% of the visitor spend)
- Within a radius of 3 miles of Cranage there is only one medium/large hotel currently open; Cranage Hall. It is anticipated that the target market of these 2 hotels will be sufficiently different to compliment each other. There is one other hotel close by, Ye Olde Vicarage Hotel which has been closed for 2 years. This hotel is currently closed but is in the process of being renovated.
- The nearest hotel and golf course accommodation is the Mere Golf & Spa Hotel outside of Knutsford. The clientele for this establishment would be different to that of Woodside Golf Club.
- Of all recorded accommodation within Cheshire East, less than 1% is rated at 5 Star and only 21% is rated at 4 Star. However the 4 Star sector is predominately bed & breakfast accommodation, as there are only 9 hotels within Cheshire East that are classed as 4 Star.
- Total value of east Cheshire's visitor economy is worth £578m, however the accommodation sector only accounts for £66m, highlighting the potential for growth within that sector.
- Over three quarters of establishments in Cheshire East are categorised as small with 10 or fewer rooms or units, highlighting the need for larger establishments.
- Guest Accommodation accounts for over half (55%) of all establishments in Cheshire East with Self Catering accounting for 28% of the total. Hotels make up just 6% of establishments in the area, albeit that they account for over 30% of total bed spaces.

The Hotel Accommodation will be aimed at golfing clientele and will comprise a modular construction in three parts which the applicant will develop over time. 27 bedrooms, a Michelin Star restaurant, a swimming pool and fitness suite, 6 garden suites with a '19<sup>th</sup>' hole function suite will be developed overlooking the golf course. The Business Plan sets a series of aspirations.

There are undoubted benefits of the proposal in terms of job creation within the tourism sector and the additional economic activity in the local economy that this would bring. The site is however, very isolated and future guests, particularly if they are on a golfing holiday will more than likely arrive at this site via their own car. Given the isolation of the site and lack of connectivity via footpaths/PROW's there would be little choice other than to use their car if future guests wished to visit the wider area or the village of Cranage. The development therefore is very likely to be almost exclusively car based. Whilst the Travel Plan submitted refers to possible car sharing by workers, and this is a benefit, little consideration has been given to how visitors to the hotel and users of the community facilities will be able to utilise a choice of means of transport to the site. However the

benefit of bringing additional visitor numbers to Cheshire East and job creation, would be a positive benefit to the local economy and would outweigh in the planning balance any negative impact.

### **Community Facilities**

The 'community facilities' proposed would take the form of a multi-use games area, children's playground, outdoor gym and bowling green.

These facilities would be sited within the golf club and access to them would only be available through the golf club which is a private business enterprise and not a public open space. In addition they would be a considerable distance from the settlements of Cranage and Goostrey and would not be easily accessible to most people without the use of a car.

There are existing facilities such as tennis courts, bowling greens and play areas already existing in close proximity to the nearby settlements and it is not considered that the creation of facilities such as these in this isolated and unsustainable location, would be of benefit to the local community or the environment in terms of its reliance on private vehicular transport in order to access it.

The Heads of Terms that have been submitted for the Section 106 Agreement which cover the provision of the 'community facility' involve the transfer to the Parish Council of the land that it stands on, but do not cover access to it or parking provision and it is not clear whether there would be spaces demarcated from the others at the site or even if there would be any entitlement to park at the site for users of the facilities. There is also no indication given as to whether that facilities would be open if the golf club were closed.

The Heads of Terms allow for the transfer of the land to the Parish Council and for the maintenance, running and upkeep of the facility to be undertaken by a third party company. Reference is also made to a payment to the Parish Council for the maintenance of the facilities in the event of a failure by the company. Therefore the Parish Council, by accepting ownership of the area, could become responsible for the maintenance and upkeep of the facilities, initially funded but not guaranteed indefinitely. No indication has been given as to what would happen to the community facilities if the company fails.

The Heads of Terms are also deficient in that they require the company to maintain the facility to an agreed standard and that the Parish Council have to be content with this standard. However, if the company fails and responsibility falls to the Parish Council, they would have no requirement to maintain any standard or even keep the facility open and available at all.

In conclusion, the Heads of Terms do not adequately secure the retention and maintenance of the 'community facilities'. Should at any point the Golf Club cease to operate, the facilities would be isolated within an area of land to which access would not be available. The facilities would be isolated from the local population and would need to be accessed by car and there are existing facilities within the settlements nearby.

### **Jodrell Bank Interference**

The University of Manchester objected to the proposals on the withdrawn application (12/0682C), on the basis of the potential interference from electrical items within the properties and the hotel affecting the working of the telescopes at Jodrell Bank.

