

Appeal Statement of Case

For Bloor Homes NW Ltd | 20-604

Appeal against refusal of planning application ref: SMD/2021/0610 for outline permission for residential development with access considered (all other matters reserved) - Land to the east of Froghall Road, Cheadle

Project: 20-604
Site Address: Land to the east of Froghall Road, Cheadle
Client: Bloor Homes NW Ltd
Date: 30 August 2024
Author: Victoria Wood
Approved by: John Coxon

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Contents

1.	Introduction _____	1
2.	The appeal proposal _____	3
3.	Site and area description _____	5
4.	Relevant planning history _____	7
5.	Planning policy context _____	8
6.	Summary of case for the Appellant _____	10
7.	Section 106 agreement _____	16
8.	Appeal document list _____	17

Appendices

- EP1.** Decision Notice SMD/2021/0610
- EP2.** Committee report SMD/2021/0610
- EP3.** Appeal Document List



1. Introduction

- 1.1 This Statement has been prepared on behalf of Bloor Homes (NW) (the appellant) in support of an appeal against the refusal of Staffordshire Moorlands District Council (the LPA) to grant outline planning permission under application reference SMD/2021/0610, for residential development with access considered (all other matters reserved) in relation to land east of Froghall Road, Cheadle, Staffordshire.

Background

- 1.2 The appeal application was validated on 27th September 2021 and was give reference number SMD/2021/0610.
- 1.3 The Council’s Planning Committee determined to refuse the application on the 28th March 2024 and the decision notice was issued on the 15th April 2024. A copy of the decision notice is provided at Appendix EP1. The decision notice lists the following reasons for refusal:

Reason for refusal 1

- 1.4 Reason for refusal 1 states:

“This site is situated outside the Development boundary of Cheadle. It is a greenfield site and lies within the open countryside. Spatial polices in the Local Plan seek to provide the housing requirement for Cheadle on allocated and windfall sites within the Development boundary. Furthermore the strategy for the rural areas of the District, such as this, allows only for development which has an essential need to be located in the countryside. No evidence of such essential need is put forward. For these reasons the proposal conflicts with Polices SS2, SS3, SS4, SS10 and H1 of the adopted Staffordshire Moorlands Local Plan.”

Reason for refusal 2

- 1.5 Reason for refusal 2 states:

“In the Councils Landscape and Settlement Character Assessment the site lies within the landscape character type of Ancient Slope and Valley Farmland. Replacing open fields with a suburban housing estate could not be said to the respect or respond to key characteristics of this landscape character type. Although the plans show that some existing landscape features will be retained, the proposed roundabout will necessitate the loss of the whole frontage hedge. Furthermore there is no existing landscape feature defining the northern boundary. The landscape is relatively open and on rising



ground and the site is visible not only from Froghall Road to the west but also from the south, in particular from Hammersley Hayes Road (also the route of Public Footpath Cheadle 40) and in longer views from Public Footpaths Cheadle 38 and 39. In these latter views Broad Hayes Farm is seen in isolation from the urban area of Cheadle. The proposed development would encroach into the landscape setting of this isolated farmhouse, noting that isolated properties are one of the key characteristics of this landscape character type. Overall the proposal will not respect or enhance local landscape character and will result in a prominent visual intrusion into the countryside. As such there is conflict with Policy DC3 of the adopted Staffordshire Moorlands Local Plan and the NPPF which says that planning decisions should contribute and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside.”

Reason for refusal 3

1.6 Reason for refusal 3 states:

“The proposal would result in a harmful encroachment of development into the open agricultural setting of Broad Hayes Farmhouse, a Grade II Listed building and loss of its sense of isolation, all key elements of how the asset is experienced and of its significance. In addition there would be harm to the visibility of St Giles Church, Grade 1 Listed in Cheadle. For these reasons the proposal is contrary to Policy DC2 of the adopted Staffordshire Moorlands Local Plan and the NPPF which seeks to conserve and enhance heritage assets.”



2. The appeal proposal

The application

- 2.1 As submitted the application proposals originally sought outline planning permission, with access to be considered and other matters reserved for residential development of up to 228 dwellings. However, during the course of the consideration of the application the proposals were amended in response to comments from the LPA and statutory consultees, with the submitted development parameters and landscaping scheme amended and alterations to the proposed access arrangements in direct response to comments from the Local Highways Authority (LHA). In addition, the description of development was amended to reflect the reductions in the developable area of the site, with the application seeking planning permission for up to 215 dwellings.
- 2.2 The proposals for up to 215 dwelling comprised the following:
- 33% affordable housing
 - 10 self-build / custom plots
 - 6 bungalows
- 2.3 50% of the dwellings were proposed to meet Part M4(2): accessible and adaptable standard homes and 6no. of the proposed bungalows would be provided as M4(3): wheelchair adaptable homes.
- 2.4 All proposed dwellings would meet the Nationally Described Space Standards (NDSS) and would be equipped with ultra-low emissions boilers and the provision of Green Infrastructure through the site.
- 2.5 The application proposals included for the consideration of access as a detailed matter. Access for the purpose of the application related to the proposed vehicular access point from Froghall Road only and did not include footpath connections or the internal road layout.

Change to description of development

- 2.6 Prior to the consideration of the application by the Planning Committee, the LPA's Officers requested that the description of development be amended to remove the proposed upper limit to the quantum of development proposed. Officers stated that unless the description of development proposed be amended to remove the number of dwellings, that they were not comfortable in taking the application forward for consideration before members with a recommendation of approval.



2.7 The appeal is supported by a suite of technical reports and plans which address all environmental and technical considerations in relation to the site and proposals. Whilst the upper limit for the proposed development was removed from the description of development, the Illustrative Masterplan was prepared on the basis of the site delivering up to 215 dwellings, and the supporting technical reports were all originally prepared on the basis the site delivering up to 228 dwellings as per the original application submission. Furthermore, the application has previously been consulted upon with the description of development stating an upper limit on the amount of development. The Appellant would therefore be content for the Inspector to specify the upper quantum of development in the description of development, as the applicant had proposed, should planning permission be granted on appeal. Alternatively, a condition could be applied to limit the upper number of dwellings to align with the technical information which supports the application.

Refused plans

2.8 The refused scheme comprises the following plans as identified on the decision notice:

- Location Plan (020 020 P001 Rev G)
- Parameters Plan (020 020 P004 Rev N)
- Proposed site access plan (3277 F06 Rev G)

Design and development parameters

2.9 The updated Design and Access Statement provides a detailed assessment of the application site, its context and the evolution of the proposed parameters plan and illustrative masterplan. The illustrative masterplan demonstrates how the site can accommodate the proposed quantum of development. The plan shows generous areas of public open space and attractive pedestrian and cycle linkages, including links to the wider public right of way network. A green corridor would link the areas of green space proposed to the east, with Froghall Road to the west

2.10 The updated masterplan and the Design and Access Statement demonstrate that a high-quality development can be delivered on site, taking in account site constraints and existing development within the wider site context.



3. Site and area description

- 3.1 The site is located to the north of Cheadle, Staffordshire. It is greenfield and comprises two fields located east of Froghall Road (A521).
- 3.2 The adopted proposals map identifies the site as being located within the open countryside, albeit it is located adjacent to the settlement boundary of Cheadle to the south. The below extract taken from the adopted proposals map shows the extent of the settlement boundary indicated with a purpose dashed line.

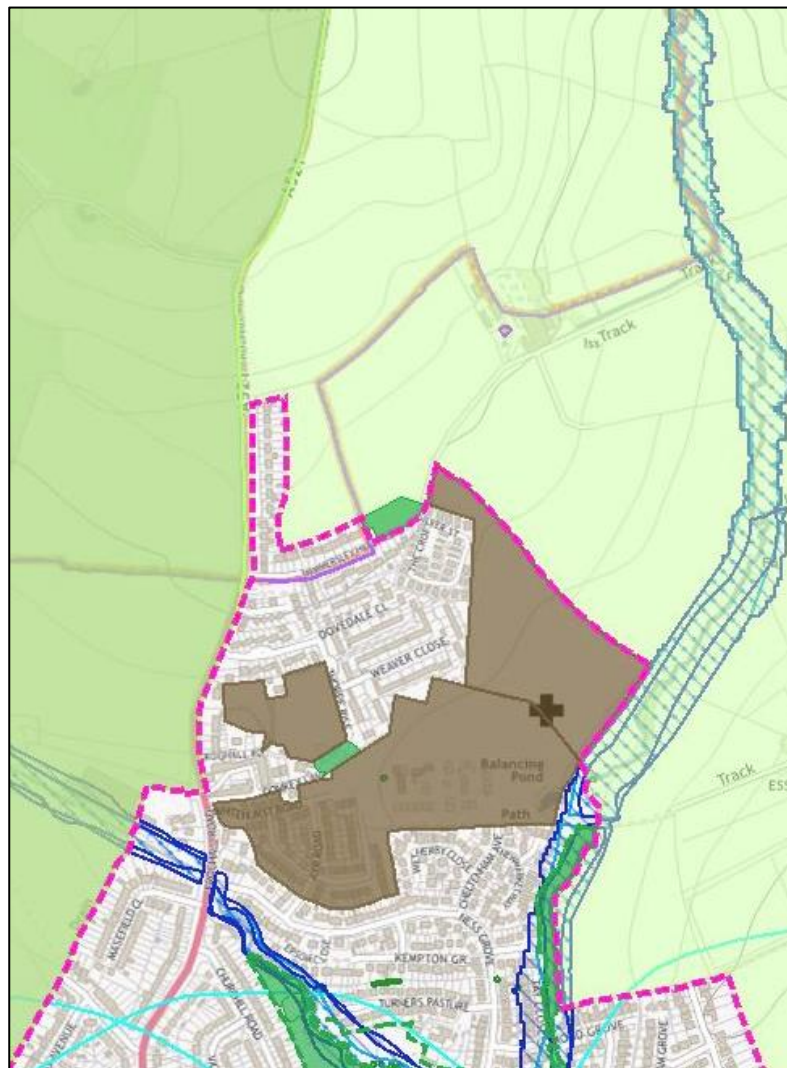


Figure 1. Proposals Map Extract



- 3.3 The site is bordered to the south by existing residential development off Hammersley Hayes Road, and the Cheadle North Strategic Development Area which benefits from planning permission for residential development and is partly under construction. The Cheadle North Strategic Development Area is shaded brown on the proposals map extract at Figure 1 above. Located to the south of the site is an area of open space which is accessed off Hammersley Hayes Road. Broad Hayes Farm is located to the east of the site and the farmhouse is Grade II Listed.
- 3.4 Cheadle is a town which is identified in the top tier of the settlement hierarchy in the Staffordshire Moorlands Local Plan. The spatial strategy seeks to focus future growth in the towns and to strengthen their role as significant service centres.
- 3.5 The site is well connected to Cheadle, located approximately 1.2km to the north of the town centre, with local supermarkets, GP surgeries, dentists, pubs and restaurants and churches all located within. Bus stops are located on Froghall Road adjacent to the site, providing regular services between Hanley and Uttoxeter town centre. Local schools and a sixth form college are located to the south of the town centre, approximately 2km from the site.



4. Relevant planning history

4.1 Prior to the appeal application, the only planning application history on the site dates back to the 1980s:

- SMD/1987/1269 Construction of Vehicular access. Approved 4th January 1988
- SMD/1988/0799 Outline application for alterations and conversion of farm buildings to form golf club including bar/club room, games rooms, changing rooms, toilet, shop/office and car parking. Approved 5th May 1988
- SMD/1988/1226 Change of use from agricultural use to golf course with conversion of buildings to form club house facilities and retention of house as dwelling. Approved 27th April 1988



5. Planning policy context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) and Planning Practice Guidance (PPG) are material considerations in planning decisions.

Development plan context

Staffordshire Moorlands Local Plan

5.2 The development plan for the appeal proposals comprises the Staffordshire Moorlands Local Plan, adopted September 2020 and covers the plan period to 2033 providing the framework for development across the district. The following policies are referred to within the reasons for refusal:

- Policy SS2 Settlement Hierarchy
- Policy SS3 Future Provision and Distribution of Development
- Policy SS4 Strategic Housing and Employment Land Supply
- Policy SS10 Other Rural Areas Strategy
- Policy H1 New Housing Development
- Policy DC2 The Historic Environment
- Policy DC3 Landscape and Settlement Setting

5.3 In addition to the above, it is considered that the following policies are also of relevance in the determination of the appeal proposals:

- Policy SS11 Churnet Valley Strategy
- Policy SS12 Planning Obligations and Community Infrastructure Levy
- Policy H3 Affordable Housing
- DC4 Local Green Space
- C1 Creating Sustainable Communities
- C3 Green Infrastructure
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows



- T1 Development and Sustainable Transport

Other material considerations

National planning policy and guidance

- 5.4 The revised National Planning Policy Framework (the Framework) and the National Planning Practice Guidance (the PPG) will be referred to.
- 5.5 On the 30 July 2024 the Government published its proposed reforms to the National Planning Policy Framework and other changes to the planning system for a period of consultation. This included a new standard method for calculating local housing need, with the figure for Staffordshire Moorlands rising from 159 dwellings per annum (dpa) to 497 dpa. By way of context, the adopted housing requirement in the Local Plan is only 320 dpa.

Caselaw and appeal decisions

- 5.6 Relevant case law and appeal decisions will be referenced in support of the Appellant's case.



6. Summary of case for the Appellant

6.1 This section of the Statement of Case sets out a summary of the Appellant’s position in relation to the reasons for refusal and the matters on which detailed evidence will be adduced. The Appellant reserves the right to add or introduce further elements to their case, when the Council’s Statement of Case and comments from Third Parties are received and should there be any material change in circumstances during the appeal and prior to the determination of the appeal.

Reason for refusal 1: Open countryside policy

6.2 Reason for refusal 1 (RFR1) related to the site’s location outside of the development boundary of Cheadle, with the site being a greenfield site located within the open countryside, in conflict with SMLP Policies SS2, SS3 SS4, SS10 and H1.

6.3 Policy SS2 provides the settlement hierarchy and identifies development within the open countryside will not normally be acceptable. As the application does not meet any of the categories of development that are acceptable within the open countryside, as listed in Policies H1 and SS10 of the Local Plan, the proposed development conflicts within those policies and consequently the development plan as a whole. However, the LPA are not able to demonstrate a five-year housing land supply and therefore, the tilted balance is engaged in accordance with paragraph 11(d) of the Framework.

6.4 Paragraph 11 of the Framework states:

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

6.5 Footnote 8 of the Framework confirms that out-of-date policies includes:

“for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable



housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76.”

6.6 Paragraph 76 of the Framework states:

“Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing for decision making purposes if the following criteria are met⁴⁰:

- a) their adopted plan is less than five years old; and
- b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.”

6.7 Footnote 40 states transitional provisions relating to the application of paragraph 76 are provided at footnote 79 of the Framework. Footnote 79 states:

“As an exception to this, the policy contained in paragraph 76 and the related reference in footnote 8 of this Framework should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of this version of the Framework.”

6.8 The application for the appeal proposals was made valid on 27 September 2021 and before the publication of the latest version of the Framework (December 2023). Therefore, in accordance with footnote 79, paragraph 76 is not a material consideration in the determination of this appeal. This was highlighted in the officer’s report to members (see Appendix **EP2**).

6.9 The LPAs latest 5-year housing land supply statement was published in April 2023 and confirmed that the LPA are only able to demonstrate a 3.58 years’ supply, therefore paragraph 11(d)ii of the Framework applies, and the titled balance is engaged.

6.10 Notwithstanding that the Council’s published supply position is only 3.58 years, we consider that the Council’s supply position is overstated, and the actual deliverable supply is less than 3.58 years. The Appellant will adduce evidence in relation to housing land supply to demonstrate the full extent of the shortfall. The Appellant will also demonstrate that the delivery of housing has been very substantially below the requirement in the adopted Local Plan. Furthermore, it may be necessary to update the housing land supply position having regard to the emerging changes to national planning policy.

6.11 Local Plan Policies SS2, SS3, SS4, SS10 and H1 as referred to within RFR1 are all considered to be out-of-date as they relate to housing requirement, delivery and settlement boundaries which constrain the delivery of housing.



6.12 It is therefore necessary to consider the benefits of the proposed development, and whether any adverse impacts of the development would significantly and demonstrably outweigh these benefits. We address this further in the ‘planning balance’ section below.

Reason for refusal 2: Landscape character

6.13 The Appellant will demonstrate that the proposed development would not comprise a prominent intrusion into the open countryside and would not result in any unacceptable long-term landscape and visual effects.

6.14 The application was accompanied by an LVA at submission and a revised LVA was submitted as part of the amended scheme as submitted in May 2022.

6.15 The submitted LVA confirms the landscape effects of the proposals would be moderate/minor adverse, and that the proposed development would not result in any unacceptable long-term landscape and visual effects. The Council’s landscape consultee largely agreed with the findings of the Appellant’s LVA.

6.16 The landscape impact would be significantly below the level of harm that is required to trigger Policy DC3 (i.e., significant adverse impact). The site is also well-related to the existing settlement, and it would not comprise a prominent or significant intrusion into the open countryside. There is therefore no conflict with Policy DC3 as alleged within RFR2.

6.17 However, if the Inspector finds there is conflict with SMDLP Policy DC3, the LPA cannot demonstrate a five-year housing land supply and therefore the tilted balance applies in accordance with paragraph 11(d) of the Framework, and the landscape impacts of the development do not significantly and demonstrably outweigh the benefits of the scheme.

Reason for refusal 3: Heritage conservation

6.18 The Appellant will demonstrate that the appeal proposals would result in minor, less than substantial harm to the significance of Broad Hayes Farm. In accordance with paragraph 208 of the Framework, this harm should be weighed against the public benefits of the proposals.

6.19 In relation to the impact of the proposals on the setting of the Grade II listed Broad Hayes Farmhouse, the proposals were amended through the application process and in direct response to the concerns raised by the LPAs Conservation and Heritage consultee. Following the submission of the amended proposals, the LPAs Conservation and Heritage consultee concluded *“that pulling back the development along the new alignment does reduce the level of harm to the lower end of the spectrum on the ‘less than substantial’*



scale.” (our emphasis). In accordance with paragraph 208 of the Framework, this harm should be weighed against the public benefits of the proposals.

- 6.20 In accordance with paragraphs 199 and 200 of the Framework, great weight should be given to the asset’s conservation, and the less than substantial harm must be weighed against the public benefits of the scheme. In this case the application proposals would provide much needed market and affordable housing, at a time when the Council cannot demonstrate a five-year housing land supply and is not meeting its identified need for affordable housing. The proposed development would also provide custom / self-build housing, adaptable housing for older persons and persons with disabilities, economic benefits, the provision of open space for new and existing residents, and biodiversity enhancements. These benefits are detailed elsewhere within this statement. Cumulatively, these are very significant public benefits of the proposed development. We consider that these public benefits outweigh the minor level of less than substantial harm (at the lowermost end of the less than substantial harm spectrum) that would be caused to the significance of the Grade II Farmhouse through the changes to its setting.
- 6.21 In relation to the impact of the proposals on Grade I listed St Giles Church located in the centre of Cheadle and some 1.7km to the south of the appeal site, the Built Heritage Statement submitted in support of the revised proposals confirmed that the views of the St Giles Church spire are dominated by modern residential development and that the openness of the site does not facilitate any key views of the church. It was agreed by the Council’s Conservation and Heritage consultee that the proposed development will not block any views of the church from the relevant public rights-of-way.

Highways

- 6.22 Highways safety and capacity are not identified within the reasons for refusal. However, an ‘informative’ on the decision notice states:

“In debating the application Members expressed concern regarding highway safety in respect of the proposed roundabout and traffic speeds on Froghall Road and the fact that in their view the proposal will lead to increased levels of traffic congestion in the town centre including at key junctions.”

- 6.23 Given that the LHA did not object to the application and highways is not identified as a reason for refusal, it is anticipated that highways matters can be addressed through a Statement of Common Ground. However, the Appellant reserves the right to adduce detailed evidence in relation to highways should it be deemed necessary.



Third party objections

6.24 A summary of the main third-party objections is provided within the Officer's report to the planning committee. In addition to objections which relate to the Council's reason for refusal, objections were made in relation to other matters including the impacts on local infrastructure / local services, highways, ecology, overdevelopment, loss of privacy / overlooking, pollution, anti-social behaviour, local property prices, drainage / flooding, carbon emissions and loss of light. Where relevant and necessary, the Appellant will adduce evidence to address the issues raised by third parties.

Planning balance / Summary of overall conclusions

6.25 The Appellant considers that the appeal proposals represent a sustainable form of development having regard to national and local planning policy.

