

Summary Proof of Evidence of John Coxon BSc (Hons) MPlan MRTPI

For Bloor Homes NW Ltd | 24-219

APP/B3438/W/24/3351035 – Land East of Froghall Road, Cheadle



Project: 24-219
Site Address: Land East of Froghall Road, Cheadle, Staffordshire
Client: Bloor Homes NW Ltd
Date: 07 January 2025

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1. Introduction

Qualifications

- 1.1 I am John Francis Coxon. I am a Chartered Town Planner with 16 years' experience in private practice. I am a Director of Emery Planning, based in Macclesfield, Cheshire. I hold a bachelor's degree in Human Geography and a master's degree in town planning, and I am a member of the Royal Town Planning Institute (RTPI).
- 1.2 I am familiar with the site and the details of the case, including the policies of the development plan for Staffordshire Moorlands. I acted as the planning agent for the planning application, which was recommended for approval, and I spoke in support of the application at the planning committee meeting. Prior to the application, I participated in the examination of the Staffordshire Moorlands Local Plan which took place between 2018 and 2020.
- 1.3 I understand my duty to the inquiry and have complied, and will continue to comply, with that duty. I confirm that this evidence identifies all facts which I regard as being relevant to the opinion that I have expressed, and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion. I believe that the facts stated within my Proof of Evidence are true and that the opinions expressed are correct.

Background

- 1.4 I have prepared this Summary Proof of Evidence on behalf of the Appellant in support of its appeal against the refusal of outline planning permission for residential development on land east of Froghall Road, Cheadle, Staffordshire. My evidence specifically deals with the proposals' compliance with the development plan and other planning policies, and the overall planning balance taking into account other material considerations.
- 1.5 The appeal application was validated on 27th September 2021 and was given reference number SMD/2021/0610.
- 1.6 As originally submitted, the application sought outline planning permission for 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.

- 1.7 The application was taken to the Council's Planning Committee meeting of the 28 March 2024. **The officer's recommendation was to approve the application, subject to a Section 106 agreement (CD4.2).** However, the committee resolved to refuse the application, contrary to the officer's recommendation.



2. The appeal proposal

The application

2.1 The appeal proposal seeks outline planning permission for residential development. The application material is based on a scheme for up to 215 dwellings, including the following:

- 33% affordable housing
- 10 self-build / custom plots
- 6 bungalows provided as M4(3): wheelchair adaptable homes (optional requirement M4(3)(2)(a))
- The provision of open space within the site including children's play facilities
- A 10% biodiversity net gain through on site and/or off-site provision

2.2 The proposal is made in outline, with all matters reserved save for access. Access for the purpose of the appeal proposal relates to the proposed vehicular access point from Froghall Road only, and does not include footpath connections or the internal road layout. These matters can be reserved by a suitably worded condition.

Refused plans

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

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

2.4 The Appellant proposes that the planning permission (if granted) would be subject to conditions requiring development to be in strict accordance with the location plan and site access plan, and in general accordance with the parameters plan.



3. Summary of evidence

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (the Act) requires planning applications to be considered in accordance with the plan unless material considerations indicate otherwise. The Framework is an important material consideration.

3.2 The proposals are contrary to Policies H1, SS2 and SS10 of the Local Plan, due to the site being located outside of the development boundary for Cheadle and within the open countryside. However, having regard to paragraph 11(d) 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.

3.3 The benefits of the development are as follows:

- 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. I attach **substantial positive weight** to this benefit.
- Delivery of 33% affordable housing to meet acute levels of unmet need. I attach **substantial positive weight** to this benefit.
- Delivery of self-build plots. I attach **substantial positive weight** to this benefit.
- The provision of housing for older persons and persons with disabilities. I attach **significant positive weight** to this benefit.
- 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. I attach **significant positive weight** to this benefit.
- Delivery of a measurable 10% biodiversity net gain, in excess of the policy requirement. I attach **significant positive weight** to this benefit.
- A range of off-site pedestrian infrastructure improvements which would enhance pedestrian accessibility and safety for all existing and proposed users within Cheadle. I attach **significant positive weight** to this benefit.
- The provision of open space and green infrastructure on site which can be used by both new and existing residents. I attach **moderate positive weight** to this benefit.