An objection has now been received from the University, however in the light of the appeal decision at the affordable housing in Twemlow (10/2647C, APP/R0660/A/12/2174710), which is in much closer proximity to the telescope than this site, it is considered that a refusal on the grounds of adverse impact on the operations at Jodrell Bank could not be sustained.

## **Landscape Impact**

The Landscape and Visual Impact Assessment submitted with the application identifies the National and Cheshire East baseline landscape character and describes the landscape in the locality of the application site.

The Cheshire Landscape Assessment 2008, adopted in March 2009, identifies this area as being in Landscape character Type 1, Sandy Woods. The key characteristics of which are large areas of woodland, active and inactive sand quarries, low density settlement and recreation features such as golf courses. Within this character type the application site is within the Rudheath character area (SW2), an area that appears as a flat, large scale landscape due to large fields, many of which are defined by blocks of trees. The M6 forms a significant impact in this landscape, although the presence of mature roadside planting means that it is not as visually intrusive as it might be. The application site itself has many of these characteristics and is very representative of this character area.

To the north of the application site, set well within the grounds of the golf course and screened by substantial tree belts in the wider landscape there lies the hotel building with a number of detached suites and associated car parking. To the northwest of these the proposals include the tennis courts and a bowling green.

The visual analysis does indicate that there will be views of the hotel building from the bridleway (BR8 Cranage) that crosses the golf course, but states that the proposed residential properties along King's Lane 'will themselves screen the proposed hotel complex from the southwest'. While it may be the case that the proposed residential dwellings along King's Lane may screen the proposed hotel complex, these dwellings will themselves have a significant and detrimental landscape and visual impact upon the area.

To the south, along the boundary with King's Lane the proposals include a number of dwellings, the Councils Principal Landscape Architect is of the opinion that the significance of landscape impact of the proposed dwellings along King's Lane would be moderately adverse, rather than 'neutral' or slightly adverse, as indicated in the landscape assessment submitted in support of the application. It is also considered that the visual impact will be far more significant than the assessment indicates, especially for the proposed dwellings along King's Lane, an area that is currently agricultural in character and that will, with these proposals become suburban in character.

The proposals need to address the landscape and visual impact the at the hotel complex itself would have, particularly from Bridleway BR8, located to the north of the proposed hotel. The proposed site plan shows little attempt at mitigation.

Whilst this could be addressed by condition, the same could not be said in respect of the proposed residential development along King's Lane which would have a significantly adverse landscape and visual impact on the surrounding area. The housing part of the proposals is considered contrary to Policy GR5 of the Congleton Borough Local Plan, since in landscape character terms it neither respects nor enhances the landscape character of the area.

## **Trees**

The site is situated within open countryside and forms part of an established golf course. The site has a parkland character with a significant number of trees and. On the Kings Lane frontage there are a number of mature trees and a length of remnant hedge.

The tree survey covers 23 individual trees and ten groups or woodlands. None of the trees are currently subject of TPO protection. The development would require the removal of some trees. The losses which would be incurred are mainly young and early mature trees which form part of the golf course landscape. It is considered that the loss of these specimens could be mitigated by additional planting. In addition, it appears a length of Leylandii hedge which currently screens the golf driving range would have to be removed. The loss of this screening would open up the driving range and associated perimeter ball stop fencing to wider view.

In the vicinity of the proposed residential dwellings, the roadside trees and hedge on Kings Lane would be retained with minor encroachment of access into the Root protection areas of two trees. The submitted method statement provides details of proposed tree protection measures.

Overall subject to a comprehensive landscape scheme providing tree planting to mitigate for the proposed tree losses and provision of comprehensive tree protection measures the proposal does not raise significant forestry concerns.

## **Design and Layout**

### **The Hotel and Garden Suites**

The hotel is a substantial building comprising part basement, ground and 2 upper floors. It is sited close to the existing single storey club house and car park. The building would contain timber framed details to the frontage but would in the main be of brick construction with extensive areas of glazing to the frontage.

Whilst a tall building, it is relatively well screened from areas outside the site. The Garden Suites are in essence self catering units adjoining the hotel. Their design mirrors that of the hotel.

### **The Houses**

The properties are traditional pitched roofed dwellings which incorporate many features such as gables and window head details that are typical of many farmhouses. From a design perspective, there are other substantial detached properties in the vicinity on Kings Lane, it is therefore considered that the design of proposed dwellings would be in keeping with the character of the surrounding houses.