6.26 It is acknowledged that the proposals are contrary to Policies H1, SS2 and SS10 of the Local Plan, being located outside of the development boundary for Cheadle and within the open countryside. However, having regard to paragraphs 11 (d) and 14 of the Framework, the tilted balance is engaged by virtue of the inability of the council to demonstrate a five-year supply of housing land. This means that planning permission should be granted 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.

6.27 In this case the benefits of the development are namely:

- The delivery of much needed new housing in a sustainable location, in an authority which has significantly under-delivered on housing requirement, and where now a significant shortfall in five-year housing land supply exists.
- Delivery of 33% affordable housing to meet acute levels of unmet need.
- Delivery of self-build plots.
- The delivery of M4(3) and M4(2) homes.
- The delivery of market and affordable dwellings which meet Nationally Described Space Standards.
- Economic benefits in the form of direct and indirect employment opportunities during construction and throughout the lifetime of the development through increased household spending in the local area.
- Delivery of a measurable biodiversity net gain.
- The provision of green infrastructure on site through the delivery of extensive areas of open space.



- 6.28 The Appellant will adduce detailed evidence in relation to the benefits of the proposed development as outlined above.
- 6.29 Furthermore, whilst the site is not allocated for development, the Local Plan is clear on the need to maintain a five-year supply, and for development to be focused on the three main towns in Staffordshire Moorlands, including Cheadle. Approximately half of Cheadle is constrained by the Green Belt, and therefore a site on the edge of Cheadle, outside of the Green Belt and adjacent to an existing allocation that is delivering, is a logical location to meet the identified housing land supply shortfall.
- 6.30 Set against the range of very substantial benefits that the proposed development would deliver, the proposed development would involve the development of a greenfield site beyond the existing settlement boundary. However, the submitted Landscape and Visual Appraisal demonstrates that the landscape effects would only be moderate/minor adverse, and that the proposed development would not result in any unacceptable long-term landscape and visual effects. The landscape impact would be significantly below the level of harm that is required to trigger Policy DC3 (i.e., significant adverse impact). The site is also well-related to the existing settlement, and it would not comprise a prominent intrusion into the open countryside. There is no conflict with Policy DC3.
- 6.31 Footnote 7 of paragraph 11 of the Framework lists designated heritage assets as a policy type which may indicate that development should be restricted. Furthermore, Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that when making any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this case, the proposed development would generate the lowest level of less than substantial harm to the Grade II listed Broad Haye Farmhouse through development within its setting. However, whilst considerable importance and weight should be given to the desirability of preserving the setting of the listed buildings as part the balancing exercise, the low level of less than substantial harm identified in this case is outweighed by the very substantial public benefits of the proposed development, as summarised above.
- 6.32 Therefore, there are no adverse impacts which would significantly and demonstrably outweigh the very substantial benefits of the application proposals. In accordance with paragraph 11(d) of the Framework, planning permission should be granted.



7. Section 106 agreement

- 7.1 The Appellant will negotiate with the Council with a view to agreeing a Section 106 agreement to secure 33% affordable housing, public open space (on site provision and future maintenance) and financial contributions towards education, healthcare and air quality.
- 7.2 The Appellant will assess the proposed provisions against the tests of the Framework and the CIL Regulations. Any obligations should only apply if they are:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 7.3 Where necessary, compliance with the CIL Regulations and paragraph 57 of the NPPF will be addressed in the Appellant's evidence.



8. Appeal document list

- 8.1 A list of application documents that accompany this appeal is enclosed at Appendix **EP3**.
- 8.2 A list is provided below of the key policy and technical documents that the Appellant intends to refer to. Additional core documents may also be listed in the Statement of Common Ground and may be added to by the Appellant or Council prior to the commencement of the inquiry. Other documents may be referred to in light of matters raised in the Council's Statement of Case or by other parties.

National Documents

- National Planning Policy Framework (the Framework)
- National Planning Practice Guidance

Development plan documents

- Staffordshire Moorlands Local Plan

Other documents

- Statement of Five Year Housing Land Supply (as at 1st April 2023), November 2023
- The development plan evidence base, Inspectors reports and monitoring document
- Emerging changes to national planning policy

- 8.3 In addition to the above, the Appellant will also refer to other relevant applications, appeal decisions and case law.
- 8.4 The Appellant will seek to agree a Core Document List with the Council.



EP1

Mr John Coxon
Emery Planning
Units 2 - 4 South Park Court Hobson Street
Macclesfield
SK11 8BS

C/o Agent
Bloor Homes NW

Application no: SMD/2021/0610

Determined on: 15th April 2024

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

Land East Of Froghall Road Cheadle Staffordshire

Description of Development:

Outline application for residential development with access considered (all other matters reserved)

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref:

Location Plan and application boundary 020 020 P001 Rev G
Parameters Plan 020 020 004 Rev N
Proposed site access plan 3277 F06 Rev G

for the reason(s) specified below:-

1. This site is situated outside the Development boundary of Cheadle. It is a greenfield site and lies within the open countryside. Spatial polices in the Local Plan seek to provide the housing requirement for Cheadle on allocated and windfall sites within the Development boundary. Furthermore the strategy for the rural areas of the District, such as this, allows only for development which has an essential need to be located in the countryside. No evidence of such essential need is put forward. For these reasons the proposal conflicts with Polices SS2, SS3, SS4, SS10 and H1 of the adopted Staffordshire Moorlands Local Plan
2. In the Councils Landscape and Settlement Character Assessment the site lies within the landscape character type of Ancient Slope and Valley Farmland. Replacing open fields with a suburban housing estate could not be said to the respect or respond to key characteristics of this landscape character type. Although the plans show that some existing landscape features will be retained, the proposed roundabout will necessitate the loss of the whole frontage hedge. Furthermore there is no existing landscape feature defining the northern

boundary. The landscape is relatively open and on rising ground and the site is visible not only from Froghall Road to the west but also from the south, in particular from Hammersley Hayes Road (also the route of Public Footpath Cheadle 40) and in longer views from Public Footpaths Cheadle 38 and 39. In these latter views Broad Hayes Farm is seen in isolation from the urban area of Cheadle. The proposed development would encroach into the landscape setting of this isolated farmhouse, noting that isolated properties are one of the key characteristics of this landscape character type. Overall the proposal will not respect or enhance local landscape character and will result in a prominent visual intrusion into the countryside. As such there is conflict with Policy DC3 of the adopted Staffordshire Moorlands Local Plan and the NPPF which says that planning decisions should contribute and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside

3. The proposal would result in a harmful encroachment of development into the open agricultural setting of Broad Hayes Farmhouse, a Grade II Listed building and loss of its sense of isolation, all key elements of how the asset is experienced and of its significance. In addition there would be harm to the visibility of St Giles Church, Grade 1 Listed in Cheadle. For these reasons the proposal is contrary to Policy DC2 of the adopted Staffordshire Moorlands Local Plan and the NPPF which seeks to conserve and enhance heritage assets

Informatives

1. The proposal is not considered to be a sustainable development and does not comply with the provisions of the National Planning Policy Framework.
2. In debating the application Members expressed concern regarding highway safety in respect of the proposed roundabout and traffic speeds on Froghall Road and the fact that in their view the proposal will lead to increased levels of traffic congestion in the town centre including at key junctions

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
1. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
2. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
3. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
4. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
5. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- 1.

EP2

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

28th March 2024

Application No:	SMD/2021/0610	
Location	Land East Of Froghall Road Cheadle Staffordshire	
Proposal	Outline for residential development with access considered (all other matters reserved)	
Applicant	Bloor Homes NW	
Agent	Emery Planning	
Parish/ward	Cheadle	Date registered 27/09/21
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffs Moorlands.gov.uk		

REFERRAL

This is a major application which is locally contentious

1. SUMMARY OF RECOMMENDATION

APPROVE subject to conditions and the prior completion of a Section 106 Agreement
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2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 This is a greenfield site extending to approx. 8.7 ha. The site consists of agricultural land and is located on the east side of the A521 Froghall Road and to the north of Cheadle. The northern most section of the site is part of a much larger field and consequently there is no physical demarcation of the northern boundary of the application site.

2.2 The site lies beyond the settlement boundary for Cheadle and is within the open countryside.

2.3 The site is bordered to the south in part by existing residential development off Hammersley Hayes Road and partly by the access track to Broad Hayes farm which is also the route of public footpath Cheadle 40. Beyond to the south are fields. The western boundary borders in part ribbon development on Froghall Road, thereafter Froghall Road itself. There is no comparable built development on the western side of Froghall Road for the extent of the application site; the landscape here comprises of agricultural fields mostly enclosed by hedgerows with some hedgerow trees. The northern boundary of the site is undefined as noted above with further agricultural fields beyond to the north. The shorter eastern boundary abuts that of Broad Hayes farmhouse which is a Grade II Listed building. There is area of public open space to the south of the site which is accessed off Hammersley Hayes Road. A line of low voltage pylons cross through the southern field

2.4 The site slopes in a north – south direction. The application documents note the level change of 190m AOD on the site's northern boundary falling to 175M AOD at the southern boundary. From here the site continues to slope south east towards Cecily Brook.

2.5 As noted above Public footpath Cheadle 40 runs to the south of the site following the route of Hammersley Hayes Road and then heads towards Broad Haye Farm and beyond. Further to the south of the site are two public footpaths, Cheadle 38 and Cheadle 39 from where views of the site are available. Both are referred to in the landscape discussion below. Public footpath Cheadle 31 lies to the west of the site.

2.6 The spire of St Giles Catholic Church in Cheadle is visible from the site.

2.7 The boundaries of the site to the west, east and south consist of a mix of native hedgerows, hedgerow trees and fencing. There is a hedgerow running west – east through the centre of the site although this has a gap towards its south western end. There are four notable large mature trees positioned within this hedgerow. None of the trees are protected by TPO's.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is an outline application for housing with all matters reserved for subsequent approval apart from access. A Parameters plan is submitted for approval and an illustrative Masterplan which shows amongst other matters a development of approx. 215 houses, areas of open space, SUDS pond, play area, footpaths/cycle paths, structural tree and hedge planting.

3.2 At Officer's request the description of development was changed during the processing of the application to remove reference to 'up to 215 dwellings ' because of concerns about the capacity of the site to accommodate this number. This will be a matter to consider in detail at the reserved matters stage.

3.3 The Parameters Masterplan has been amended during the course of the application in response to Officer comments/concerns. Importantly it now shows minimum 10m landscaped buffers on the northern and eastern boundaries of the site and the land to the east now devoid of any footpaths/cycle paths/public access and simply retained as field or if required space for biodiversity net gain (wildflower meadow). It also marks the 100m stand-off between the development edge and the adjacent Listed farmhouse at Broad Hayes. The Plan shows areas referred to as Residential development parcels, an indicative road and footpath/cycleway layout, retained vista to St Giles, attenuation ponds, a central green corridor following the line of the existing hedgerow and indicative green open space and landscaping.

3.4 The application is supported by a Design and Access Statement, Planning, affordable housing and sustainability statement, Statement of Community Involvement, Desk Study, Flood Risk Assessment, Heritage Statement, Archaeological Desk-Based Assessment, Landscape and Visual Appraisal, Air Quality Assessment, Transport Assessment, Preliminary Ecological Appraisal and a Noise Impact Assessment.

Revised plans

3.5 There have been 2 supplementary submission during the course of the application as follows:-

May 2022

3.6 In May 2022 revised plans and documents were received and given the substantive nature of them, full re consultation was carried out. The revised submission sought to address concerns raised by the Conservation consultant acting for the Council and the Local Highway Authority.

3.7 In respect of heritage concerns, three amendments were put forward as follows:-

- a) On the Parameters plan, development was removed from part of Parcel 2d on the Parameters plan
- b) Tree planting was removed from the area annotated as Orchard Green on the Parameters plan to the west of Broad Haye Farmhouse and a 100m minimum standoff between the development edge and the farmhouse façade shown.
- c) Tree planting was contained to the development edge in the east

3.8 A Built Heritage Study was also provided to supersede the submitted Heritage Statement (Orion dated 2021)

3.9 To address concerns of the LHA, the proposed access arrangement was changed. The initially proposed priority junction off Froghall Road leading into the site was changed to a roundabout junction.

3.10 The following documents/plans were provided as part of the revised submission:-

Transport Assessment Addendum (April 2022)
Revised Flood Risk Assessment and Drainage Management Strategy (January 2022)
Updated Landscape and Visual Appraisal (May 2022)
Built Heritage Statement (May 2022)
Parameters Masterplan 020 020 P004 Rev L
Illustrative Masterplan 020 020 P009 Rev C
Revised Design and Access Statement Rev E
Updated Planning Statement (May 2022)
Legal opinion of Sarah Reid on the matter of access
Revised Site Access Plan (drawing no: 3277-F06 Rev A)

November 2023

3.11 On the 10th November 2023 a further amendment was made to the application and documents/drawings provided. This amendment sought to address concerns raised by the Local Highway Authority regarding the junction design for the roundabout. To address these concerns the applicant has been able to gain ownership/control of a slither of land amounting to 0.1hectares in the far north west corner which enables the required visibility to be provided on land now within the applicants ownership/control. This has necessitated amended plans and documents where necessary, a new ownership certificate, and an additional fee.

3.12 The following documents/plans were provided as part of the revised submission:

- Revised Application Boundary & Location Plan (drawing no. 020-020-P001 Rev G)
- Revised Parameters Masterplan (drawing no. 020-020-P004 Rev M)
- Revised Illustrative Masterplan (drawing no: 020-020-P009 Rev D)
- Revised Site Access Plan (drawing no: 3277-F06 Rev G)
- Revised Design and Access Statement (Rev F)
- Illustrative Northern Boundary Linear Eco-Park drawing (drawing no. 020-020-P0012)

3.13 Two highway Technical Notes, No3 and 4 were provided during the processing of the application. These formed part of the detailed discussion and negotiations with the LHA.

They consider amongst other matters junction design, sustainable travel and improvements and mitigation on the wider network.

3.14 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=152824>

4. RELEVANT PLANNING HISTORY

SMD/1987/1269 Construction of Vehicular access. Approved

SMD/1988/0799 Outline application for alterations and conversion of farm buildings to form golf club including bar/club room, games rooms, changing rooms, toilet, shop/office and car parking. Approved

SMD/1988/1226 Change of use from agricultural use to golf course with conversion of buildings to form club house facilities and retention of house as dwelling. Approved

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (adopted September 2020)

- SS1 Development Principles
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution and Water quality
- SD 5 Flood risk
- SS2 Settlement hierarchy
- SS3 Future provision and distribution of development
- SS4 Strategic housing and employment supply
- SS10 Other Rural area strategy
- SS12 Planning obligations and community infrastructure levy
- H1 New housing development
- H2 Housing applications
- H3 Affordable housing
- DC1 Design Considerations
- DC2 Heritage
- DC 3 Landscape setting
- C1 Creating Sustainable Communities
- C2 Sport recreation and open space
- C3 Green infrastructure
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and hedgerows
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: Expired

Site Notice expiry date: Expired

Local residents have been notified by letter.

A number of representations have been received. These are summarised below.

Neither: Three comments.

- Concerns regarding ground stability and subsidence as a result of an unmapped mine which allegedly runs under the site.
- Concerns relating to the strain the additional houses will put on local services - schools, dentists, doctors.
- Support for the roundabout as a traffic calming measure on this section of road. support for more affordable housing as long as local services (schools, doctors) are upgraded.

Support: Six comments.

- Support, as long as facilities are in place/ improved.
- Support for new primary school.
- Support for the roundabout as a traffic calming measure on this section of road.
- Support as long as the houses are good quality and affordable, and traffic flow is considered.
- Support for more social housing.
- Support for a 40mph limit on this section of road.

Objections: 185 comments.

- Objection to the new dwellings and the strain the additional residents they will bring and the resulting strain on local services (schools, doctors, dentists).
- Concerns that this development is no different to previous proposals which have been rejected.
- Concerns the proposal would compromise the road infrastructure, both during development and after completion, especially at peak times.
- Concerns the proposal site entrance/ exit is located on a dangerous and accident prone bend.
- Concerns relating to the disruption of local wildlife and landscape.
- Objection on the basis of increased traffic in Cheadle.
- Objection to the roundabout.
- Objection based on destruction of wildlife.
- Concerns there aren't enough jobs in Cheadle to support the additional population.
- Objection as the land is agricultural and not identified as suitable for development in the SMDC Local Plan.
- Objection to development on greenfield land in current agricultural use.
- Concerns regarding a loss of biodiversity.
- Concerns that the number of new homes allocated for development in Cheadle in the Local Plan has already been exceeded.
- Concerns regarding urban sprawl.
- Concerns specifically relating to owls, hedgehogs and bats in the area.
- Concerns relating to the Green Belt.
- Concerns about overdevelopment.
- Concerns relating to a loss of privacy for existing residents from overlooking.
- There was an application in 1988 for a smaller residential development, which was refused due to highway concerns. The road has not changed or been improved since then.

- If the roundabout gets approved, then it will be nothing but a death trap & an accident waiting to happen due to it been less than 100 meters from a bad bend.
- The extra traffic from development will increase the likelihood of road accidents.
- The town roads cannot withstand the additional traffic.
- There is a lack of public transport in the area.
- All of Bloor homes surveys etc are over exaggerated & not very accurate, e.g traffic survey done when roads were at their quietest ect.
- There will be an increase of noise, smell, light and air pollution from the development and the additional traffic it will bring.
- The site is greenbelt and there are plenty of brown field sites which would be better suited for the development.
- Increasing the play area could increase anti-social behaviour in the area.
- The site will stretch over Kingsley Holt and Cheadle and therefore blur the boundaries put in place.
- The houses on Hammersley Hayes Road already suffer from surface water in bad weather with the drives of the lower houses having a lot of surface water at the bottom of their gardens.
- The distance of that development from the town centre will mean that this will only increase the traffic at the top of Froghall Road.
- Promises to improve the infrastructure of Cheadle that were given when building the other large estates have amounted to nothing.
- COP 26 is currently underway, reviewing the critical status of climate change. It is now completely understood that the way forward is to minimise the destruction of any viable green environment, while reducing pollution created by human activity.
- The social housing will have an impact on property prices in general for all of the houses backing onto the development,
- There are enough new dwellings being built in Cheadle with two new developments being built on Froghall Road.
- The proposal is outside the development boundary
- The new development will create a “rat run” along Holt Lane and Lockwood Road, Kingsley Holt.
- The proposed development goes against Net Zero targets set by SMDC and the Government, as well as COP26.
- The proposal is contrary to SMDC Local Plan Policies SD1 and SD3.
- The proposal undermines the Council and the Local Plan.
- The proposed ‘ultra-low emission boilers’ will be obsolete when the houses are completed as domestic boilers will be banned from 2025.
- Noise from the play area will disturb residents.
- The benefit to the local economy is overestimated.
- The Transport Technical Note is out of date. The main bus service along Froghall Road has been cut to one bus every two hours, with no service after early evening and no service at all on Saturday and Sunday. Commuting to work would unlikely be attempted by residents.
- The site is not sustainable located and beyond a reasonable walking distance to amenities.
- Additional pressure on sewer and water infrastructure.
- Surface water flooding concerns due to impermeable surfaces.
- Concerns over bias placing of Green Infrastructure/ Green Measures which disadvantage existing residents and the proposed affordable homes.

- The proposal is contrary to the Council's 4-year plan of Oct 2019, which states "Helping to create a safer and healthier environment for our communities to live and work in".
- The proposal would block daylight from existing properties.
- The proposal will affect rare and endangered species such as Marsh Helleborines.
- Ground pollution from Boltons Copperworks will degrade peoples health if the land is disturbed for building.
- Only one entrance/exit on the site is dangerous in times of emergency.

Cheadle Leek Town Council (dated 25/10/21)

Cheadle Town Council have held meetings with Kingsley Parish Council in respect of the proposed development submitted by Bloor Homes. We fully endorse the planning objections submitted by Kingsley Parish Council at this time, and submit that the principal objection to this Application centres round its locational unsuitability and the fact that this land has never been identified within the Local Plan for the area. There are also a number of additional planning considerations, such as the inadequacy of the road structure and the lack of existing infrastructure in the town, and whilst these are not deemed as a material planning consideration for objection, they are certainly a very important consideration for the residents within the North East Ward. Cheadle Town Council will continue to monitor the progress of this Application alongside our colleagues in Kingsley.

Kingsley Parish Council (dated 15/10/21)

Kingsley Parish Council recommend refusal on the following grounds:

1. SMDC Local Plan: The proposed development is on agricultural land not considered as suitable for development within the SMDC Local Plan.

The SMDC Local Plan covers the strategic development of the Local Authority area from 2016 – 2033. The plan has been considered and revised many times over the last 8 – 10 years before being finally adopted as SMDC policy in September 2020. The land at Broad Hayes Farm is prime agricultural land outside the areas considered as suitable for development. This area of land has never been considered for development at any stage whilst formulating the Local Plan.

2. Unnecessary Development: The SMDC Local Plan identifies land as suitable for development to meet local needs up 2031. The proposed development exceeds the agreed quota for housing in the area.

The SMDC Local Plan identifies land as suitable for residential development to meet the anticipated needs for housing in the SMDC Local Authority area. Both Cheadle Town and Kingsley Parish have an allocated level of development within the Local Plan. The proposed development at Broad Hayes Farm significantly exceeds the housing allocation in the local Plan and is unnecessary to meet any perceived / identified need.

3. Inadequate Road Infrastructure: The existing road network to the north of Cheadle is wholly inadequate to cope with the existing level of local and through traffic. The proposed development would significantly add to the problem.

Having regard to vehicle usage by the existing population of the town, the Potteries Gardens development near Donkey Lane, the Oakamoor Road / Churchill Road development and the current volume of through traffic, the existing road network entering Cheadle from the north is wholly inadequate to absorb additional traffic from the proposed development. Even at present it can often take drivers queuing in slow moving traffic in Froghall Road, Leek Road

and Butlers Hill up to 10 – 15 minutes to get into Cheadle town. This is wholly unsatisfactory in a relatively small, rural market town. It is noted that Cheadle compares very poorly with the nearby similar sized market towns of Ashbourne, Uttoxeter and Stone.

4. Inadequate Cheadle Town Infrastructure: The existing infrastructure of the town is barely adequate to cope with the existing population in particular with regard to schools and medical facilities. The proposed development would significantly add to the problem.

At present the school and medical facilities are barely adequate to cope with the existing population of the town. The ongoing Potteries Gardens development near Donkey Lane and the Oakamoor Road / Churchill Road will significantly exasperate the problem. The school and medical facilities in the town are wholly inadequate to cope with the proposed development.

5. Highway Safety: The proposed access onto the development site off Froghall Road (A521) is considered to present a serious road safety risk.

The main entrance onto the proposed development is off the A521 Froghall Road, Cheadle, roughly where the present town sign is located. The location is only 80 – 100 metres from a bend in the road north of the proposed site entrance. Notwithstanding: the proposals set out in the Transport Report – Plan 3 (Page 53) the proposed movement of the existing 30mph sign to the north of the site It is considered that without major restructuring of the road layout and verge on the east side of the road to significantly increase visibility for approaching traffic from north of the site, the proposed entrance would present a very significant road safety risk to traffic entering / leaving the site and other road users.

Waste minimisation and Recycling officer

No issues at this stage regarding waste collections

Environmental Health Officer

First response (16th December 2021)

Recommend refusal of the application at this stage due to a lack of reliable information on Air Quality impacts arising from the development, due to the associated increase in congestion as a result of the development.

Second response (updated response received by e-mail 19/2/24)

No objection subject to conditions and to securing a contribution of £50 per dwelling to mitigate air quality

Air Quality: The applicant has produced an updated AQ assessment by [SLR](#) to address the concerns raised previously (included below). It is also understood that the highways authority accepts the data. EH would therefore remove its holding objection and the report is accepted.

With regard to construction dust the report indicates that there would be minimal impact providing certain mitigation is adopted. This is agreed. In order to ensure this is the case it is recommended that this mitigation is included as a requirement of the construction management plan (condition recommended).

With regard to operational effects. The report concluded that the impact of the additional road traffic would have negligible effects on the local Air Quality and that as part of the proposed Development, the following improvements are also to be made to the local highway network:

- conversion of existing zebra crossing on A522 Leek Road to signalised pedestrian crossing; reducing the instances where vehicles are stopped for pedestrians
- widening on A522 Leek Road approach to A522 Leek Road/A522 Leek Road/A521 High Street/A522 Tape Street mini-roundabout, would providing additional capacity at the junction which would in turn reduce delays, the provision of the above improvements would reduce vehicle queuing on the A522 Leek Road during the peak

In addition they implementing a travel plan and EV charging infrastructure to the development. by reducing the potential for queuing traffic associated idling road traffic emissions.

The conclusions of the report are generally accepted and the proposed mitigation welcomed.

However, despite the acceptance of the report and the potential benefits of the proposed mitigation, there is inevitably some uncertainty around modelled data particularly at receptors currently close to air quality objectives.

There is a need to improve air quality monitoring within Cheadle to ensure AQ objectives are not breached and that changes in air quality as a result of this (and other developments) in the area can be assessed. It is recommended therefore, that the applicant is asked for a contribution of £50 per proposed property to support and implement better local air quality monitoring in the area, namely the real time monitoring of NO_x and PM₁₀ data and possibly to support a further feasibility study into local sustainable travel in the area. This should either be as a condition of the planning permission or secured via a s.106 agreement.

Noise: A noise assessment has been provided with the application. It summarises that noise caused by road traffic can be addressed through suitable mitigation. Condition advised to ensure mitigation is installed into the properties adjacent to the main road”.

Contamination: A desk study was submitted in support of the application by Betts Geo Land to the East of Froghall Road, Cheadle, Stoke-On-Trent (Ref 21EMP016/DS).

The desktop is considered an acceptable assessment of the potential contamination risks associated with the site. The primary risk associated with the site is historic coal mining, with the report noting that there is a High risk of recorded and unrecorded shallow workings across site with bell pits, shallow shafts, day holes and adit's all possible.

The report concludes with essentially recommendations for further intrusive work to assess the risks. These are provisionally agreed but will require further from the Coal Authority)

Site Construction Nuisance:

The proposed development is close to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties. All construction activities should pay due care to the advice set out in BS 5228:1 and 2 in order that noise and vibration impacts are minimised during site preparation and construction phases.

Conservation consultant

First response (19th December 2021)

Advises that Broad Hayes farmhouse to the east of the site is a Grade II Listed building. Describes it as a distinctive farmhouse. Built as a three-storey farmhouse around the turn of the 19th century, it is a rather typical farmhouse of this period and this region It has an associated farmstead and it derives some significance from the historic connection of the

building to the farmed and open agricultural landscape. That was its purpose and it continues with that today. It is a large and prominent farmhouse built of brick with a dentilled eaves band, all now painted and a blue clay tiled roof. It has segmental brick arches to ground and first floor, with flat lintels to the attic floor. The house adopts the classical proportions of farmhouses within the Midlands, influenced by the principles of Georgian building, symmetry and the golden section, but without the grandeur or formality of sash windows. Stylistically it has characteristics that we find in the mid 18th century but for that date we might expect to see brick banding.

Expresses a number of concerns with the application. Disagrees with the conclusion in the Heritage Statement that there is the lowest level of 'less than substantial harm' from the proposed development instead concluding that the level of harm to the heritage asset would be high on the 'less than substantial' scale as a result of harm to its setting from proposed planting. She says that the scheme proposes planting to mitigate the impacts, but the planting is by its nature alien to the open setting and the isolation of the listed building. She advises that the farmhouse sat within an open agricultural setting and was raised on its plot in order to be seen. The few trees in the vicinity were trees lying within field boundaries which were regularly spaced, as found within landscapes of late enclosure, and a few orchard trees to the north. That remains its setting. Its very visibility in the critical approach route from the south and its presence in the views from the south-east (see the LVA Viewpoint Photos 8, 9 and 10) are important parts of how we experience it and its significance. The proposed development will completely curtail this experience from the approach road, so that from this direction it is experienced at very short range. In my view the proposal is transformative to the setting of the listed building, with a high level of harm. It removes the listed farmhouse from its open setting to the west and encroaches onto the principal view. In views from the east (see LVA VP8 and VP10) the development will also have the effect of encroaching onto the setting of the listed building so that it becomes effectively conjoined to the edge of Cheadle, rather than being seen as a detached isolated farmstead.

She suggests that the planting area is reduced and that a a reasonable-sized paddock to the west of the listed building is retained to preserve the sense of isolation. This will not fully mitigate the impact and harm, but it will reduce it. Further 'transitional' planting on the edge of the development would reduce the impact further.

Also expresses concerns about the potential impact on the visibility of the Grade I listed RC St. Giles, Cheadle, and its significance as a local landmark in views from the north. There has been no assessment of these in the submissions and so that remains in doubt.

Second response (30th August 2022)

Notes that that the new Built Heritage Statement Pegasus Group May 2022 relates to the revised Masterplan – Revision L. Comments that it includes photos which are not taken in accordance with the Landscape Institute Technical Guidance (Note 06/19).

Grade II listed farmhouse – Broad Haye Farmhouse:-

The creation of open space and preservation of the main views and sense of space around the Grade II listed farmhouse is a welcome change to the plans. I consider that pulling back the development along the new alignment does reduce the level of harm to the lower end of the spectrum on the 'less than substantial' scale. I do not consider that the harm has been removed entirely, as its isolation is affected in the views of the farmhouse from the Froghall Road, where it will be effectively removed from view, and the agricultural land holding associated historically (and currently) with the farmhouse will have a moderate diminution, with a degree of urban encroachment, as illustrated in the wire frames supplied by the applicant. The application will still need to be assessed under paragraph 202 of the NPPF

and s66(1) of the 1990 'Listed Buildings Act' and public benefits will need to be weighed in the balance.

The new Heritage Statement slightly misquotes what I said in my previous comments. The HS states "The consultee noted that harm to the listed building could be mitigated by better preserving views of the asset from Hammersley Hayes Road, maintaining the eastern part of the site as open space, and pulling back planting to the edge of the new development." In fact, I said "The sightlines I have overlaid define a reasonable-sized paddock to the west of the listed building to preserve the sense of isolation. This will not fully mitigate the impact and harm, but it will reduce it."

Mitigation does not remove the harm and it is accepted that this is the case as GPA3 states "40..... As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design."

St. Giles, Cheadle – Grade I listed RC Church:-

I have a few comments to make in response to the new Heritage Statement, specifically with a view to Pugin's RC church of St. Giles, Cheadle. My previous comments asked for clarification with regard to any blocking of public views of the spire of St. Giles, which is visible as a prominent landmark because of its silhouette, when seen from the north. 'Blocking' key views is a legitimate reason for development affecting setting. My request in my previous comments was for clarity and I was expecting a certain level of ZTV to assess impact and to help the planning authority establish parameters.

The revised Heritage Statement is more of a rebuttal. It is accepted, and acknowledged, that the application site has no association with St. Giles. That was never suggested.

Para. 6.50 of the Pegasus Heritage Statement states "Long-range views of the church spire from the surrounding rural landscape do contribute to the significance of the asset where these best illustrate its designed architectural prominence and its place within a rural market town. However, the areas of the wider landscape from which the spire is visible are so numerous that not all of these areas contribute to the heritage significance of the asset through setting."

St Giles is not as visible in the wider landscape as this might imply. I have picked out three key statements from the Pegasus Heritage Statement:

- "Views from villages to the north oversail the site" (para. 6.52)
- "Consideration has been given to long distance views from villages to the north of Cheadle (Kingsley, Kingsley Holt, Kingsley Moor, Ipstones and Whiston), but as initial review of the model used for the photomontages showed that the views would oversail the development from even a short distance up Froghall Lane, no blocking of views is anticipated and detailed modelling was not considered to be proportionate." (para. 6.57)
- "However, the land immediately to the north of the site rises from c. 185m to c. 200m AOD, therefore such views will continue to oversail the site even after it has been residentially developed (assuming new built form will be of an appropriate height and scale)." (para. 6.63)

In the absence of any visualisations or ZTV I have, therefore, had to visit Holt Lane myself, at 200-205 metres, FP Kingsley 16 at 201 metres, the Staffordshire Way north of Holt Lane at 210 metres, and Whistonbrook at 206 metres. Having visited these locations, I am satisfied that the development will not block any views of the church from these public rights-of-way. We have not seen the model referred to in the HS, so in the absence of this the

planning authority could legitimately wish to set a height limit on development, with a maximum height of two storeys, and a maximum overall ridge height.

Landscape consultant

(First response of the 31st August 2022 subsequently updated 30th September 2022 following the May 2022 revisions)

Considers the submitted Landscape and Visual Appraisal

Agrees with the assessment of visual effects on the chosen viewpoints with the exception of the following:-

Viewpoint 1 - Residents off Hammersley Hayes and Froghall Road

The submitted report judges the visual effect to be Major/moderate adverse on completion of the development reducing to Moderate Adverse due to the establishment of the green infrastructure which it says will provide some filtering of the view and softening of the built form.

The Councils consultant disagrees. He considers the visual effects for this viewpoint to be Major Adverse at completion. He comments that the Parameters Masterplan does not show any proposals that are likely to significantly reduce visual effects by year 15, therefore he considers that they would remain Major Adverse.

Viewpoints 9 and 10 - Users of footpath Cheadle 38 and 39

The submitted report judges the visual effect to be Moderate adverse at completion reducing to Moderate/Minor adverse at Year 15 due to the proposed buffer area to the east of the Site, with an area of Public Open Space to the South. The provision of planting and open space to the east and south will, it says, help soften visual changes experienced along this PRow and will maintain a visual separation between the proposed housing and the farmhouse. It says that the allocated housing on sites CH001 and CH132 will also be visible in the views

Whilst the Councils consultant agrees with this assessment at completion, he is of the opinion that the visual impacts after 15 years will not reduce appreciably and would remain Moderate Adverse. He has concerns regarding the setting of Broad Haye in relation to the development. He refers to VP 10 taken from PRow Cheadle 38 . He says this view is characteristic for several point along the footpath and clearly shows the façade of Broad Haye set in isolation from the urban area of Cheadle. He notes caution that the photo of VP10 within the submitted Landscape and Visual Appraisal partly obscures Broad Haye by positioning Woodhead Hall Farm in the foreground.

He considers that an additional viewpoint is required to the southeast of the site along the PRow Cheadle 39 that is the approach to Woodhead Hall. He says the view is available over low fences for a good distance along the PRow and the prominent façade of Broad Haye Farm stands out clearly set isolated from the urban area nestled in a wooded landscape.

Landscape Setting of Broad Haye

Advises that the relationship of Broad Haye in the landscape, to the urban edge and to proposed development is important.

Is critical that although the submitted Landscape and Visual Appraisal mentions Broad Haye it does not discuss the cultural heritage and significance of isolated farms in the landscape surrounding the site:

‘Cultural Heritage: The local landscape contains a limited number of cultural heritage features. The Grade II Broad Haye Farmhouse is located along the north-eastern boundary. Other listed buildings are found within Cheadle itself such as the Church of St Giles located 1km away’

Considers that the proposed development will result in Broad Haye having much stronger visual links to the expanded urban area of Cheadle and a loss of isolation in its setting in the landscape. He is not convinced that the proposed inclusion of a buffer zone adjacent to Broad Haye will retain the impression of an isolated setting.

Conclusion

At year 15, the Landscape and Visual Appraisal assesses visual effects to include 1 view as Moderate, 5 views as Moderate/Minor and 6 views as Minor or less: with receptors having a high or high/moderate sensitivity. I would consider the visual effects for the views investigated by the Landscape and Visual Appraisal at year 15 to be 1 view as Major, 1 view as Moderate, 4 views as Moderate/Minor and 6 views as Minor or less. I would also include an additional view from along the Public Right of Way leading to Woodhead Hall to the east of the site for which I would consider the visual effects to be Moderate at year 15.

Whilst the masterplan has made considerations to reduce long-term visual effects, the conclusion of the Landscape consultant is that he is not confident that the development would not result in any unacceptable long-term landscape and visual effects and has concerns regarding the expansion of the existing settlement into the countryside

Regeneration Officer

Economic Statement

Residential development will impact on the local economy in terms of jobs and purchasing of supplies and services. In order to assess the economic impact of this development, we have relied upon the data supplied by the applicant and used the Council's approved multipliers to prepare these comments.

The proposal for development of 215 dwellings would provide the following outputs:

- The new householders occupying each new house will spend some of their income locally through shopping and use of local services. National research has identified that 34% of all household expenditure is spent at district level or below. For this development of 215 units this is calculated at £2,018,420 per year.
- Each new house will generate direct jobs within the construction industry or associated supply chain, of which 25% are likely to be locally based. Indirect Jobs are also generated by local spend in shops and services. This is calculated at an additional local job for every seven new homes. Using these multipliers the development will generate 230 direct jobs and 30 indirect jobs.
- The development will also generate approximately £39,497 council tax for the area per annum

Affordable Housing

The application is outline for up to 228 dwellings. In line with policy H3 the applicant is proposing a 33% affordable housing contribution, although no tenure mix is suggested by the applicant.

The ministerial statement 24th May 2021 introduces the requirement to secure a minimum of 25% of all affordable units secured through developer contributions as First Homes. The MS states that the requirements for FH does not apply for sites with full or outline planning already in place or determined before 28th December or applications for full or outline

planning permission where there has been significant pre-application engagement which are determined before 28th March 2022.

Depending on if the application is to be decided before the 28th Dec or 28th March 2022 if extensive pre-app has been undertaken, the following mix would apply: 33% affordable housing contribution secured with 25% as First Homes with the remaining 75% delivered in line with the local plan policy H3 60% social/affordable rent and 40% /intermediate shared ownership.

If no First Homes are secured, applicant will need to provide a tenure mix in line with policy H3, 60% social/affordable rent and 40% immediate/ shared ownership.

Properties will need to be NDSS compliant, with an expected bedspaces criterion of 1b2p, 2b4p and 3b5p. The affordable homes secured will need to be distributed across the site and be delivered by a registered provider. The exact location, type and tenure will be agreed at reserved matters stage.

Policy Officer

Advises as follows:-

The Staffordshire Moorlands Local Plan was adopted on the 9th September 2020.

- The most recent published 5-year land supply statement (1st April 2023) confirms that the district has a supply of 3.58 years (1st April 2022 3.71 years)
- Policy SS3 states that 25% of the overall housing requirement for the district will be located in Cheadle and clarifies how the five year housing supply will be maintained in accordance with the trajectory. Policies in the plan allocate specific, deliverable sites for years one to five of the plan period and specific, developable sites for growth, for years 6-10 of the plan and even further (years 11-13) which is consistent with the Framework. Policy SS4 clearly sets out how the housing requirement for Cheadle will be met by allocations totalling 1026 dwellings and a windfall allowance for small sites.
- As the site lies outside the Cheadle development boundary Policy SS10 'Other Rural Areas' is more directly applicable. Policy H1 states that in addition to the allocated sites, unidentified residential windfall sites will be allowed within the development boundary (subject to wider Local Plan policies). Policy H1 does not provide flexibility for additional residential sites, such as this, on the edge of the towns outside the development boundary as the requirement is already met within the Cheadle development boundary. However as this part of policy H1 restricts the supply of housing, less weight can be given to the policy as specified in NPPF para 11d.
- In terms of housing mix, Policy SS7 seeks to increase the range of available and affordable house types and higher market housing, including for first time buyers and families. Policy SS10 states that the Other Rural Areas will provide only for development which has an essential need to be located in the countryside in accordance with Policy H1.
- Policy H1 states that the final mix should negotiated with the developer based on housing needs as informed by the SHMA and other factors such as available supply and market demand. Below is the ward based census data with a calculation of the percentages of dwellings for Cheadle NE and Churnet Wards (site covers both wards) and the property size and type recommended by the SHMA. The application should bring the housing stock closer to the SHMA recommendations. (The 2021 ward data is not yet available from ONS.)

2011 census merged ward	All categories : Number of bedrooms	1-bed	2-bed	3-bed	4-bed	5 or more bed
Cheadle NE	1,501	73	536	726	130	36
Churnet	1,409	104	387	663	202	53
2,910	177	923	1,389	332	89	
% of housing stock	100%	6.1%	31.7%	47.7%	11.4%	3.1%

<u>SHMA recommendations</u>	<u>Property type and size</u>
1-bed flat / house / bungalow	60%
2-bed flat/house/bungalow	
3-bed house/bungalow	40%
4-bed house	

- A S106 agreement should consider the provision of affordable housing, open space and outdoor sports provision, education, highways and any other planning obligations in line with adopted Policy SS12.
- The Government's First Homes scheme came into effect on 28 June 2021 setting the national policy requirement for at least 25% of all affordable homes provided by developers under S106 agreements to be First Homes. For example under the new requirement, a 100 dwelling scheme would secure a total of 33 units with 25% First Homes (8 units) and the remaining 75% (25 units) delivered in line with the proportions set out in the local plan policy (60%/40%) which would be 15 rented units and 10 shared ownership units.
- In addition the self-build/ custom-build register indicates a need for 11 plots in the Cheadle area plus there is a non-specific need for an additional 52 plots. A contribution toward this need should be sought as part of the overall housing mix.