## **Highways – Traffic Generation, Sustainability**



The site is located in a rural location and some distance from Holmes Chapel, whilst, the A50 Knutsford Road does not have congestion problems and therefore the traffic associated with this proposal can be accommodated on the road network. There is likely to be sufficient parking capacity on site to not give rise to any highway safety concerns on the surrounding road network.

The main concern regarding the development is one of sustainability and accessibility of the site to a choice of means of transport. It is considered that the proposals various elements will almost be totally car based as the site is situated in an isolated rural location.

There are community based facilities proposed at the site. A great deal of representation has been received from community groups, local residents and members of the golf club.

The site, however, is isolated and not close to a choice of means of transport. The area is not well served by public transport and the A50 Knutsford Road contains no pavement for its length to the closest bus stops. In addition, the local bus service is infrequent. If use is to be made of these facilities by the community then as the site is not linked by footpaths, walking to the site is not possible and using the limited bus services along the A50 is not a realistically practical alternative.

The applicant has provided a travel plan as part of the application to encourage modal shift. However, it is considered most green travel initiatives will struggle as the Hotel guests will be car based, trips to use the community facilities would also be car based as public transport is very infrequent.

It would be possible for the staff to car share but this depends usually on staff living or travelling from similar locations. Therefore, overall the travel plan would not have any effect on modal shift for visitors to the site, in the opinion of the Highways Manager.

Traffic generation would not have a material impact on the local highway network and there would be sufficient car parking. However, sites are required to be sustainably located and this development does not have good footpath links and also have very infrequent bus service that passes the site.

Therefore, there are elements of the proposal such as use of community facilities that are not sustainably located and as such the Highways Manager objects to the proposal.

### **Ecology - Protected Species & Nature Conservation**

A tree on site has been identified as having potential to support roosting bats. This tree is identified as Target Note 1 on the submitted phase 1 habitat survey map. However, the application detail is unclear as to whether the tree is to be removed. A condition, could however, ensure the tree is retained.

The Council's Nature Conservation Officer has confirmed that Great Crested Newts are unlikely to be affected by the proposed development.

Hedgehog activity has been recorded on the site, however the development is unlikely to significantly affect this species, but a condition should be imposed requiring that the development is carried out in accordance with the mitigation measures recommended in the Phase One habitat survey.

Conditions could be imposed to ensure the protection of breeding birds and that the hedgerow on the eastern boundary of the site should be retained and it is considered that these would meet the necessary tests in Circular 11/95.

## **Affordable Housing**

The IPS for Affordable Housing states -

Monitoring has shown that in settlements of less than 3,000 population the majority of new housing has been delivered on sites of less than 15 dwellings. The council will therefore negotiate for the provision of an appropriate element of the total dwelling provision to be affordable housing on all unidentified 'windfall' sites of 0.2 hectares or 3 dwellings or more in all settlements in the rural areas with a population of less than 3,000 population. The exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion for any site will normally be 30%. This proportion includes the provision of social rented and/or intermediate housing as appropriate.

Cranage is located in the Holmes Chapel Rural sub-area in the Strategic Housing Market Assessment, this sub-area also includes Goostrey, Swettenham and Twemlow and it identifies a need for 45 new affordable units between 2009/10 – 2014/15, requiring 9 new units each year, made up of 6 x 2 beds, 1 x 3 bed and 2 x 1/2 bed older persons units.

There are currently 37 applicants on Cheshire Homechoice who have selected one of the Holmes Chapel Rural sub-areas, the breakdown of applicants per each of the areas is 7 x Cranage, 26 x Goostrey, 3 x Swettenham and 1 x Twemlow.

There has been provision of 10 units of affordable housing at Big Stone House, Cranage and there is a proposed mixed tenure affordable housing scheme at a site on Middlewich Road which has planning permission to provide 10 affordable homes. Combined the 2 sites will provide a total of 20 new affordable units, however it is not clear when the Middlewich Road site will be developed as the Parish Council took a vote and opted to not sell the site.

The provision of the 20 properties over the 2 sites would leave a requirement for 25 new affordable units between 2009/10 – 2013/14 in the Holmes Chapel Rural sub-area, there is no other development currently on site or proposed which will provide affordable housing at present, therefore there is still need for affordable housing in the Holmes Chapel Rural sub-area, which Cranage is part of.

There is a requirement for 30% of the properties on site to be provided as affordable units, which would equate to 2 properties, split as 65% rent, 35% intermediate tenure – the split would have to be 1 rented affordable property and 1 intermediate tenure property.

The affordable housing statement submitted by the applicant indicates that they are offering on site provision with 30% of the total dwellings being affordable which meets the number of affordable dwellings required. Properties with 2 bedrooms (houses) should be provided as the affordable houses to meet the highest need. It is noted that the Planning Statement sets out that there will be 2 x 2 bed houses provided as affordable.