The Cheadle Transportation Study identified improvements to address transport issues in the town based on levels of growth identified in the adopted Local Plan. Additional growth proposed by a site of this scale and its impact on town centre traffic should be considered.

In conclusion, paragraph 11 of the NPPF 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. Where policies relating to the supply of housing are out-of-date (as a result of not having a five year supply of deliverable housing land), paragraph 11d(ii) of the NPPF is triggered, which affirms that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole– the 'Tilted Balance'. NPPF para 11d(i) does not apply as the site does not appear to be subject to any of the specific protections set out in NPPF footnote 7 such as habitat sites, SSSI's, Green Belt, Local Green Space, AONB etc. Therefore the relevant policies for the supply of housing therefore carry less weight compared to other policies in the adopted Local Plan.

Local Highway Authority

First response (19th October 2021)

Recommend refusal for the following reasons:-

- 1.It is impracticable to construct an access in the position indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control.
- 2.The submitted Transport Assessment clearly demonstrates that the additional trips generated by the proposed development will adversely affect the flow of traffic through Cheadle Town Centre but fails to propose or provide any mitigation.
3. The proposed development is in a less than sustainable location.
4. Insufficient information

REASONS

ALL In conflict with NPPF Paragraph 110; in conflict with SMDC Local Plan Policy DC1 and T1; contrary to

the interests of highway safety.

2. Contrary to the interests of the free flow of traffic

3. In conflict with SMDC Local Plan Policy T1 and T2; Contrary to the interests of pedestrian safety.

IMPORTANT INFORMATIVES TO BE INCLUDED ON DECISION NOTICE

This recommendation of refusal will not prejudice consideration of a further application at a later date

when:

- safe access point commensurate with vehicle speeds and speed limits;
 - proposals for mitigation of the effect of the development on surrounding network;
 - proposals for adequate facilities for pedestrians;
 - up to date Transport Assessment based on current free flow;
 - traffic counts;
 - speed surveys;
- are included in the application.

NOTES TO PLANNING OFFICER

Application for a major residential development of up to 228 dwellings on the outskirts of Cheadle. It is not one of the Local Plan identified sites.

Application refers to pre application consultation. However, there has been no pre application consultation with Highways. Highways were unaware of this application until the application was submitted.

The proposed access to the site is at a point subject to national speed limit (60mph). Application unilaterally states that the existing 30mph speed limit will be relocated to the northern boundary. The applicant 'deems this appropriate' due to the 'potential' extension of the 'built up' Froghall Road frontage. It is not clear on what basis the applicant considers they are able to 'deem it appropriate'. The masterplan shows a buffer zone between the proposed development and Froghall Road. There will be no built up frontage. Existing dwellings to the south are set back behind a wide verge and service road. The proposed buffer zone frontage and approach to it would not encourage drivers to recognise the road as 30mph. Speed limits need to be realistic and enforceable.

Reduction of a speed limit requires a Traffic Regulation Order. This cannot be determined by the Highway Authority alone. TRO cannot be determined by the planning process. As the TRO to extend the speed limit would be essential for this access, any planning approval

would be dependent on the TRO. Any Planning Permission issued on this basis could be invalid which is highly undesirable for planning authority and developer.

There was no consultation with the Highway Authority prior to this proposal. There is no evidence that any consultation has been carried out with consultees to a TRO. There is no information to suggest a TRO could or would be approved.

Visibility splay must be provided in accordance with the speed limit of the road. Such a visibility splay cannot be provided within land under the ownership of the developer, due to the horizontal and vertical alignment of the road.

Anecdotal evidence suggests speeds are greater than the 30mph limit. No speed survey has been included in the application.

A footway is proposed out of the site. However this narrows to 1.3m wide along A521 for at least 10m (developers figure). This occurs at the point where the speed limit changes from 30mph to 60mph. This narrowing adjacent to the well-used A521 is not conducive to encouraging pedestrians or to highway safety. MfS considers the minimum width should be 2m (6.3.22). The existing footway on the service road narrows to as little as 0.95m. While historic, this is not conducive to encouraging pedestrians or to highway safety. Intensification of use of a footway this narrow should not be encouraged. Pedestrians are more likely to walk in the carriageway, again contrary to highway safety. Preferred maximum comfortable walk is 800m. Site is approx 1600m from Cheadle Town Centre.

Bus services along A521 Froghall are limited.

The site is not sustainable or highly accessible by any mode other than private car.

A Transport Assessment has been submitted with the application.

Traffic Impact Analysis has been based on an old application SMD/2018/0180. The VISSIM report referred to is dated November 2017. VISSIM report referred to in current TIA is dated April 2017. VISSIM has not been rerun for this current application. No meaningful conclusions can be drawn from reference to an old report for a different scheme. VISSIM needs scheme specific flows to be input, the report run and accurate and relevant conclusions drawn.

The consultant will also recall that the November 2017 VISSIM showed a marked increase in southbound journey times between phase 1 and phase 2. It concluded a notable increase in journey time and queue length and..... caused the network to become congested. This does not appear to be referenced or extended in this current application involving the addition of 228 dwellings.

TIA asserts that the old model for SMD/2018/0180 is 'extremely robust' with little evidence. No up to date traffic counts have been included in the application. Traffic counts for SMD/2018/0180 were taken in October 2017, four years ago. This is not current.

Current counts are required for Junctions 9 calculations and to establish trip distribution.

VISSIM in SMD/2018/0180 concluded congestion and delay at Froghall Road/Leek Road junction and through Cheadle. This current development proposal concludes the effect will be minimal. This cannot reasonably be correct and is not supported by SMD/2018/0180 TA or the TA submitted with this current application. TA makes no mention of committed development. It is not clear that Ayr Road development flows are included in the figures

used. It is questionable that the TA for SMD/2018/0180 concluded congestion and delay but this TA which adds 228 dwellings concludes minimal impact.....

Even using old figures, table 7.5 shows RFC of 0.88 rising to 0.95 (PM Peak), beyond practical operational capacity. Queue length more than doubles. This cannot reasonably be described as being of minimal impact. Simple observation of the junction suggests figures are low. Similarly Leek Road/High Street/Tape Street junction increases queue length from 85 to 106. An increase of 25% even using old and incomplete figures cannot be described as minimal impact. The consultant will also be aware that SMD/2018/0180 recognised the severe effect its development flows would have and proposed significant mitigation. Off-site junction improvements will be required under this development.

Site visited 06/10/2021

Second response 15th February 2024

Recommendation Summary: Conditional

CONDITIONS:

1. No development shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- layout and disposition of roads and buildings;
- Provision of parking, turning and servicing within the site curtilage;
- Means of surface water drainage
- Surfacing materials
- details of pedestrian access to and through the site;

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first use of the development

2. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the local planning authority indicating full technical details of the proposed access off A521 Froghall Road generally in accordance with drawing 3277-F06 G but subject to full technical approval. The access shall thereafter be provided in accordance with the approved details prior to the proposed development being brought into use.

3. The development hereby permitted shall not be brought into use until the visibility splays shown on 3277-F06 G have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level. Any hedge shall be planted to the rear of this splay to account for growth

4. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the local planning authority indicating full technical details of the proposed footway and footway alterations between the site access and number 170, Froghall Road including alterations to the service road (to numbers 204 to 172) and resurfacing of the service road, generally in accordance with drawing 3277-F06 G but subject to full technical approval. The footway and associated alterations shall thereafter be provided in accordance with the approved details prior to the proposed development being brought into use.

5. No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i) a site compound with associated temporary buildings;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;

- iv) storage of plant and materials used in constructing the development;
- v) wheel wash facilities.
- vi) Routing of vehicles to and from the site
- vii) road sweepers

6. The development hereby permitted shall not be brought into use until an off-site traffic management scheme comprising of TRO to reduce speed limit generally as indicated on drawing 3277-F06 G but subject to technical approval has been submitted to and approved in writing by the Local Planning Authority. If approved by TRO process, the traffic management scheme shall thereafter be implemented prior to first use of the development.

REASONS:-

All To comply with NPPF Paragraph 111; to comply with SMDC Local Plan Policy DC1, T1; in the interests of highway safety.

4. To comply with NPPf Paragraph 111; to comply with SMDC Local Plan Policy T1 and T2; in the interests of highway safety; to encourage and facilitate alternative forms of transport.

5. To ensure the development can be carried out without unnecessary inconvenience to other road users.

IMPORTANT INFORMATIVES TO BE INCLUDED ON DECISION NOTICE

This Form X is issued on the assumption that the developer enters into a Section 106 Agreement to secure:

- Capital contribution towards pedestrian improvements between site access and Cheadle Town Centre of £50000.00;
- Travel Plan Sum of £10000;
- Bus service subsidy of £700 per dwelling;
- upgrade of pedestrian crossing/s in Cheadle town centre £50000

The submitted and hereby approved Travel Plan shall be implemented in accordance with the timetable set out in the plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date planning consent to the Local Planning Authority for approval for a period of 5 years from first occupation of the development permitted by this consent. The Travel Plan Sum of £10000 shall be payable on commencement of development.

The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (highway.agreements@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales. <https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

The proposed Traffic Management scheme referred to in drawing 3277-FP06 G requires a Traffic Regulation Order to provide reduction of speed limit. This recommendation should not be construed as though the County Council is prejudging the outcome of the Order making process. The developer should note that the Order will be made on behalf of the developer by Staffordshire County Council at the developers expense and has to be secured before development is brought into use as it is an important component of the required mitigating measures associated with the proposed development. In case the Order is not already being processed the developer is requested to contact SCC to enable the Order to be secured at the earliest convenience to avoid delays to opening of the development. Please note that there are no guarantees that the Order will be successful.

The TRO will require a Major Works Agreement.

The internal road network which are to be proposed for highway adoption will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please see <https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx> and contact Staffordshire County Council at road.adoptions@staffordshire.gov.uk to ensure that approvals and exemptions are secured before commencement of works.

NOTES TO PLANNING OFFICER

Application is for a residential development of up to 215 dwellings.

Application has been subject of extensive discussions, meetings and revisions since initial consultation. Ultimately, red line has been altered to provide visibility commensurate with measured speeds; minimal queuing has been demonstrated on approach to Cheadle town centre; footway is to be provided to link to existing footway network.

Current proposed site access plan 3277-F06 G is the result of these discussions.

Updated RSA 1 is required for the current proposal.

Proposal now shows visibility splay in accordance with measured speeds. Developer still proposes a reduction in the speed limit, which would still be a safety improvement. Provision of this will be subject to TRO process and there is no guarantee that this will be successful. This TRO is desirable but is not essential for provision of a safe access.

Revised Travel Plan has been submitted and approved on 15/02/2024. This approved Travel Plan should be appended to the S106. Travel Plan Sum of £10000 required under S106

Applicant has agreed to provide S106 for pedestrian improvements on the route to Cheadle town centre. These will comprise dropped crossings and tactile paving on each side of each side road between the site and Cheadle town centre. These estimated at £50000 required under S106

Improvements are also proposed to formal pedestrian crossing facilities on approach to Cheadle town centre. These estimated at £50000 required under S106.

Applicant has agreed to provide subsidy to bus services at £700 per dwelling - required under S106.

Service Commissioning – public open space

On-site play and open space provision.

The proposed site layout gives a good percentage of accessible open space. The north/north-east of the site has a large area of open space with a mix of woodland/orchard and amenity grassland, all of which will be open and available for public recreation.

The plan also has a second area of open space shown to the south which will extend the current small parcel of open space. The indication is that this area will be allocated to a play area and amenity grass – although there is also an attenuation (SuDS) pond shown in this location.

From these early indicative plans we would suggest that the on-site play would be better located in the north-east portion of the site within the larger open space (Orchard Green).

The new development off Ayr Road (Persimmon Homes) includes an area of open space and play and this is located to the north of their development. This would mean the two play areas would be located close to each other and therefore it would be better to spread them out and place the one for this site at the north-east corner. As this will be a large open space, with new woodland/tree planting it could be that a play area designed using timber framed equipment would be aesthetically pleasing.

The play area for a development of this size needs to meet the criteria of a Local Equipped Area for Play (LEAP). As such the activity zone should be at least 400m² and provide stimulating and challenging play experience for both the toddler age and junior (0 to 14yrs). There should additionally be room for children to run around and play 'chase' type games. Alternatively, it could be suggested that due to the current Persimmons development a smaller play offer is included in this area, possibly a timber trim trail type with an off-site contribution being taken for use at the near-by sites to enhance and realise them as the main play site for the north of Cheadle.

The area of open space to the south (Crescent Green) is welcomed as an additional area of open space but we would prefer this to be an area available for quieter recreation due in part to the existing residential dwellings. We believe that this area could be utilised as an exercise area with some external gym or calisthenics equipment. An alternative for this would be to have the equipment placed around the walking/cycling route and used as part of an exercise trail.

Active design.

The potential for residents to walk or cycle around the new development is also welcomed and this would be further enhanced if it was to include some measured route to enable users to understand how far they are walking/cycling. This pathway should be wide and well surfaced to enable all abilities to make use of it.

Additional signage from the development area on the walk and cycle route should encourage residents to walk in to the town centre for their amenities and as such could include distance or estimated times of travel.

As mentioned above the addition of exercise equipment around portions of the walking route could be used to give an enhanced offer for residents and others to take part in gentle informal physical activity.

The links to the wider countryside are provided by way of the link to the existing Public Right of Way.

Off-site playing pitch contributions.

We would be looking for off-site contributions towards playing pitches from this development. These would be used with-in a 2 mile radius of the development site. The trigger for this payment would be at 10% occupancy.

The current contribution formula is: £685.36 x number of bedrooms

If the alternative play offer was decided then our off-site play contributions would be used with-in a 2 mile radius of the development site. The trigger for the payment would be 10% occupancy. The current contribution formula is:
£549.25 x number of bedrooms

Staffordshire Wildlife Trust

Advised that the scale of development and area of green space indicated appears to enable biodiversity impacts to be balanced within the site if designed well. We recommend that should the proposal be approved, a condition is applied requiring that a Biodiversity Impact

Assessment using the most up-to-date Defra metric is provided as part of any reserved matters, to guide the site design and show that a net gain is achieved.

County Archeologist

No objection subject to conditions

Advises that the application is supported by an Archeological Desk -based Assessment (ADBA) and a Heritage Statement (HS) which has been informed by a full HER search and has been produced in line with the relevant Chartered Institute for Archaeologists' Standard and Guidance, has provided a useful understanding of the developmental history and archaeological potential of the application site, and its conclusions regarding the archaeological potential, Low, is generally supported. should permission be granted, a further stage of archaeological evaluation, in the form of a **staged evaluation** comprising a geophysical survey followed by archaeological trial trenching (the need for and scope of this to be determined following the geophys survey) should be carried out across the site, in advance of any groundworks. This work should be carried out at the Outline stage in order for the results to inform the need for further archaeological works and to inform the scale and extent of these further archaeological works (such as excavation, watching brief etc.), and indeed the potential for preservation in situ should significant remains be encountered.

Coal Authority

No objection subject to a condition to secure intrusive site investigations to assess the risk posed by past mining activity, outline any remedial measures necessary with timescale for implementation

Advise that the application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards, which need to be considered in relation to the determination of this planning application. In this instance, the site is likely to have been subject to historic underground unrecorded coal mining at shallow depth. Our records also confirm that a thick coal seam outcropped across the site and that there is a recorded mine entry (shaft), within the planning boundary.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site. This information has been used to inform the Desk Study Report (June 2021, prepared by Betts Geo environmental Ltd), which accompanies the planning application.

Based on this review of information obtained, the report confirms that intrusive site investigations are necessary to check for the presence of shallow coalmine workings and to identify any necessary remedial measures. The report confirms that the investigation of the mineshaft will also be necessary and that its position may impact on the development layout, which at this time remains indicative.

Given that there is a recorded mine entry within, or within close proximity of the site boundary, after it has been investigated, the Coal Authority would expect the finalised site layout to be informed by its presence.

The Authority advise that intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

Local Lead Flood Authority

First response (2/11/21)

Recommend refusal due to inadequate drainage strategy.

Second response (13/1/23)

Satisfied that the amended proposals address previous concerns. Recommend approval subject to a conditions to secure implementation of the agreed FRA and Drainage Maintenance Strategy 2022 and a Construction surface water management plan

Severn Trent Water

No objections to the proposals subject to the inclusion of the following condition:

Environment Agency

No objection. Advise consultation with Environmental Health as approx. 225m to the north west of the development area is a former permitted landfill site which was filled between 1993 and 2003. The site was permitted to accept bricks, concrete, hardcore, excavated materials, soils, subsoils and pottery shraff wastes. The EA hold some records of landfill gas monitoring undertaken during the time when the site was operational and occasional elevated levels of landfill gas were detected.

Education School Organisation team (SCC)

First response (2nd November 2021)

The development is scheduled to provide 228 dwellings, a development of 228 houses could add 48 primary aged children, 34 secondary aged children and 7, 6th form aged child.

High School Provision

The Cheadle Academy is projected to have sufficient space to accommodate the likely demand from pupils generated by the development and from the proposed level of Local Plan housing in Cheadle Town.

Primary School Provision

The County Council is working with Staffordshire Moorlands District Council (SMDC) to plan strategically for the education infrastructure required to accommodate the children generated by the level of housing growth proposed across the District. The County Council has a statutory duty to secure the sufficient supply of school places, which includes requiring developers to provide additional education provision in line with the pupils generated by proposed new housing.

It has been identified that the level of housing growth proposed for Cheadle in SMDC's Local Plan will necessitate a new primary school to be delivered within one of the residential development sites. A fair, transparent and consistent approach must be taken across large developments proposed in the Cheadle area. As a new school will be necessary to accommodate the level of development proposed in the area, this site will be required to contribute proportionally to the cost of providing the new school. We will therefore be requesting a contribution towards primary school provision.

We have been advised that the cost of a new 210 place primary school (1 form entry) would be in the region of £6.3 million (excluding acquisition of the necessary land).

Based on 228 houses we would require the developer to enter into a Section 106 agreement to provide a financial contribution towards the new primary school of £1,429,408.15

Second response (22nd February 2024)

The development is scheduled to provide 215 dwellings, a development of 215 houses could add 45 primary aged children and 32 secondary aged children.

High School Provision - The Cheadle Academy is projected to have sufficient space to accommodate the likely demand from pupils generated by the development and from the proposed level of Local Plan housing in Cheadle Town.

Primary School Provision - The County Council is working with Staffordshire Moorlands District Council (SMDC) to plan strategically for the education infrastructure required to accommodate the children generated by the level of housing growth proposed across the District.

The County Council has a statutory duty to secure the sufficient supply of school places, which includes requiring developers to provide additional education provision in line with the pupils generated by proposed new housing.

It has been identified that the level of housing growth proposed for Cheadle in SMDC's Local Plan will necessitate a new primary school to be delivered within one of the residential development sites

A fair, transparent, and consistent approach must be taken across large developments proposed in the Cheadle area. As a new school will be necessary to accommodate the level of development proposed in the area, this site will be required to contribute proportionally to the cost of providing the new school. We will therefore be requesting a contribution towards primary school provision.

We have been advised that the cost of a new 210 place primary school (1 form entry) would be in the region of £7.3 million (excluding acquisition of the necessary land). This cost is

from 2022 Q2 and are currently being updated. The most up to date cost will be utilised in the S106 should the application be approved.

Based on 215 houses we would require the developer to enter into a Section 106 agreement to provide:

- A financial contribution towards the new primary school of £1,571,921.98

Further discussions are required between the applicant, Staffordshire Moorlands District Council and Staffordshire County Council regarding all planning obligations relating to the application.

The above is based on current demographics which can change over time and therefore we would wish to be consulted on any further applications for this site.

We reserve the right to amend the necessary education calculations at a later date if circumstances in the area materially change prior to determination of this planning application. We may also amend our requirement if/when a school place strategy has been finalised to ensure forward planning of future needs for school facilities against local plan residential housing requirements.

Police Architectural Liaison Officer

Staffordshire Police would have no issues with the principle of developing this application site for residential purposes. The proposed site access arrangements appear appropriate with pedestrian/cycle connectivity to existing and already approved future development incorporated as well as to the adjacent Public Right of Way. Anything that can be done to discourage any inappropriate motorbike access to designed pedestrian site access points, which could be a nuisance and pose a danger to pedestrians/cyclists should be considered.

The applicant's attention is drawn to the importance placed upon designing out crime and designing in community safety, which should be central requirements to the planning and delivery of new development. Consequently, the layout design should pay particular attention to crime prevention and community safety issues. Provide a list of design features to be incorporated at reserved matters stage

To assist with designing out crime layout considerations, the applicant's attention is directed to the online Secured by Design Homes 2019 design guide (or any later published version).

The Design and Access Statement accompanying the outline application is very informative and reasonably comprehensive. The Illustrative Masterplan/Indicative Layout drawing appears to tick very many of the points mentioned above (or has the clear potential to do so), which is encouraging moving forward in terms of providing a safer and more secure environment, and reducing criminal or anti-social opportunity. Housing is shown as outward-facing blocks with the potential to provide plenty of natural surveillance and with enclosed rear gardens generally backing onto one another. There are some rear access paths serving certain dwellings shown and access to these would need to be suitably restricted. In the main, the open space would be well overlooked including the designated Crescent Green area with play space. Opportunities to increase natural surveillance over the designated Orchard Green space, which could very largely have views into it screened by the proposed native hedgerow should be considered

Some courtyards are included and all bar one have housing within them, which is ideal to oversee them and discourage any potential misuse of the space. One exception is some rear parking within the 'Mews'. This will not be overlooked and it will provide access to the surrounding rear gardens. This should be designed out. Some rear unoverlooked parking is

also indicated for dwellings on one side of the lane (those backing onto existing properties), which ideally would warrant some redesign to remove it.

Ultimately to complement a robust crime/asb-resistant and safe site layout, the applicant should satisfy the minimum dwelling physical security requirements (in terms of external doorsets, ground floor windows and garages) referenced with the Homes 2019 document cited above. This would be a further significant way the applicant could demonstrate that they had sought to design out criminal opportunity for the long term benefit of the future residents. Such products are widely available and provide a demonstrable level of physical attack-resistance. In the light of the above, any reserved matters application that subsequently comes forward should clearly explain within the Design and Access Statement (or other narrative) and demonstrate in the site layout how crime prevention and community safety measures have been appropriately considered and incorporated within the proposal. Providing a specific and comprehensive section in the Design and Access Statement addressing this would be deemed helpful.

Staffordshire County Council : Rights of way

The documents recognise the existence of Public Footpath No. 40 Cheadle Parish and Public Footpath No. 94 Kingsley Parish and which run along/just outside the boundary of the proposed development site

The attention of the developer should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. If the paths do need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpaths to allow the development to commence. The County Council will need to be formally consulted on any proposal to divert the rights of way. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the rights of way or their closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09). It is important that users of the paths are still able to exercise their public rights safely and that the paths are reinstated if any damage to the surface occurs as a result of the proposed development.

We would ask that trees are not planted within 3 metres of the footpath unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility.

Any works to the surface of the footpaths will need discussing with the County Council Rights of Way Team before works begin.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

NHS: Staffordshire and Stoke on Trent Integrated Care Board

Request that a developer contribution is made to mitigate for the impacts of additional patient demand upon local primary care services.

Current position in the PCN

The application site is situated within the Moorlands Rural PCN, which comprises of nine premises (7 practices, 2 branches).

Further to an assessment of spatial capacity and sufficiency, analysis shows that clinical and administration space is challenged across the PCN with the majority of premises insufficient when benchmarked against current standards and it is clear that recruitment and retention is impacted by a lack of suitable estate capacity, thereby impinging upon clinical strategies to improve patient health outcomes.

The capacity of the healthcare estate is viewed in the context of the local demographics. The PCN currently has a notably higher, than ICS average, older population with 26.68% of patients over 65 years of age and significantly higher numbers of people 75-85 years. There is a high prevalence of long-term conditions such as coronary heart disease, hypertension and stroke, with 30% of adults overweight.

The older population means that the health status of patients within parts of the PCN is more complex and these growing demands continue to act as key drivers for expanding the workforce, which in turn requires fit for purpose estate to operate from.

The development outputs

Having reviewed the application details and after considering key facets associated with practices that fall within influencing distance of this site the ICB would request a contribution which would support the development of primary care services in the area with both the creation of a hub and expansion opportunities under review.

In respect of the Lower layer super output area (LSOA) in which the application site is situated it is evident that patients are split across The Tardis Surgery, Well Street Medical Centre and Allen Street Clinic. As per the wider outlook for the PCN there is an overall shortfall in clinical capacity for current patient numbers across these practices and accordingly proportionate mitigation is sought for this development in accord with adopted policy C 1, SS 12 and the adopted Developer contributions SPD 2023.

The table set out below provides the relevant calculations for the sum requested to support local health infrastructure in this case and is aligned to the costs of providing additional clinical rooms with the requested sums to be utilised within the Moorlands Rural PCN to mitigate for additional patient population arising from housing growth.

The outputs are derived from the Department for Health guidance 'Health Building Note 11-01: Facilities for Primary and Community Care Services', which provides best practice guidance on the delivery of new healthcare buildings and adaptation and extension of existing

facilities. It is applicable to a range of building types including GP premises, Health centres, Primary care centres and Urgent care centres. Housing	215
Numbers	
Household Average	2.4
Consulting / Examination Rooms	
Population Increase	516
Access Rate (5260 per 1000 population)	5.26
Anticipated Annual contacts	2,714
Assume 100% patient use of C/E room:	2,714
Patient accessing a C/E room:	
Assume surgery open 50 weeks per year -	54
Patients Per Wk	
Appointment duration (minutes)	15
Patient appointment time per week	13.57
Building Operational Hrs Per Week	52.5

Room Utilisation - Per Week	60%
Rooms Available - Per Week	31.5
Number of CE Rooms Required	0.43
C/E Room size (m2)	16.00
Net space required	6.89
Ratio of clinical space to non-clinical space	2.33
30/70 - Increase factor	
Total space requirement (m2)	22.97

Treatment Rooms

Population Increase	516
Access Rate (5260 per 1000 population)	5.26
Anticipated annual contacts	2,714
Anticipated annual contacts Assume 20% patient use of room: Patients accessing a treatment room:	543
Surgery open 50 weeks per year	10.86
Appointment duration	20
Patient appointment time per week	3.62
Building Operational Hrs Per Week	52.5
Room Utilisation	60%
Rooms Available - Per Week	31.5
Number of CE Rooms Required	0.11
C/E Room size (m2)	18.00
Net space required	2.07
Ratio of clinical space to non-clinical space	2.33
30/70 - Increase factor	
Total space requirement (m2)	6.89

Total Cost

Total floor area required (m2)	29.87
Cost per m2	6454
Total cost / Contribution required	£ 192,762

The total sum (£192,762) would be targeted towards supporting the future adaptation/expansion of premises within the Moorlands Rural PCN as appropriate and would be informed by strategic estates plans, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

Ramblers Association

Advise that Kingsley 94 runs very close to the perimeter. where work will take place. This could also effect Cheadle 40 that follows on from Kingsley 94. These paths must be kept safe for public use at all time.

Peak and Northern Footpath Society

We note that the PROW Cheadle 40 is very close to the proposed site. Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

Campaign to Protect Rural England

Staffordshire Moorlands has made more than adequate provision for additional new housing, well in excess of the requirements using the Government New Standard Method for calculating housing requirements which indicates 185 dwellings per year for Staffordshire Moorlands <https://lichfields.uk/grow-renew-protect-planning-forthe-future/how-many-homes-the-new-standard-method/#section18>

The applicants, in their Planning Statement, claim that the Council cannot meet a 5 year housing supply but do not provide the clear evidence for this and we assume that your Council Officers will make the current position clear - since if the NPPF requirements are met there is no justification for further housing to be permitted in excess of the existing commitments and Local Plan allocations.

We support Staffordshire Moorlands Council in following the adopted Local Plan, in which this Greenfield site is not allocated for development, and refusing planning permission.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 Planning law requires that applications for planning permission be determined in accordance with the Development plan unless material considerations indicate otherwise.

Principle

7.2 The application site is a greenfield site which is located outside of the defined Development Boundary of Cheadle. It is not an allocated site and lies within open countryside.

7.3 Policy SS10 sets out the strategy for development in such locations. In respect of housing it says that such locations will provide only for development which has an essential need to be located in the countryside. There is no suggestion that this would be the case here and there is conflict with this policy. Furthermore whilst Policy H1 allows for unidentified residential windfall sites, it is clear that this provision is only for sites within the development boundary. It does not provide flexibility for additional residential sites, such as this, on the edge of the towns outside the development boundary. This is because the requirement is already met within the Cheadle development boundary.

7.4 Policy SS2 sets out the spatial strategy which seeks to focus growth in the towns such as Cheadle with Policy SS3 providing for 25% of the housing provision for the period 2014-2033 being located in Cheadle. It clarifies how the five year housing supply will be maintained in accordance with the trajectory. Policies in the plan allocate specific, deliverable sites for years one to five of the plan period and specific, developable sites for growth, for years 6-10 of the plan and even further (years 11-13) which is consistent with the Framework. Policy SS4 clearly sets out how the housing requirement for Cheadle will be met by allocations totalling 1026 dwellings and a windfall allowance for small sites.

7.5. It is for these reasons that the principle of housing would on the face of it would conflict with strategic Policies SS2, SS3, SS4, SS10 and H1.

7.6 Paragraph 76 of the National Planning Policy Framework (NPPF) which was revised in December 2023 says that LPA's do not have to identify a minimum supply of 5 years' worth of housing provided their adopted plan is less than 5 years old and that plan identified a 5 year supply at the time its examination was concluded. Footnote 40 and 79 however clarifies the transitional provisions relating to para 76. Footnote 79 says, '*As an exception to this, the policy contained in paragraph 76 and the related reference in footnote 8 of this Framework should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of this version of the Framework*'.

7.7 Given that this application was submitted in 2021, the provisions of para 76 and footnote 8 do not apply and therefore for the purposes of determining this application para 76 cannot be relied upon

7.8 The most recently published 5-year Housing Land supply statement confirms that the District has a supply of 3.58 years on 1st April 2023

7.9 Para 11 of the NPPF says that decisions should apply a presumption in favour of sustainable development. For decision taking it says this means:-

- c) *Approving development proposals that accord with an up to date development plan without delay or:-*
- d) *where there are no development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless:*
 - i) *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or*
 - ii) *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;...'*

7.10 Footnote 8 to Para 11 confirms that out of date policies includes, for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of deliverable housing sites.

7.11 There are no policies in the NPPF which provide a clear reason for refusing permission (para 11 d) i)) as these are set out in a closed list in the footnotes to paragraph 11 and include policies relating to Green Belt, AONB's, heritage assets, etc. none of which apply or are contravened in this case. Therefore paragraph 11d(ii) of the NPPF is triggered, which says that permission should be granted in this case unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; the tilted balance as it is known. This matter is returned to in the planning balance below

Access

7.12 Approval of access is sought at this stage. The application is supported by a Transport Assessment (TA) prepared by Eddison and dated August 2021. During the processing of the application further information/plans have been provided as set out in the Revised plans section above and discussed below.

7.13 The stretch of Froghall Road (A521) along the site frontage is subject to the national speed limit. This changes at the south west corner of the site to 30mph to reflect entry into the built up area of Cheadle. Access into the site is currently via an existing agricultural access off Hammersley Hayes Road. There are two covered bus stops on Froghall Road to the south of the site. An existing footpath to the south of the site within the service road links into others leading towards the town centre

7.14 The original submission proposed a new priority controlled junction at the site entrance on the A521 Froghall Road to include a formal right turn lane. It involved a slight widening of Froghall Road into the site frontage and the relocation of the existing 30mph speed limit to a position adjacent to the northern boundary of the application site. The site access was shown to be 5.5m wide with 2m footways either side. A new section of footway, 1.3m in width was also proposed to connect to the existing path to the south.

7.15 The submitted TA assessed the impact of traffic generated from the proposed development on the highway network. As part of this it considered the capacity of a number of junctions as follows:-

- A521/ main site access,
- A522 Leek Road/A521 Froghall Road priority controlled junction;
- A522 Leek Road/A521 High Street/A522 Tape Street mini-roundabout;
- A522 Tape Street/B5417 Queen Street mini-roundabout;
- A522 Tape Street/Well Street/A521 Chapel Street roundabout;
- A522 Tape Street/B5032 Ashbourne Road mini-roundabout.

7.16 The TA concluded that the new site access would have sufficient capacity to accommodate the proposed development. It also concluded, that the proposed development would have minimum impact on all other junctions listed above and because of this it concluded that the development could be accommodated on the local highway network without severe impact.

7.17 The Local Highway Authority (LHA) initially objected to the application on four grounds as follows:-

- a)It is impracticable to construct an access in the position indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control.
- b)The submitted Transport Assessment clearly demonstrates that the additional trips generated by the proposed development will adversely affect the flow of traffic through Cheadle Town Centre but fails to propose or provide any mitigation.
- c)The proposed development is in a less than sustainable location.
- d)Insufficient information

A copy of their full response is provided in the Consultation section above.

7.18 Following this, discussions have taken place between the applicant and the LHA. These discussions have resulted in further submissions of revised plans and further information as follows:-

May 2022	Revised site access plan 3277-F06A showing roundabout at site entrance
	Transport Assessment Addendum (TAA) dated April 2022
9 th January 2023	Technical Note 3
6 th March 2023	Technical Note 4
November 2023	Revised site access plan 3277-F06 Rev G showing additional land required for visibility

7.19 The Transport Assessment Addendum (TAA) submitted in May 2022 revised the proposed access to try and address comments from the LHA and proposed a roundabout junction into the site off the A521 Froghall Road. In addition the TAA

- a) proposed to extend the existing 30mph speed limit to the north where a gateway feature would be provided.
- b) proposed a widened footway of 1.8m (previously 1.3m) at the site entrance which would link into the service road to the south and here the existing path would be widened to 2m footway
- c) provided revised traffic impact analysis of the follow junctions based on up to date traffic counts undertaken at these junctions on Thursday 17th February 2022 and Thursday 17th March 2022, between 0730 hours to 0930 hours and 1630 hours to 1830 hours. The counts

included queue surveys to enable validation of the junction models. The analysis includes traffic growth up to 2033 and committed development. The full results are provided in the TAA.

- A522 Leek Road/A521 Froghall Road/Greenways Drive/Harborne Road priority controlled junction;
- A522 Leek Road/A521 High Street/A522 Tape Street mini-roundabout;
- A522 Tape Street/B5417 Queen Street mini-roundabout;
- A522 Tape Street/Well Street/A521 Chapel Street roundabout;
- A522 Tape Street/B5032 Ashbourne Road mini-roundabout

7.20 The conclusion of the TAA is that the proposed development will have minimal impact of the operation of all of these junctions and that the development can be accommodated on the local highway network without the requirement for highway improvements/mitigation

7.21 Although the LHA did not formally respond to the May 2022 submission including the TAA they continued to express concern about the site access junction design which was based on extending the 30mph speed limit. The LHA's view was that that there was no evidence to suggest that a Traffic Regulation Order to achieve this would be possible or indeed supported by statutory consultees. They also expressed concern about the lack of updated information including speed counts or speed surveys, absence of any mitigation for the effect of the development on the surrounding network and lack of sustainable travel options.

7.22 In February 2024, after extensive discussions, meetings, revisions and up to date traffic counts/queue surveys the LHA lifted their objection. They issued a recommendation of conditional approval on the 15th February 2024. A full copy of their response is provided in the Consultation section above. They point to the following that have led to this changed position:-

- a) The red line has been extended (November 2023 submission) to enable visibility splays to be provided commensurate with measured speeds. The revised junction design is shown on the revised Site Access drawing 3277-F06 Rev G. These amendments have removed the need to rely upon a TRO to extend the 30 mph restriction although the applicant indicates that he still intends to pursue this.
- b) Minimal queuing has been demonstrated on the approach to Cheadle Town centre and particularly at the Froghall Road/Leek Road junction where further traffic counts and queue surveys were undertaken in January 2023. These revealed minimal and acceptable queue levels, well below the threshold of 'severe' impact.
- c) A widened footway of 2m is provided to link to the existing footway network – as described above
- d) Improvements to the pedestrian routes to Cheadle town centre are secured. These will comprise dropped crossings and tactile paving on each side of the five side roads crossed between the site and Cheadle town centre. The cost is currently estimated at £50000 which the applicant has agreed to.
- e) Improvements to the pedestrian crossing facilities on the approach to Cheadle town centre are secured. The cost is currently estimated at £50000 which the applicant has agreed to. The LHA advise that the works include an upgrade of the existing infrastructure for the three puffin crossings in the vicinity of the Leek Road/ Tape Street. High Street junction so that these are synchronised and therefore enable a more efficient flow of traffic
- f) Improvements to bus services have been secured. The applicant has agreed to a cost of £700 per dwelling

7.23 Following extensive dialogue the LHA are now satisfied with the proposal for the above reasons. They advise that the application now proposes a safe and suitable access, it provides opportunities for sustainable transport modes and it will have an acceptable impact on the wider highway network. They raise no objection subject to conditions and a Section 106 Agreement to secure financial contributions towards monitoring of the Travel Plan, off site highway works to improve pedestrian routes to the town centre and pedestrian crossing facilities and improvements to bus services. With the conditions and a Section 106 agreement in place there is compliance with Policies DC1, T1 and R2 and the NPPF

Accessibility

7.24 The site is in a relatively sustainable location albeit on the edge of the settlement. The Transport Statement describes the services and facilities nearby and the availability of public transport

7.25 The generally accepted view, confirmed in Manual for Streets is that walking offers the greatest potential to replace short car trips, particularly those under 2km. In order to encourage walking as a mode of travel a new 2m path leading out of the site will connect to the existing path on the service road to the south. This is also to be widened to 2m . From here existing paths connect to the town centre. As noted above the applicant has agreed to fund improvements to a number of pedestrian routes to the town centre so that crossings have both dropped crossings and tactile paving. Footpath connections onto Hammersley Hayes Road area are also shown on the Parameters Plan. Table 5.5 of the TA provides examples of distance from the site to local facilities/services and demonstrates that these are available within 2km. With the new and improved pedestrian routes, the development will facilitate walking and does offer a realistic alternative mode of travel.

7.26 For cycling the generally accepted distance where cycling has the potential to replace short car journeys is 5km. The site is therefore well placed to be considered accessible by cycling. Cycle paths through the site connecting onto Froghall Road and Hammersley Hayes Road are shown indicatively on the Parameters plan and can be secured by condition as part of the reserved matters application

7.27 The nearest bus stops with shelters to the site are located on the A521 Froghall Road approximately 500 metres (around a 6 minute walk the applicant says) from the centre of the site. The existing bus service provides access to Cheadle, Leek, Hanley and Uttoxeter. The services are relatively regular during the week, less so at weekends. Travel by bus is therefore available. As noted above the applicant has agreed to making a contribution towards improved local bus services.

7.28 In addition to the above, a Travel plan is proposed and a Travel plan framework provided in the TA to encourage residents of the development to use modes of travel other than the car by a range of measures.

7.29 To conclude, the site is accessible by sustainable travel modes in line with Policy T1 and further measures to facilitate and encourage walking and public transport as a mode of travel can be achieved as part of the development. The LHA are now satisfied with the proposal in terms of sustainable travel. With conditions in place to secure the footpaths and cycle paths and a Section 106 Agreement to secure the Travel Plan and financial contributions towards improved local bus services and pedestrian routes to the town centre there is compliance with Polices T1, T2 and the NPPF.

Affordable housing and self-build/custom build housing

7.30 The applicant commits to provide 33% of the total number of dwellings as affordable homes (i.e. 71 based on 215 units) in line with Policy H3.

7.31 The Written Ministerial Statement on Affordable Homes Update (24 May 2021) contains policy on First Homes and confirms that at least 25% of all affordable housing units should be delivered as First Homes. The remaining 75% will be required to be delivered with a tenure split of 60% social/affordable rented and 40% intermediate/starter homes, in line with Policy H3. The properties will need to be NDSS compliant, with an expected bedspaces criterion of 1b2p, 2b4p and 3b5p. The affordable homes secured will need to be distributed across the site and be delivered by a registered provider. All of these requirements can be secured in a Section 106 Agreement.

7.32 The applicant also offers 10 self-build plots. The Council's self-build/ custom-build register indicates a need for 11 plots in the Cheadle area plus there is a non-specific need for an additional 52 plots. Policy H1 requires developments of 10 dwellings or more to make a contribution towards self-build housing where demand exists, as in the case here. The Policy does not quantify the requirement. The offer of 10 units is however considered to be appropriate given the level of demand and equates to just under 5% of the total number of units proposed which is similar to that secured at the Thorley Drive development in November last year.