If the application is approved affordable housing should be provided as per the following requirements:

- 30% of the dwellings should be affordable, this equates to up to 2 dwellings.
- The affordable dwellings to be 2 bed houses in order to meet the highest need identified for the area.
- The tenure split of the affordable housing required is 65% social or affordable rented, 35% intermediate tenure, as only 2 affordable dwellings would be required a 50/50 split between rented & intermediate would be acceptable, with a requirement that the rented dwelling is transferred to a Registered Provider.
- Affordable Homes should be pepper-potted (in clusters is acceptable) – although it is not clear from the layout it appears plots 6 & 7 will be provided as affordable dwellings and due to the smaller number of residential properties on the site I am happy to accept the affordable housing being located next to each other.
- The affordable homes should be built to the standards adopted by the HCA at the time of development and achieve at least CFSH L3
- The affordable homes should be provided no later than occupation of 50% of the market dwellings. The Interim Planning Statement: Affordable Housing states that “The Council will require any provision of affordable housing and/or any control of occupancy in accordance with this Statement to be secured by means of planning obligations pursuant to Section 106 of the Town and County Planning Act 1990 (as amended)”

## **Amenity**

Policy GR6 requires that new development should not have an unduly detrimental effect on the amenity of nearby residential properties from loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

Supplementary Planning Document 2 (Private Open Space), sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings. Having regard to this proposal, the required separation distances would be fully complied with and the residential amenity space provided for the new dwellings would be satisfactory. There is no objection to the dwellings in amenity terms. In addition, the hotel element and the proposed sporting facilities are some distance from the

Whilst some objections have been raised by local residents concerning disturbance during building works, it is considered that conditions could be imposed that would adequately safeguard amenity.

## **CONCLUSION**

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

There are benefits, namely the contribution to tourism and potential employment generation in the rural area and the economic benefits that would be generated as a result of the tourist and employment development, however; these would not outweigh the policy presumption against the housing in the Open Countryside.

The proposal as put forward cannot be treated as enabling development because the provision of the houses to put the funding in place for the provision of 'community facilities, which will be made available for the use of local residents as well as others is not a heritage asset nor or there any heritage assets on the site.

In addition, there is insufficient public benefit arising from the proposed dwellings as an enabling development for the community facilities given the isolated nature of the site away from the main settlement of Cranage the proposed community facilities will be car dependent and therefore unsustainable.

The site is within the Open Countryside where under Policies PS8 and H6 there is a presumption against new residential development. The NPPF states that where authorities cannot demonstrate a 5 year supply of housing land, relevant local plan policies are out of date and there is a presumption in favour of development. However, the Borough has an identified deliverable 5 year housing supply of housing and therefore the automatic presumption in favour of the proposal does not apply.

The community facilities as proposed are remote and inaccessible to a choice of means of transport. Users will be reliant upon their car and whilst a Travel Plan has been submitted, it fails to mitigate for the inherently unsustainable location of the proposed community facilities.

The proposed dwellings will adversely impact upon the Landscaped and Visual Character of the area.

The proposed housing development would be contrary to the Open Countryside Policies and for the reasons identified cannot be treated as being enabling development. The economic benefits and tourism generated would not outweigh the presumption against the inappropriate and unsustainable development.

## **RECOMMENDATION**

Refuse for the following reasons:

- 1. There is insufficient public benefit arising from the scheme to outweigh the harm in terms of new residential development in the Open Countryside. The proposal is therefore contrary to the provisions of Policy PS8 of the adopted Congleton Borough Local Plan 2005 and the advice given in the National Planning Policy Framework in respect of enabling development.**
- 2. The proposed dwellings located to the Kings Lane frontage will result in the erosion of the landscaped character of this rural location. To allow the development would be detrimental to the visual amenity and landscape character of this area of open countryside, contrary to policies PS5 (Villages in Open Countryside) and PS8 (Open Countryside) of the adopted Congleton Borough Local Plan First Review 2005.**
- 3. The proposed site for the community facilities are in an isolated position away from the village of Cranage. Roads from the site to Cranage are unlit, do not have footways and do not have a frequent bus service. Accordingly users of the community facilities would be reliant upon the motor vehicle to access the site. This is contrary to Policy RC1 of the**

**adopted Congleton Borough Local Plan First Review and the thrust of the NPPF in respect of sustainable development.**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Principal Planning Manager 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.**

**Should this application be the subject of an appeal, authority be delegated to the Interim Principal Planning Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**

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