7.33 Finally in terms of specialist/flexible housing the applicant says that the development will provide six 2- and 3-bedroom bungalows as M4(3): wheelchair adaptable homes and that up to 50% of the proposed dwellings will be Part M4(2): accessible and adaptable standard homes, to meet the needs of an ageing population and households with disabilities.

7.34 Policy H1 says that all new dwellings should be delivered to meet the accessibility standards set out in Optional Requirement M4(2) of Part M of the Building Regulations. Policy H1 d) says:

- e) *All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design.*

7.35 These requirements, including the 6 bungalows and at least 50% of the dwellings to be delivered as Part M4(2) accessible homes as well as compliance with the Nationally Described Space Standards can all be secured by conditions on the outline consent and the reserved matters submission would need to reflect those requirements.

7.36 Subject to these conditions and the prior completion of a 106 legal agreement to secure 33% affordable homes and 10 self-build/custom build units, there is compliance with policies H1 and H3 and the NPPF

Dwelling mix

7.37 As this is an outline application there is no detail of the proposed houses albeit there is reference in the Planning statement to delivering a mix of housing including affordable housing and self-build plots.

7.38 Policy H1 states that the final mix should be negotiated with the developer based on housing needs as informed by the SHMA and other factors such as available supply and market demand.

7.39 The 2011 ward based census data for the Cheadle NE and Churnet wards shows the housing stock as follows:-
37.8% 1 and 2 bedroom properties
62.2% 3,4 or 5 bedroom properties
(The 2021 ward data is not yet available)

The SMHAA on the other hand recommends the following split:-
60% 1 and 2 bedroom properties
40% 3 and 4 bedroom properties

7.40 To comply with Policy H1 it would be expected that the mix put forward at the reserved matters stage brought the housing stock closer to the SHMAA recommendations i.e. a larger proportion of 1 and 2 bedroom properties. A condition to ensure this is the case at reserved matters is recommended.

Landscape and visual impact

7.41 The application site lies with open countryside. It is within the Ancient Slope and Valley Farmland (ASVF) landscape character type in the Council's Landscape and Settlement Character Assessment. Key characteristics of this landscape type are given to be:-

- Strongly undulating or sloping landscape cut by small scale steep sided stream valleys
- Small scale mainly ancient irregular fields bounded by trees and hedgerows
Extensive views from higher ground
- Intimate wooded valleys
- Stone buildings and drystone walls towards uplands
- Isolated properties
- Narrow winding lanes
- Parklands
- Quarrying

7.42 Whilst this landscape character type is noted as not being particularly sensitive to change, it is identified as requiring maintenance. Localised residential development is noted as an incongruous feature, with expansion of neighbouring settlements a key planning issue. As noted above, one of the key characteristics of the ASVF character type is 'isolated properties'. Broad Haye farm immediately to the east of the site is consistent with this. It is an isolated farmstead (also Listed – see separate discussion below). The Character Assessment recommends that: *'Development and new tree planting should take account of the setting of the historic parklands, of the setting of important buildings and of important local views. Any proposals for development or land use change which impacts upon the setting of an historic parkland must take account of the unique character of that designed landscape'*. Therefore, the relationship of Broad Haye in the landscape, to the urban edge and to proposed development is an important consideration.

7.43 The application site is considered to be characteristic of the ASVF character type but it is not considered to be a 'valued landscape' as per Para 174 a) of the Framework as it does not hold distinctive features or cultural links to set it above other landscapes in the area.

7.44 The application was accompanied by a Landscape and Visual Appraisal (LVA) dated November 2021 which was updated in May 2022 to reflect changes to the Parameters plan and developed area and included some photomontages for Viewpoints 8, 9 and 10. The LVA

considers 12 representative viewpoints from roads and public footpaths. Photographs for each viewpoint are provided.

7.45 The Council has been advised on landscape matters by Derbyshire Landscape and Placemaking. The consultant has considered the application, the submitted LVA and the updated LVA of May 2022.

7.46 He has considered the likely visual effects having regard to the 12 representative viewpoints. He accepts the conclusion of the LVA in respect of VP's 3, 5, 6, 7, 8, 11 and 12 i.e. that at Year 15 the visual effect would be Minor adverse or less due to a combination of distance from site, landform, intervening landscaping and proposed landscaping on the site.

7.47 He disagrees with the applicants assessment at VP1 which is views north over the site from properties on Hammersley Hayes Road. The LVA assesses the landscape effect at VP1 to be Major/moderate adverse at completion but considers that at year 15 the green infrastructure will be established and providing '*...some filtering of views and softening of the built form*'. The Councils considers the visual effects for this viewpoint to be Major Adverse at completion. As he says the Parameters Masterplan does not show any proposals that are likely to significantly reduce visual effects by Year 15 and on this basis considers that they would remain Major Adverse.

7.48 Viewpoint 9 and 10 are taken from public footpaths Cheadle 38 and 39. The LIVIA notes that once the Ayr Road allocation is developed it will be visible in these views. It says that the context of the view is settlement edge and that although the development abuts eastward reducing the space between Broad Haye farm and Cheadle, the visibility of the development is partly assimilated into the northern boundary of Cheadle. It considers the visual effect to be Moderate adverse at completion reducing to Moderate/minor adverse at Year 15.

7.49 Whilst the Councils consultant agrees with the assessment at completion, he considers the visual impacts after 15 years will not reduce appreciably and would remain Moderate Adverse. He has concerns regarding the landscape setting of Broad Haye Farm in relation to the development. He says that from several points along Public footpath Cheadle 38 (see VP10 as an example) there are views towards the site which clearly show the façade of Broad Haye farm set in isolation from the urban area of Cheadle. He is critical of the applicant's VP 10 which he says partly obscures Broad Haye by positioning Woodhead Hall Farm in the foreground and provides his own photograph showing Broad Haye set prominently and isolated in the landscape.

7.50 He also refers to views from public footpath Cheadle 39 which leads to Woodhead Hall looking towards the site. He provides a photo in his response and says that the view is available over low fences for a good distance along the PROW. The site is clearly visible from several points along the track and the prominent façade of Broad Haye farm stands out clearly set isolated from the urban area nestled in a wooded landscape. He says this VP is not included in the LVA and considers that this is important and that the proposed POS will be less effective in providing separation from the proposed development and Broad Haye from this angle of view. The applicant chose not to provide this stating that VP10 clearly shows the relationship and making the point that viewpoints only provide a snapshot of a single point and therefore vary along the footpaths to the south of the site

7.51 The Councils consultant is critical that the LVA does not discuss the cultural heritage and significance of isolated farms in the landscape surrounding the site. He refers to the Built Heritage Study (which is discussed in the Heritage section) and references Plate 9 in that document which shows Broad Haye isolated in the landscape from the Public footpath 39 leading to Woodhead Hall.

7.52 In terms of landscape effects, the LVA concludes that the development would result in Minor adverse effect overall. It says that whilst the development would result in the loss of agricultural land, the proposals seek to retain important landscape features such as hedgerows and boundary trees and includes new habitat in the form of new tree planting and green space. Additionally it says, the site forms a very small part of this landscape receptor. It concludes that the landscape effects would be Moderate adverse at completion and in 15 years, once the planting etc has established and is maturing providing benefits for biodiversity and local landscape character it would reduce to Moderate/minor adverse. It goes on to say that the landscape effects are anticipated to be significantly below the level of harm that is required to trigger 'Policy DC3 Landscape and Settlement Setting' (i.e., significant adverse impact). The site is also well-related to the existing settlement, and it would not comprise a prominent intrusion into the open countryside. It is judged that there is no conflict with Policy DC3.

7.53 This view is not entirely shared and is considered to under play the landscape effects arising from the development. As the applicants LIVIA acknowledges, the proposal will result in the loss of fields and disruption in the sites landscape character. The application does indicate that many of the existing landscape features such as hedgerows and trees would be largely retained and that boundary planting is proposed and indeed is considered to be wholly necessary to try and soften/screen the development and assimilate it as far as possible into the landscape. The new roundabout junction and required visibility splays will result in the total loss of the frontage hedgerow, H5 (see Preliminary AIA 15/2/24). Although the plans indicate the planting of a new native hedgerow behind the splay, the loss of this hedgerow would initially have a substantial adverse impact on local landscape character. Furthermore the landscape character of the site itself would fundamentally and permanently change from pastoral agricultural land to suburban housing estate and there would be a consequential change to the character of the adjacent pastoral fields. The Landscape character assessment for Cheadle indicates that the site lies within a more open, larger scale landscape with fewer hedgerow trees than the smaller scale landscape to the south and east of Cheadle. This is evidenced in the site itself which consists of two large fields, the northern most of which is part of a much larger open field with no landscape feature defining the northern boundary of the application site; an arbitrary line marks the application boundary here.

7.54 In addition to the above points the application site does not provide for a natural 'rounding off' of Cheadle. Rather it extends northwards beyond even the ribbon development on Froghall Road to the west of the site (which could be argued to provide a defined edge to the west) to an arbitrary boundary. This together with the loss of the frontage hedgerow will change the character and urbanise this part of the countryside

7.55 Whilst the ASVF character type within which the site is situated is noted as not being particularly sensitive to change, localised residential development is noted as an incongruous feature, with expansion of neighbouring settlements a key planning issue and isolated dwellings a key characteristic.

7.56 Having carefully considered the application, the LVA and the Built Heritage Statement the Councils Landscape consultant is not confident, for the reasons above, that the development would not result in any unacceptable long-term landscape and visual effects and has concerns regarding expansion of the existing settlement into the countryside. As a result there is considered to be conflict with Policy DC3 and the NPPF because the development could not be said to be in keeping with the wider pastoral landscape character of the Ancient slope and valley farmland. It would not respect or enhance local landscape character and would result in a prominent intrusion into the countryside.

Heritage

7.57 There are no designated heritage assets within the site. The nearest is Broad Haye Farmhouse which lies to the east of the site and is Grade II Listed. In the wider area St Giles Church in Cheadle (Grade 1 Listed) is visible as a prominent local landmark particularly in views from the north.

7.58 Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires decision makers to have special regard to the desirability of preserving Listed buildings and their settings or any features of special architectural or historic interest which they possess

7.59 Broad Hayes farmhouse, Grade II Listed, lies to the east of the application site. It is a large, distinctive, three-storey farmhouse built around the turn of the 19th century and is a typical farmhouse of this period and this region. It was brick built but is all now painted, with a Staffordshire blue clay tile roof. It has an associated farmstead and it derives some significance from the historic connection to the farmed and open agricultural landscape in which it sits.

7.60 The Council has been advised by Mel Morris Conservation on heritage matters.

7.61 The initial Heritage Statement dated August 2021 prepared by Orion submitted with the application was subsequently superseded by a new Built Heritage Statement dated May 2022 prepared by Pegasus Group. This accompanied the amended plans in May 2022 and responded to comments made by Mel Morris in her first response (see Consultations above and First response dated 19/12/21).

7.62 Mel Morris on behalf of the Council initially objected to the application. In her view the submitted Heritage Statement (Orion Aug 2021) downplayed the level of harm from the proposal which she judged to be high on the 'less than substantial' scale owing to the loss of the open setting to the Listed Broad Haye Farm and its sense of isolation. She attributed this loss to the proximity of the application site boundary to the asset and to the proposed block of planting noted as Orchard Green on the Parameters plan (Rev F) and development fronting Hammersley Hayes Road. In her view this would remove the sense of isolation of the Listed farmhouse, its open agricultural setting and shorten the critical views of the asset experienced from the approach road /public footpath to the south – all key elements of how the asset is experienced and of its significance

7.63 A revised Parameters plan (Rev L) and new Built Heritage Statement (Pegasus Group May 2022) was submitted as part of a package of revised information/plans in May 2022. A number of changes to the Parameters Plan were proposed to address concerns raised by the Council's heritage advisor. These included:-

- a) Parcel 2d has been pulled away from Hammersley Hayes Road and an area of open space shown here instead
- b) The Orchard Green planting block has been removed. Although it remains within the red line, it is annotated as '*Land retained as fields or wildflower meadows only, with no footpaths or public access*'.
- c) Structural planting has been included along the eastern edge of development
- d) The Parameters Plan shows a road within the development aligned approx. north east – south west providing a vista to St Giles Church

7.64 The new/superseded Built Heritage report concludes that with these amendments the scheme has the potential to cause very minor, less than substantial harm to the significance of the Broad Hayes Farm and that it is at the lowermost end of less than substantial harm and as such should be weighed against the public benefits. In respect of St Giles Church the

report concludes that no harm to its significance is anticipated. It says that owing to local topography and provided the housing is of an appropriate height and scale there should be no interruption or obstruction of any key views of the church spire from vantage points to the north

7.65 Mel Morris has considered the superseded Built Heritage study and the revised Parameters plan. She says that the creation of open space and preservation of the main views and sense of space around the Grade II listed farmhouse is a welcome change to the plans. In her view pulling back the development along the new alignment does reduce the level of harm to the lower end of the spectrum on the 'less than substantial' scale. She qualifies this by saying that she does not consider that the harm has been removed entirely, as its isolation is affected in the views of the farmhouse from the Froghall Road, where it will be effectively removed from view. In addition the agricultural land holding associated historically (and currently) with the farmhouse will have a moderate diminution, with a degree of urban encroachment, as illustrated in the wire frames supplied by the applicant.

7.66 The finding of harm at the lower end of 'less than substantial harm' is nevertheless harm to which considerable weight and importance must be given. In accordance with para 208 of the NPPF in cases where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal. In this case there are public benefits arising from the provision of up to 215 homes in circumstances of a significant housing undersupply in the District. The development will also deliver circa 70 affordable homes. The Regeneration officer also clarifies above the economic benefits to the local economy arising from the development. It is considered that these are important public benefits that the proposal would release that do, in this case outweigh the less than substantial harm identified. Thus the proposal complies with policies in the NPPF which seek to protect designated heritage assets.

7.67 In respect of St Giles the Council's consultant says that the revised Heritage Statement is more of a rebuttal. It states at para. 6.50

"Long-range views of the church spire from the surrounding rural landscape do contribute to the significance of the asset where these best illustrate its designed architectural prominence and its place within a rural market town. However, the areas of the wider landscape from which the spire is visible are so numerous that not all of these areas contribute to the heritage significance of the asset through setting."

7.68 In the absence of any visualisations or ZTV she has visited Holt Lane at 200-205 metres, FP Kingsley 16 at 201 metres, the Staffordshire Way north of Holt Lane at 210 metres, and Whistonbrook at 206 metres and having done so is satisfied that the development will not block any views of the church from these public rights-of-way. Her advice and that in the applicant's Built Heritage study is that the new development must be of an appropriate height and scale. In the absence of any further assessment by the applicant it is recommended that development should be restricted to a maximum height of two storeys with a maximum overall ridge height of 8m (as discussed in the DAS) in order to protect key views of St Giles church and also reflect the position of the development abutting open countryside.

Tree protection

7.69 The application was supported by a preliminary Arboricultural Impact Assessment dated 16th July 2021 which was updated (11th December 2023) to reflect the revised plans (November submission). A further minor revision was made in February 2024 to include the off site hedge to the south where a small section is to be lost to accommodate the footpath link.

7.70 The Tree survey identified eight hedgerows (H1-H8), 15 individual trees (T1 to T15) and two groups (G1 – G2) on the site. A Tree Constraints Plan (TCP 14001/P02a) is included showing the distribution of the trees surveyed with details of their constraints to development. No trees are protected by a TPO

7.71 The AIA assesses the potential tree/hedgerow loss based on the Parameters plan. It lists as follows:-

H1 – 4m loss to implement footpath connection to Hammersley Hayes Road

H4 – 8m loss to implement internal highway link from north to south parcels. Further 5m loss to implement internal pathway connection

H5 – complete removal to create new site access and associated visibility splays

T9 - Category C Ash tree removed for new site access and associated visibility splays

A small hedgerow loss is also shown off site to the south in order to provide the footpath connection to the service road to the south.

7.72 The AIA notes that the Parameters plan shows potential works within Root Protection Areas of the four mature and notable trees on the site.

7.73. The Trees and Woodland Officer has considered the application and the AIA. He says this identifies existing trees and hedgerows, assessing them for retention priority based on their significance/condition/quality, and defining their associated Root Protection Areas as shown on the report's Tree Constraints Plan. The AIA also assesses the likely losses of and impact on existing trees/hedgerows as far as reasonably possible, given the outline-only status of the application and the absence at this stage of any detailed layout. With this in mind he makes a number of comments as follows:-

- A) Existing trees are shown only schematically/indicatively on the Illustrative masterplan and Parameters plan, and their RPAs are not shown at all;
- B) Existing trees (and therefore their RPAs) are not shown at all on the Proposed Site Access Plan, which is a matter for detailed consideration at this stage (although the AIA Tree Retention and Removal Plan does show existing tree positions and RPAs in relation to the proposed new site access arrangements).
 - a) The AIA acknowledges that the hedgerow H5 along with Ash tree T9 would need to be removed to accommodate the proposed new roundabout. The AIA suggests that Oak T8 could be retained, and this appears to be feasible from the AIA's Tree Retention and Removal Plan, albeit some crown lift pruning would be required in order to provide and maintain visibility beneath the canopy.
 - b) Ash T9 is already showing clear signs of Ash Dieback Disease; progressive decline would be expected and this tree would not be anticipated to have any worthwhile future, with removal likely to be required in the near future anyway on arboricultural/safety grounds irrespective of development proposals. There is therefore no objection to the loss of T9.
 - c) It appears that T8 could be retained without direct construction impacts within its RPA, and retention of this tree would be welcome if this is acceptable to the LHA (its stem would be within the northern visibility splay).
 - d) Removal of H5 would be inevitable given the proposed site access arrangements. This would initially have a substantial adverse impact on local landscape character, and in this event medium term mitigation would require planting of a new native hedgerow behind the splay.
 - e) There are also a few additional locations where potential "puncturing" of existing hedgerows is suggested to accommodate pedestrian permeability and footpath links

within the site. These are unlikely to be of major impact or fundamental concern, but would be appropriately considered in detail at subsequent reserved matters stages if outline planning permission is granted.

- f) Trees T4 (Oak), T5 and T6 (both Sycamore) within hedgerow H4 are all large mature Category A trees (retention highly desirable). The AIA demonstrates that there would be significant direct construction encroachment and impact within the RPAs of T4 and T5 arising from the (indicative) alignments of the principal site road and secondary highway layout. As the layout is only indicative but also indicates the footprint of new roadway immediately adjacent to the RPA of tree T6, the possibility of impact on this tree from subsequent detailed layout and associated potential construction effects should also be borne in mind. The AIA commentary acknowledges these potential impacts as shown arising at outline stage and suggests that later detailed design would refine such incursions to “reduce” conflicts, with any remaining footway encroachment being constructed to special measures specification (eg “cellweb” – a no-dig, cellular confinement load support specification sometimes acceptable for private drive installation within RPAs). The starting point of British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction - Recommendations* is that development layout design should exclude all structures (including roadways, hard surfacing, underground services etc) from within the RPA of trees to be retained; it goes on to advise that where development within RPAs is unavoidable then special measures specifications may be available and acceptable to avoid or reduce impacts on trees. However as the Trees and Woodland Officer says given that we are dealing here with a large open field/ greenfield development proposal at outline stage with no detailed layout design, then it is clearly not unavoidable to design a layout which avoids any structures or construction impacts encroaching within RPAs. He says this would and should include exclusion from RPAs of “unseen” construction elements such as excavations, compacted sub-base/base layers, roadside drainage infrastructure etc which may in practice be well outside the plan footprint position of the actual carriageway and pavement. He points that, although indicative, the Parameters plan and Illustrative plan indicates that encroachment within RPAs of T4 and T5, and possibly also T6, would be by the main site spine road and secondary street (both presumably to adoptable highway standards) and shared private drive serving several dwellings. The Trees and Woodland Officer says none of these would be acceptably constructed using no-dig/cellular confinement type specifications even if encroachment within RPAs was considered unavoidable or acceptable for some reason.

7.74 Notwithstanding these points (which would need to be taken into consideration at design and reserved matters stage) it is acknowledged that the layout is only indicative and also that the applicant has amended the description to remove any reference to a upper limit of dwellings and therefore, as the Trees and Woodland Officer notes it should be possible given the size of the application site to design a scheme without any encroachment and harmful impact within the RPAs of trees which must be retained. On this basis, the Trees and Woodland Officer raises no objection in principle to the application but recommends a number of tree protection conditions

Biodiversity

7.75 The application is accompanied by a Preliminary Ecological Appraisal (PEA) dated 16th July 2021. It describes the majority of the site as being improved neutral grassland. It includes a Habitat Features Plan 14001_P01. A PEA addendum dated 14th December 2023 was provided in February 2024 to reflect changes to the layout. It refers to the changes including the loss of a hedge (H1 along Froghall Road to provide the necessary site access and visibility splays) and removal of Ash tree also for site access. Based on the Parameters plan and the indicative footpaths and roads shown references removal of approx. 4m of

Hedge H4 for indicative pedestrian connection and loss of 8m of H2 to implement indicative internal highway link from northern to southern parcel

7.76 The PEA concludes that the habitats within the site are mostly of negligible importance with some scattered trees, improved neutral grassland and hedgerows with trees considered to provide some ecological importance and value within the context of the site. It considers Hedgerows H1, H2, H3 and H4 to provide local ecological importance and all meet the criteria for UK BAP Priority Habitat. H1 and H4 also meet the criteria for 'Important' hedgerows within the Hedgerow Regulations. Hedgerow H5 borders the gardens of the houses on Froghall Road. It is said to be species poor, has mixed management with gaps and considered to provide negligible ecological importance.

7.77 In terms of potential effects on protected and priority species the PEA concludes as follows:-

- a) Amphibians: Negligible potential for amphibians (including great crested newt) to be present within the site aquatically or terrestrially; with the creation of two attenuation basins having the potential to improve the overall site habitat for amphibians;
- b) Bats: Low and moderate potential for roosting bats has been identified in three trees. All three trees are to be retained as part of the proposals and therefore no adverse impacts on roosting bats are anticipated;
- c) Birds: Suitable breeding habitat for common and widespread bird species has been identified in the boundary vegetation and trees on site. Through pre-clearance checks of these areas prior to removal and through the planting of new native trees and shrub areas, the negative impacts to birds will be avoided and compensated for;
- d) Hedgehog: Negligible potential for hedgehog presence but precautionary working methods during construction and implementation of hedgehog highways have been recommended to maintain habitat links to adjacent land and limit impacts to individuals that may use the site; and
- e) Badgers, reptiles, water vole, otter: negligible potential for these species to utilise this site – no further action is required.

7.78 In terms of mitigation the PEA sets out at Section 4 a number of recommendations to be implemented during construction and/or to be included in the landscaping plans to mitigate the potential impacts identified and include:-

- a) the retention of hedges with enhanced planting to plug gaps, increase their species diversity and enhance the biodiversity of the site
- b) retention of existing trees as part of the proposals.
- c) additional native tree and scrub planting throughout the site and to the new northern boundary and eastern boundaries (to include species such as oak, beech and other large UK tree species)
- d) New native hedgerow planting
- e) attenuation ponds – planted with a suitable wetland mixture within and around the basin to enhance their value/design
- f) Wildflower planting on land to east as shown on Parameters plan
- g) Measures to protect birds (paras 4.17 – 4.20), Bats (para 4.23- 4.27) hedgehogs (para 4.29)

7.79 A high-level Biodiversity Net Gain assessment has been undertaken of the proposals by the applicant using the Defra Metric 2.0. It concludes that the proposal has the ability to achieve a measurable net gain in biodiversity. The PEA says that opportunities exist to enhance the biodiversity value of the site and achieve Biodiversity Net Gain within a detailed landscaping scheme. All potential effects on protected/ notable protected species can be avoided or adequately mitigated.

7.80 Staffordshire Wildlife Trust have reviewed the application on behalf of the Council. They accept the conclusions of the PEA and advise that sufficient space exists within the red edge site to achieve a net gain in biodiversity. They recommend conditions to secure a Construction and Ecological Plan to ensure that any potential effects on protected/notable species are avoided or adequately mitigated and a Landscape and Ecological Management Plan to include a BNG calculation using the latest Defra metric to ensure a net gain in biodiversity is delivered. With these in place there is considered to be compliance with Policy NE1 and the NPPF.

Agricultural Land Classification

7.81 The application is supported by an Agricultural Land Classification and Soil Resources report prepared by Reading Agricultural Consultants dated July 2021. The report confirms and provides the analysis of for the 9 soil pits/profiles which were taken across the site. The report concludes that the whole site is Grade 4 land

7.82 The NPPF defines the Best and Most Versatile agricultural land as being land in Grades 1, 2 and 3a of the ALC. It says at para 174b) that planning decisions should recognise the economic and other benefits of the best and most versatile agricultural land. Policy SD1 says that all developments should make sustainable use of resources and adapt to climate change by amongst other matters having regard to the BMV agricultural classification of the land with a preference for the use of lower quality over higher quality agricultural land

7.83 Given the finding that the land is Grade 4, no issue or conflict with policy is raised

Flood risk and Drainage Strategy

7.84 The site lies within Flood Zone 1 which is land having lowest probability of flooding. The nearest watercourse to the site is explained in the FRA to be a land drainage ditch located to the south-east of the site beyond Hammersley Hayes Road. The ditch is thought to outfall into the Cecily Brook.

7.85 The initial submission was accompanied by a Flood Risk Assessment and Drainage Management Strategy (August 2021). A revised version, dated January 2022, was provided in May 2022 in response to concerns expressed by the Local Lead Flood Authority (LLFA) that the drainage strategy was inadequate. The LLFA subsequently considered the updated report and confirmed that they are now satisfied with the proposal provided that the development proceeds in accordance with the approved strategy and that a condition also be imposed to secure a surface water management plan for the construction period i.e. before full implementation of the approved drainage strategy.

7.86 No objection has been received from Severn Trent Water subject to a standard drainage condition

7.87 With these conditions in place there is compliance with Policy SD5 and the NPPF

Residential amenity including noise

7.88 There are existing houses bordering the site to the west, south and east whose amenity is a material consideration. However this is an outline application seeking the principle of developing the site. There is no reason to believe that a scheme could not be devised that protected residential amenity and had regard to the Councils space standards. These would be matters to consider in detail at the reserved matters stage

7.89 In terms of noise, a Noise Assessment is provided with the application. It summarises that the main source of noise would be from road traffic and that this can be addressed through suitable mitigation. The Environmental Health Officer has considered the Noise Assessment. He accepts the conclusions therein subject to a condition to ensure that the proposed mitigation is installed into the properties adjacent to the main Froghall road prior to occupation.

7.90 Some noise and disruption is inevitable during construction. A condition to secure a Construction and Environmental Management Plan is recommended to control working hours and practices.

7.91 With conditions imposed as suggested above, there is compliance with relevant parts of Policies DC1 and SD4 and the NPPF

Contamination

7.92 Para 183 of the NPPF says that planning decisions should ensure that a site is suitable for its proposed use taking account of any risk arising from land instability and contamination. It further says at para 189 that where a site is affected by contamination or land stability issues, responsibility for securing a safe environment rests with the developer and/or landowner.

7.93 The application is accompanied by a Desk Study Report (DSR) by Betts Geo dated June 2021. The primary risk associated with the site is historic coal mining, with the report noting that there is a high risk of recorded and unrecorded shallow workings across site.

7.94 The Council Environmental Health Officer (EHO) and the Coal Authority have considered the submitted DSR and the application from their own perspectives

7.95 The Coal Authority advises that the site lies within a Development High Risk Area and that records indicate that there are coal mining features and hazards, which are material considerations to take into account in determining the application. In this instance the Coal Authority advise that the site is likely to have been subject to historic, underground, unrecorded coal mining at shallow depth. Records also confirm that a thick coal seam outcropped across the site and that there is a recorded mine entry (shaft), within the site boundary.

7.96 The Coal Authority is satisfied that an adequate assessment of the coal mining risks associated with the site has been carried out. It goes on to say that to ensure that sufficient information is provided by the applicant to demonstrate to the LPA that the site is safe and stable for the development proposed they recommend conditions and with these in place raise no objection.

7.97 The Environmental Health Officer has also considered the application and DSR. He advises the DSR is an acceptable assessment of the potential contamination risks associated with the site. The DSR concludes with recommendations for further intrusive work to assess the risks. Provided these are carried out and any necessary remediation measures identified and implemented, the EHO raises no objection to the application.

7.98 The Environment Agency raise no objection to the application but advise that approximately 225m to the north west of the site is a former permitted landfill site which was filled between 1993 and 2003. The site was permitted to accept bricks, concrete, hardcore, excavated materials, soils, subsoils and pottery shraff wastes. They say they hold some records of landfill gas monitoring undertaken during the time when the site was operational and occasional elevated levels of landfill gas were detected.

7.99 With such conditions in place as advised above the site is considered to be suitable for its proposed use and that it can be designed to be safe and stable in accordance with Policy SD4 and the NPPF.

Illustrative plan

7.100 An illustrative plan is provided with the application. It is not for approval at this stage but gives an indication as to how the site might be developed. It follows the concepts established on the Parameters plan including the open area to the east, a central green corridor following the line of the existing hedge, minimum 10m structural landscaping to the new northern boundary and to the east and a vista to St Giles Church.

7.101 Houses are shown outward facing on the boundaries which is positive with evidence of perimeter blocks which is also welcomed as it provides appropriately defined public/private space. Although it is not relevant at this outline stage to carry out a detailed analysis of the layout, it does look tight in part and when considered against the Councils Space standards, existing landscape features and the need to provide sufficient amenity green space led officers to seek the removal of 'up to 215' units from the description. Comment was also made by Officers about the area shown for self-build/custom build houses. This has been amended to show 10 individual plots rather than semi and terraced housing.

7.102 The Design and Access statement refers to the design principles to be employed including orientation of dwellings, design of houses, importance of walking and cycling within the site and connections beyond, quality external space for the houses, well-spaced development in line with the Councils space standards and varying densities to reflect the transition of the site to open countryside. It does refer to heights of 2 storey (8m to ridge) but makes reference to the intention for a few 10m in height as header buildings or at junctions or gateway location. Whilst it is agreed that 2 storey development is acceptable here, buildings of 2.5 storey and up to 10m would not be for heritage, character and appearance reasons as discussed elsewhere. A condition to limit height is recommended. Other than that the DAS is considered to be an acceptable basis on which to formulate the detailed design and a condition to ensure that development is broadly in accordance with the principles contained therein is recommended.

Developer contributions

7.103 Policy SS 12 provides the overarching framework for collecting developer contributions, including the requirement for new development to agree to the provision of necessary on-site and off-site infrastructure before permission is granted. The Local Plan policies are supported by an Infrastructure Delivery Plan (IDP), to set out the specific infrastructure requirements needed to support the growth needs of the District.

7.104 The Council adopted a Developer Contributions SPD on 18 October 2023. The SPD sets out details regarding the Council's approach to planning obligations and the types of contributions that will be required.

7.105 The NPPF confirms that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The applicant in this case has not submitted a viability assessment. He has however committed to the provision of affordable housing and self-build plots as noted above and to making a contribution towards off site playing field provision, education and air quality in order to mitigate the impact of the development on local infrastructure. Requested highway contributions have been considered separately in the Access section above.

Open space

7.106 Policy C2 expects that residential developments of 10 dwellings or more will make provision or a contribution towards provision of open space, sports and recreation facilities where necessary.

7.107 In this case the Commissioning Officer has advised that either an on-site play is secured or that a contribution in lieu is secured given that the Persimmon site is already providing a new play. Although he had suggested the north east portion of the site, this area needs to remain open and undisturbed to protect as far as possible heritage, biodiversity and landscape interests as discussed above.

7.108 Following discussions with the applicant an on site play area is to be provided. It is shown indicatively just to the north of the existing open space off Hammersley Hayes Road. Here it is more central to both the development proposed and existing housing around Hammersley Hayes. The play area can be secured in a Section 106 Agreement with details of its siting determined at reserved matters. The play area for a development of this size needs to meet the criteria of a Local Equipped Area for Play (LEAP). As such the activity zone should be at least 400m² and provide stimulating and challenging play experience for both the toddler age and junior (0 to 14yrs). There should additionally be room for children to run around and play 'chase' type games.

7.109 In addition to play space, an off-site contribution towards playing pitches is sought. The Commissioning Officer says such money would be used within a 2 mile radius of the development site. An up to date figure for this is awaited and will be reported at the meeting. In principle the applicant has confirmed that he accepts a POS contribution. This contribution would be secured in the usual way through a 106 legal agreement. The SPD also requires that all new developments of 10 or more provide Amenity greenspace within the development itself. The requirement is 14 m² per dwelling. This matter would form of the consideration of Layout at the reserved matters and can be secured in a condition.

7.110 In relation to Active design, the Commissioning Officer is supportive of the footpath and cycleways shown on the Parameters plan. He recommends that signage be secured on these routes to include some measured routes to enable users to understand how far they are walking/cycling and also signage to encourage residents to walk in to the town centre for their amenities and as such could include distance or estimated times of travel. A condition can secure a signage scheme picking up on these recommendations.

7.111 With conditions imposed as discussed above and a Section 106 agreement in place, no issue is raised in terms of public open space or active and healthy lifestyles and no conflict with relevant parts of Policy C2

Education

7.112 Policy C1 expects all new development to either incorporate the infrastructure required as a result of the scheme or to make provision for financial contributions and/or land to secure such infrastructure or service provision at the time it is needed.

7.113 In this case the Schools Organisation Team (SOT) advice, based on a development of 228 dwellings, is that high school provision at Cheadle Academy is projected to have sufficient space to accommodate the likely demand from pupils generated by the development and from the proposed level of Local Plan housing in Cheadle Town.

7.114 In respect of primary school provision the Schools Organisation Team advise that it has been identified that the level of housing growth proposed for Cheadle in the Councils Local Plan will necessitate a new primary school to be delivered within one of the residential development sites. They go on to say that a fair, transparent and consistent approach must be taken across large developments proposed in the Cheadle area. As a new school will be necessary to accommodate the level of development proposed in the area, this site will be required to contribute proportionally to the cost of providing the new school. A contribution towards primary school provision is therefore requested. The SOT advise that the cost of a new 210 place primary school (1 form entry) would be in the region of £7.3 million (excluding acquisition of the necessary land). They further advise that this cost is from 2022 Q2 and is currently being updated and that the most up to date cost will be utilised in the S106 should the application be approved. Based on 215 houses they would require the developer to enter into a Section 106 agreement to provide a financial contribution towards the new primary school of £1,571,921.98

7.115 The applicant initially challenged the level of contribution being sought with the School Organisational Team. However he has since confirmed that this figure is agreed.

7.116 With a Section 106 agreement in place to secure the necessary education contribution no issue is raised in respect of local school infrastructure

NHS

7.117 Policy SS1 outlines the requirement to provide necessary local services including healthcare and associate facilities to promote community wellbeing

7.118 The Staffordshire and Stoke on Trent Integrated Care Board advice that the site lies within the Moorlands Rural PCN where analysis shows that clinical and administrative space is challenged. A contribution of £192 762 is requested to support the development of primary care services in the area to mitigate the impact from the development on local healthcare services. The sum, it says, would be targeted towards supporting the future adaptation/expansion of premises within the Moorlands PCN as appropriate.

The applicant has been advised of this and any response will be reported at the meeting

Air quality

7.119 Policy SD4 says that the Council will protect people and the environment from unsafe, unhealthy and polluted environments by ensuring proposals avoid potential adverse effects and any adverse effects can be appropriately mitigated by the imposition of conditions or through a planning obligation.

7.120 In this case the advice of the Environmental Health Officer is that despite his general acceptance of the submitted Air Quality assessment and the potential benefits (off site highway improvements, Travel Plan and EV charging infrastructure) he says there is inevitably some uncertainty around modelled data particularly at receptors currently close to air quality objectives. He goes on to say that there is a need to improve air quality monitoring within Cheadle to ensure AQ objectives are not breached and that changes in air quality as a result of this (and other developments) in the area can be assessed. It is recommended therefore, that the applicant is asked for a contribution of £50 per proposed property to support and implement better local air quality monitoring in the area, namely the real time monitoring of NO_x and PM₁₀ data and possibly to support a further feasibility study into local sustainable travel in the area.

7.119The applicant is of the view that the contribution is not strictly necessary, given that the submitted (and accepted) Air Quality Assessment doesn't indicate that any receptors are

predicted to witness air pollutant concentrations close to the Air Quality Assessment Levels (AQALs), and also the off-site highway improvement measures which have already been put forward as part of the planning application, which will result in associated beneficial air quality effects. However he has nevertheless confirmed that he is willing to agree to agree this contribution.

Monitoring fee

7.121 The Developer Contributions SPD confirms that it is important that where s S106 legal agreements are used to mitigate development proposals, that they are monitored to ensure trigger points are adhered to. It confirms that the monitoring fee will normally be £218.83 for every obligation trigger in the S106 agreement where the contribution is paid to Staffordshire Moorlands District Council. The fee will be based upon the occurrence of triggers for compliance of planning obligations (rather than each obligation individually). As there is additional time spent on residential applications relating to external (resale) valuations and Discount Market Sale S106 valuations there is an additional fee of £583.72 per S106 agreement for residential schemes. The monitoring fee is to be paid at completion of the S106 legal deed, to enable the council to cover the costs of monitoring the commencement of development. The fee will be index linked. Provided the S106 contains a monitoring fee as set out above, no issue is raised

7.122 With a Section 106 agreement in place to secure these contributions there would be compliance with Policies SS1, C1, SD4 and C2 and the NPPF

Climate change and the sustainable use of resources

7.123 Policy SD 1 says that the Council will require all development to make sustainable use of resources and adapt to climate change. For major applications such as this it expects applicant's to demonstrate how they have considered these matters.

7.124 The applicant was invited to comment on this. In response the applicant points to their Planning Statement which includes an assessment against the Building for Life Criteria albeit this is more a design tool rather than considering for example energy efficiency, water conservation, sourcing of construction material, site orientation, renewables etc. The applicant also points to the fact that the application site is sustainably located, benefitting from being near local bus stops and within walking distance of a range of services and amenities, therefore reducing dependence on private vehicle use. They also say the proposed development would also contribute to reducing CO2 emissions through the installation of ultra-low emissions boilers to deliver sustainable family homes.

7.125 The applicants assessment is considered to be a little on the weak side. However it could be addressed by a condition to require this detail to be provided and subsequently delivered within the development.

8. CONCLUSION & PLANNING BALANCE

8.1 This application must be considered in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is not in accordance with the Development Plan as noted above. There is conflict with spatial polices for housing development because the site is not an allocated site and lies in open countryside outside the settlement boundary (SS2, SS3, SS4, SS10 and H1). There is also conflict with Policy DC3 which seeks to protect and where possible enhance local landscape character and resist development which would lead to a prominent intrusion into the countryside.

8.2 The National Planning Policy Framework (NPPF) is a material consideration. It says at para 11 of the NPPF that decisions should apply a presumption in favour of sustainable

development. For decision taking it says that in circumstances, where the policies which are most important for determining the application are out of date (because the Council cannot demonstrate a 5 year supply) that planning permission should be granted unless there are policies in the closed list in the footnotes to paragraph 11 in the Framework that provide a clear reason for refusing the development proposals, or 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; the tilted balance as it is known.

8.3 Some harm would occur to the setting of Broad Hayes Farm (Grade II Listed). The Council's conservation consultant advises that with the changes made to the application to mitigate the impact, the harm is at the lower end of 'less than substantial harm'. It is nevertheless harm and in accordance with para 208 of the NPPF must be weighed against the public benefits of the scheme. As advised above, in this case the public benefits, in terms of housing delivery at a time when the Council cannot demonstrate a 5 year supply of housing are considered to outweigh the harm and as such no conflict with Policy DC 2 is found. Furthermore, the proposal complies with policies in the NPPF which aim to protect designated heritage assets. There are no other restrictive policies in the footnote to paragraph 11 which apply in this case and therefore the tilted balance is engaged.

8.4 The Council's spatial policies (SS2, SS3, SS4) have reduced weight because they concern housing requirement and how many houses ought to be delivered. Clearly at the present time, not enough houses are being delivered; there is no demonstrable 5 year supply. Policies H1 and SS10 rely upon development boundaries in order to safeguard the countryside. In the decision of the Supreme Court in *Hopkins Homes v Suffolk Coastal* [2017] it was held that in circumstances of a housing undersupply (as is currently the case in the Staffordshire Moorlands) and where development boundaries are constraining development (as per Policies H1 4a) and SS10) the weight given to such restrictive policies is reduced. In other words they cannot alone be relied upon to constrain development where there is a lack of a 5 year supply.

8.5 Harm has been found to the character and appearance of the area and conflict with Policy DC3. The proposal does not respect or enhance local landscape character and results in a prominent intrusion into the countryside. Policy DC 3 is in accordance with the NPPF which says that planning decisions should contribute to and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside. Significant weight is given to this harm and conflict with DC3

8.6 In terms of the benefits first and foremost this proposal will deliver much needed housing in circumstances of a significant undersupply. The illustrative plan indicates that this could be approx. 215 houses. The Council's supply fell in 2023 to 3.58 years from 3.71 years in 2022. The scheme will also deliver much needed affordable housing in the District, 33% of the total number of units. Government policy in the NPPF seeks to significantly boost the supply of housing. The provision of market and affordable housing is a social benefit of the scheme to which substantial weight is given. In addition the applicant confirms that six 2- and 3-bedroom bungalows will be delivered as part of the scheme as M4(3): wheelchair adaptable homes and that up to 50% of the proposed dwellings will be Part M4(2): accessible and adaptable standard homes, to meet the needs of an ageing population and households with disabilities.

8.7 The proposal would result in significant economic benefits which the Regeneration Officer has clarified above in terms of the creation directly of construction jobs and indirectly of jobs in shops and services and increased local spending power. Moderate weight is given to the economic benefits arising from the proposal.

8.8 Moderate weight is also given to the fact that sustainable travel modes are available. The LHA accept that the site is within walking distance of services and facilities in the town centre and that improvements can be secured to encourage walking from the site to the town centre. There are bus stops close by offering a service to nearby towns and the applicant has agreed to contribute towards improvements to local services. Once the new primary school is built on the allocated site to the south, this will be readily accessible to children from the site. A Travel plan is also offered to promote modes of travel other than the car.

8.9 The impact on local school provision, highways, healthcare, air quality and public open space infrastructure can be mitigated as described above. There are no technical issues (drainage, flood risk, ground conditions, access) that can't be addressed via conditions. These are not benefits of the scheme however but are neutral matters in the overall balance.

8.10 For all of the above reasons and applying the tilted balance it is not considered that the identified harm is so significant and demonstrable as to outweigh the benefits when assessed against the policies in the Framework taken as a whole.

8.11 A recommendation of approval is therefore made

9. RECOMMENDATION

That planning permission be granted subject to the prior completion of a Section 106 agreement to secure 33% of the total number of dwellings as affordable homes; financial contributions towards education, healthcare, air quality and public open space to mitigate the impact from the development on local school, local healthcare, air quality and open space infrastructure; provision on site of a full equipped play area and its maintenance and future management; future maintenance and management of open space on the site beyond plot curtilages and to the following conditions:-

1. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called "the reserved matters") before any development is commenced, Layout, Scale, Appearance and Landscaping

Reason:- The application is an outline application under the provisions of Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:- To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

4. The development hereby approved shall be carried out in accordance with the following drawings and documents

Location Plan and application boundary 020 020 P001 Rev G 002
Parameters Plan - 020 020 004 Rev N
Proposed site access plan 3277 F06 Rev G

Reason:- To define the permission and in the interests of proper planning

Levels

5. The reserved matters application for Layout and Scale shall be accompanied by the following for approval by the Local Planning Authority

- a) existing and proposed levels across the site and relative to adjoining land,
- b) finished floor levels of the proposed buildings
- c) long and cross sections through the site

Development shall thereafter be undertaken in accordance with the approved details.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

Dwelling height

6 Notwithstanding reference in the application including the Planning and Sustainability Statement and Design and Access Statement no dwellings shall be greater than 2 storey in height or 8m ridge height whichever is the lesser

Reason:- In the interests of the character and appearance of this edge of settlement site which adjoins open countryside and to protect views of St Giles Church Cheadle

Dwelling mix

7. The mix of units at reserved matters shall reflect and bring the housing stock closer to the Council's Strategic Housing Market Assessment (SHMA) and all units shall meet the Nationally described space standards

Reason: - To ensure an appropriate mix of units to reflect local need and comply with national standards for internal space within new dwellings

8. The reserved matter application(s) submitted shall be in accordance with the principles contained in the Design and Access Statement ref 020 020 001 Rev G with the exception of reference to building heights which shall be limited to two storey or 8m ridge height whichever is the lesser.

Reason:- In the interests of the character and appearance of this edge of settlement site which adjoins open countryside and to protect views of St Giles Church Cheadle

Footpaths/cycleways

9. The reserved matters application shall be accompanied by a detailed plan showing the pedestrian and cycle routes within the site which shall be broadly in accordance with those shown on the approved Parameters plan 020 020 004 Rev N . The plan shall include:-

- a) Construction specification, levels, width and finished surfacing
- b) connections onto the public highway
- c) a signage scheme to include some measured routes to enable users to understand how far they are walking/cycling and also signage to encourage residents to walk in to the town centre for their amenities. This could include for example distance or estimated times of travel.

The approved footpaths and cycle paths and signage shall be installed / made available for use prior to first occupation of any of the units hereby approved.

Reason:- To increase connectivity and accessibility and encourage walking and cycling

Contamination – coal mining

10. The first reserved matters application shall be accompanied by the following for approval :-

- a) A Scheme of intrusive site investigations (the Scheme) designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity (shallow mining / mine entry).**
- b) A Report (the Report) of findings arising from the Scheme and any remedial and / or measures necessary, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones;**

Any remedial works or measures identified in the Report to address land instability arising from coal mining legacy shall be completed in full prior to the commencement of any development on the site

Reason:- To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

Contamination – Environmental health

11. No development approved by this planning permission shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters, has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:

- a. A site investigation , based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site.**
- b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and a remediation strategy giving full details of remediation objectives and remediation criteria**
- c. A validation plan providing details of the data that will be collected in order to demonstrate that the all works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**
- d. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.**

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Contamination Validation

12. Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks. To ensure that the development is made safe and stable

Importation of topsoil

13. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Drainage (Severn Trent Water)

14. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Drainage (LLFA)

15. The development hereby approved shall be carried out in complete accordance with the FRA and Drainage Maintenance Strategy 2022. The agreed strategy set out in this document shall be implemented in full before any of the dwellings hereby approved are first occupied

Reason:- To ensure the provision of a satisfactory drainage scheme and to minimise flood risk to the development and surrounding area.

16. Prior to the commencement of development a Construction surface water management plan (the Plan) shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall detail arrangements for the control of surface water that will be put in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy. The development shall proceed strictly in accordance with the agreed Plan

Reason:- To reduce the risk of surface water flooding to the development and surrounding properties during construction

Noise

17.No development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan for that phase of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;**
- II. the method and duration of any pile driving operations (including expected starting date and completion date);**
- III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;**
- IV. the arrangements for prior notification to the occupiers of potentially affected properties;**
- V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;**
- VI. a scheme to minimise dust emissions arising from construction activities on the site.**
- VII. a scheme for recycling/disposal of waste resulting from the construction works;**
- VIII. the parking of vehicles of site operatives and visitors;**
- IX. the loading and unloading of plant and materials;**
- X. the storage of plant and materials used in constructing the development;**
- XI. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- XII. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works,**
- XIII. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,
details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,**
- XIV. during construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.**

All works shall be carried out strictly in accordance with the approved details.

Reason: To protect the amenity of local residents and that of the surrounding area from noise disturbance.

18. Prior to first occupation of any of the dwellings hereby approved, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating those properties fronting Froghall Road for which the mitigation set out in section 4.3.8 of the Noise Impact Assessment Report dated 16th July 2021 prepared by JPM Acoustics shall apply. Such mitigation measures shall be installed in all such properties marked on the plan prior to any first being occupied.

Reason: To protect occupiers from noise and safeguard their residential amenities.

Tree protection

19. The reserved matters application shall be accompanied by an up to date Arboricultural Impact Assessment report to demonstrate full and detailed consideration for the avoidance of harmful impact on trees and hedgerows to be retained and compliance with guidance set out in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction - Recommendations*.

Reason:- In order to protect existing trees in the interests of the character and appearance of the area

10. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the development, as hereby approved or as subsequently approved in detail under a related reserved matters application, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

Reason:- In order to protect existing trees in the interests of the character and appearance of the area and in the interests of protected species

20. Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy cover or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and all felling or pruning of such trees assessed as having moderate or greater potential for roosting shall take place in the presence of the bat worker who can then immediately advise on appropriate measures if bats are encountered during dismantling, felling or pruning operations.

Reason:- To safeguard protected species

21. No development shall commence on site (including any, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) until such time that temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained have been erected in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and these barriers and notices shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.

Reason:- In order to protect existing trees in the interests of the character and appearance of the area

22. No development shall commence on site (including any ground works, site clearance, site stripping) until a Construction and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based on the submitted Preliminary Ecological Appraisal (PEA) dated 16th July 2021 and shall have regard to BS 42020 Biodiversity. Code of practice for planning and development (or the prevailing standard) and shall include mitigation details for those species listed in Section 4 of the PEA. The approved CEMP shall be implemented and adhered to through out the construction period strictly in accordance with the approved details

Reason:- In the interests of biodiversity and to safeguard protected species and habitats during construction

23. The reserved matters application shall be accompanied by a Landscaping and Ecological Management Plan which should be written in accordance with BS 42020 Biodiversity. Code of practice for planning and development (or the prevailing standard and shall include but not be limited to the following:-

- (1) Details of habitat creation and species enhancements
- (2) Updated BNG calculation using latest Defra metric/ Statutory Biodiversity Metric
- (3) Soil preparation details.
- (4) Appropriate planting/ seeding specifications.
- (5) Long-term habitat management plan with legal and funding mechanism (s) by which the long term implementation of the plan will be secured by the developer with management body (ies) responsible for its delivery
- (6) Implementation timetable

Reason:- To ensure biodiversity enhancement and ensure a net gain in biodiversity is secured

24. Archaeology

Prior to the commencement of development including site stripping and clearance a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication with implementation timescale. The archaeological site work shall thereafter be implemented in full in accordance with the approved Scheme and timescale therein

The development shall not be occupied until the site investigation and post-excavation assessment has been completed in accordance with the approved Scheme and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason:- To protect archaeological interests

Amenity open space

25. The reserved matters application shall provide 14 square metres of Amenity Greenspace per dwelling on site.

Reason:- To provide high quality and accessible recreational space on site in accordance with Policy C2 and the SPD Developer Contributions

Sustainable use of resources

26. The reserved matters application (s) shall be accompanied by a Scheme of measures indicating how the development will adapt to climate change and make

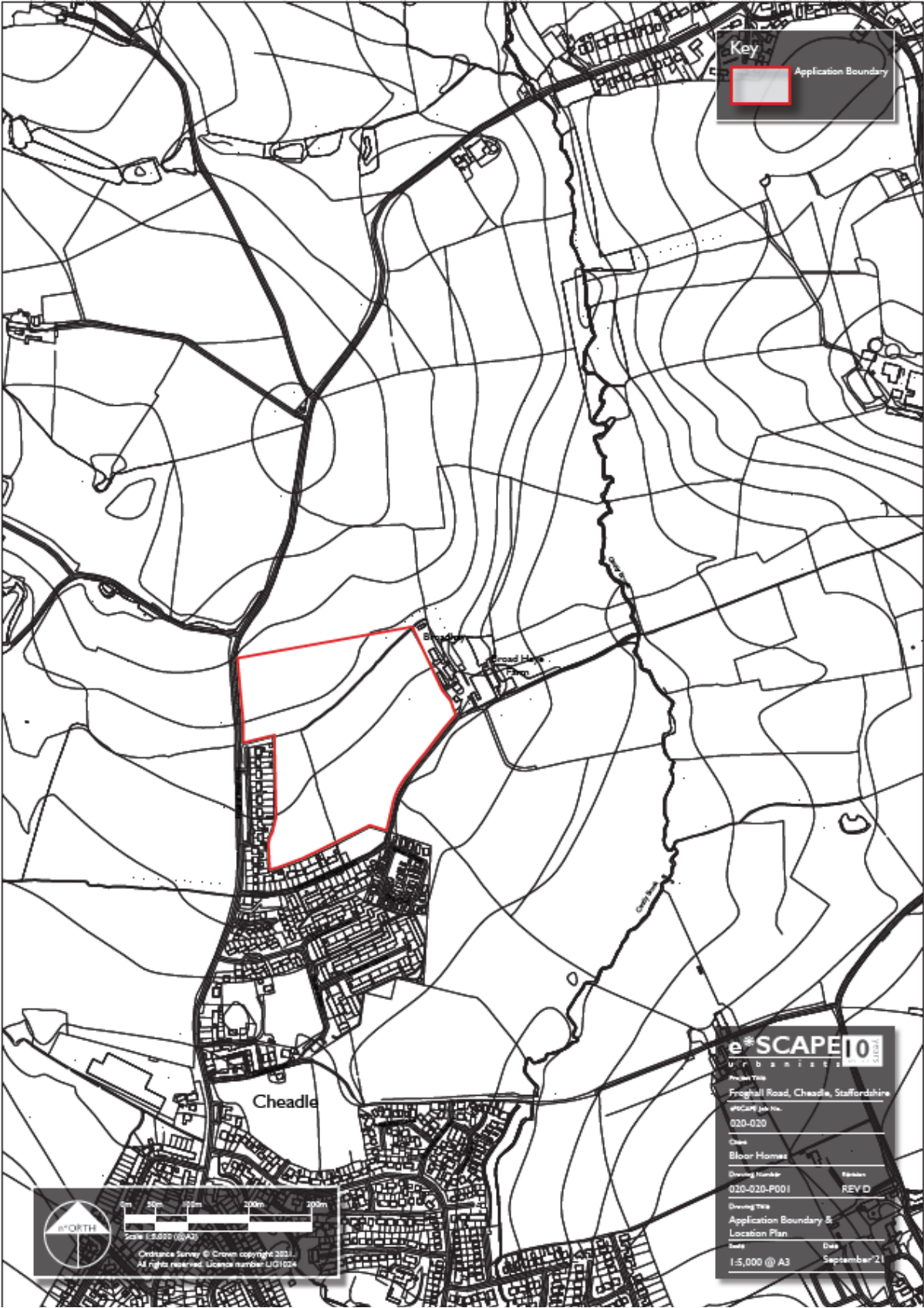
sustainable use of resources. Such a scheme should include, but not be limited to energy efficiency, water conservation, sourcing of construction materials, site orientation, management of waste and renewable/low carbon energy. The development shall subsequently be carried out strictly in accordance with the agreed Scheme

Reason:- To ensure the sustainable use of resources and adapt to climate change

INFORMATIVE

- 1.This permission should be read in conjunction with the Section 106 Agreement dated TBA
- 2.The applicants attention is drawn to the letter from Staffordshire Police dated 5th October 2021 which provides recommendations for layout design to design in community safety and design out crime. Any future reserved matters application(s) that subsequently come forward should clearly explain within the Design and Access Statement (or other narrative) and demonstrate in the site layout how crime prevention and community safety measures have been appropriately considered and incorporated within the proposal.
3. Notwithstanding any indication on the plans hereby approved, this outline planning permission does not give or imply any approval for the layout or position of any internal road, footpath, building, services infrastructure or other structure.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.



EP3

Appeal by Bloor Homes NW

Site: Land east of Froghall Road, Cheadle, ST20 2DN

Our ref: 24-401:JC

LPA ref: SMD/2021/0610

Application form dated: 31/08/2021

Certificate of ownership 'B' / Agricultural Holdings Certificate

Decision Notice dated: 15/04/2024

Plans, Drawings & Documents sent LPA as original application submission:

- Application Boundary & Location Plan (020-020-P001 Rev D) **SUPERSEDED**
- Parameters masterplan (aerial base) (020-020-P004 Rev F) **SUPERSEDED**
- Parameters masterplan (OS base) (020-020-004 Rev F) **SUPERSEDED**
- Design and Access Statement prepared by eSCAPE dated August 2021 (020/020/001/RevD/DAS) **SUPERSEDED**
- Air Quality Assessment prepared by SLR dated August 2021 (410.10341.00003 v2.0) **SUPERSEDED**
- Preliminary Ecological Appraisal prepared by Tyler Grange dated 16 July 2021 **SUPERSEDED**
- Planning, Affordable Housing and Sustainability Statement prepared by Emery Planning dated 27 September 2021 **SUPERSEDED**
- Noise Impact Assessment prepared by JPM Acoustics dated 16 July 2021
- Statement of Community Involvement prepared by Emery Planning dated 27 August 2021
- Flood Risk Assessment & Drainage Management Strategy prepared by Betts Hydro dated August 2021 (HYD618_FROGHALL.ROAD_FRA&DMS Rev 1.0) **SUPERSEDED**
- Landscape and Visual Appraisal prepared by FPCR dated July 2021 (Rev -) **SUPERSEDED**
- Geo-Environmental Desk Study Report prepared by Betts Geo dated June 2021 (21EMP016/DS Rev 1)
- Heritage Statement prepared by Orion Heritage dated August 2021 (PN/2991/HS/3)
- Archaeological Desk Based Assessment prepared by Orion Heritage dated August 2021 (PN/2991)

- Transport Assessment prepared by Eddisons dated August 2021 **SUPERSEDED**
- Arboriculture Summary prepared by Tyler Grange dated 16 July 2021 (14001_R02_JJ_HB) **SUPERSEDED**

Additional Plans, Drawings & Documents sent to LPA:

- Submitted 01/11/2021
 - Preliminary Arboricultural Impact Assessment prepared by Tyler Grange dated 22 October 2021 (14001_R03_JJ_CW) **SUPERSEDED**
- Submitted 13/12/2021
 - Landscape and Visual Appraisal prepared by FPCR dated November 2021 (Rev B) **SUPERSEDED**
- Submitted 17/01/2022
 - Agricultural Land Classification and Soil Resources prepared by Reading Agricultural Consultants dated July 2021
 - Planning, Affordable Housing and Sustainability Statement prepared by Emery Planning dated 27 September 2021 **SUPERSEDED**
- Submitted 24/05/2022
 - Parameters masterplan (020-020-P004 Rev L) **SUPERSEDED**
 - Illustrative masterplan (020-020-P009 Rev C) **SUPERSEDED**
 - Transport Assessment Addendum prepared by Eddisons dated April 2022
 - Proposed site access plan (3277-F06 Rev A) **SUPERSEDED**
 - Design and Access Statement by eSCAPE dated March 2022 (020/020/001/RevE/DAS) **SUPERSEDED**
 - Planning, Affordable Housing and Sustainability Statement by Emery Planning dated 18 May 2022
 - Counsel Opinion dated 25 April 2022
 - Flood Risk Assessment & Drainage Management Strategy prepared by Betts Hydro dated January 2022 (HYD618_FROGHALL.ROAD_FRA&DMS Rev 1.0)
 - Landscape and Visual Appraisal prepared by FPCR dated May 2022 (Rev D)
 - Built Heritage Statement prepared by Pegasus Group dated May 2022 (P22-0010 V2)

- Submitted 23/01/2023
 - Highways Technical Note 03 prepared by Eddisons dated January 2023
 - Letter response to LLFA objection prepared by Betts Hydro dated 18 November 2022
- Submitted 15/05/2023
 - Air Quality Assessment prepared by SLR dated March 2023 (402.064660.00001 v4.0)
- Submitted 14/11/2023
 - Application Boundary & Location plan (020-020-P001 Rev G)
 - Parameters masterplan (020-020-P004 Rev M) **SUPERSEDED**
 - Illustrative masterplan (020-020-P009 Rev D)
 - Northern boundary linear eco park (020-020-P012 Rev -)
 - Proposed site access plan (3277-F06 Rev G)
 - Revised application form
 - Design & Access Statement prepared by eSCAPE dated March 2022 (020/020/001/RevF/DAS) **SUPERSEDED**
 - Landowner notification letter dated 8 November 2023
- Submitted 02/02/2024
 - Preliminary Ecological Appraisal Addendum prepared by Tyler Grange dated 14 December 2023 (14001_R04_NB)
 - Preliminary Arboricultural Impact Assessment prepared by Tyler Grange dated 11 December 2023 (14001_R03a_JJ_CW) **SUPERSEDED**
- Submitted 13/02/2024
 - Highways Technical Note 04 prepared by Eddisons (3866)
- Submitted 15/02/2024
 - Preliminary Arboricultural Impact Assessment prepared by Tyler Grange dated 15 February 2024 (14001_R03b_JJ_CW)
 - Design & Access Statement prepared by eSCAPE dated February 2024 (020/020/001/RevG/DAS)

- Submitted 21/03/2024
 - Parameters masterplan (020-020-P004 Rev N)

E-mails / correspondence:

- Email trail dated 13 to 19 February 2024
- Email trail dated 13 to 14 February 2024
- Email trail dated 10 January to 2 February 2024
- Email trail dated 10 October 2023 to 8 February 2024
- Letter to LPA dated 18 May 2022 enclosing revised/additional documents

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