3.4 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 a



further large proportion is identified as making an important contribution to the town's setting (see Appendix 2 of Mr Jackson's evidence). 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.

- 3.5 Turning to the adverse impacts, Ms Stoten concludes that the appeal scheme would result in very minor at the lowermost end of the less than substantial harm spectrum to the heritage significance of Grade II Listed Broad Haye Farmhouse through change to its setting. 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. The Framework requires that great weight should be given to the asset's conservation, and in that context I attach **great weight** to the identified harm, notwithstanding that the harm is at the lowermost end of the spectrum.
- 3.6 However, it is important to note that the LPA accepts that the less than substantial harm identified in this case is outweighed by the public benefits of the proposed development, such that paragraph 215 of the Framework is satisfied (and therefore also Local Plan Policy DC2), despite the LPA attributing a higher level of harm to the significance of the heritage asset than Ms Stoten.
- 3.7 In terms of the conflict with the development plan policies that restrict the development of sites beyond the settlement boundaries, I consider that this should only be afforded **limited weight** given the shortfall in housing land supply and the inevitable need to bring forward sites beyond the existing settlement boundaries.
- 3.8 In relation to landscape character, there will also inevitably be a degree of harm associated with developing virtually any greenfield site on the edge of a settlement, such as is necessary to address the housing land supply shortfall. Mr Jackson concludes that the proposed development would not lead to a 'prominent intrusion' into the countryside, and would also not result in a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement as identified in the Landscape and Settlement Character evidence. Mr Jackson considers that the proposals would result in only limited and localised adverse landscape and visual effects, and would not cause significant and demonstrable harm in landscape or visual terms. Mr Jackson also concludes that the proposal complies with Policy DC3 and the Framework in terms of its landscape and visual impacts. I therefore consider that the limited and localised landscape and visual effects should only be given **limited weight**.
- 3.9 Paragraph 11(d) of the revised Framework requires particular regard to be had to key policies in the Framework for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 clarifies that



the policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12. Addressing these matters in turn:

- **Affordable housing (paragraph 66):** The proposal would provide for the LPA's requested mix of affordable housing.
- **Sequential test (paragraph 91):** This is not applicable to the proposed development.
- **Accessibility (paragraphs 84, 110 and 115):** The proposal does not comprise isolated homes in the countryside for the purpose of paragraph 84 of the Framework. As addressed in the evidence of Mr Wooliscroft (see Section 5 of his evidence), and as accepted by the LHA in its consultation response and the LPA in the officer's committee report, the site comprises an accessible location. It is adjacent to an existing allocation in the development plan (with comparable walking and cycling distances to local services). Mr Wooliscroft's evidence demonstrates that the proposal is entirely consistent with paragraphs 110 and 115 of the Framework.
- **Making effective use of land (paragraph 129):** The proposal is made in outline only. However, the proposed parameters and illustrative material demonstrate that a well designed scheme can be delivered which makes effective and efficient use of land, having regard to the sites location, its characteristics and the wider area. The proposal is consistent with paragraph 129 of the Framework.
- **Design (paragraphs 135 & 139):** Again, the proposal is made in outline only. The proposed parameters, Design and Access Statement and illustrative material demonstrate that an acceptable design can be achieved at the reserved matters stage, and this was accepted by the LPA in the officer's committee report. The LPA would retain control over the eventual design through the reserved matters.

3.10 I have addressed various other matters raised by third parties in Section 9 of my main Proof of Evidence, including residential amenity, flood risk and local infrastructure capacity. Subject to mitigation and the application of conditions where necessary, there would be no unacceptable negative impacts of the proposed development, and therefore these matters do not attract any weight (positive or negative) in the planning balance.

3.11 Taking all of the above into account, I do not consider that the adverse impacts would significantly and demonstrably outweigh the very substantial benefits of the appeal proposal. The Council's case officer came to the same conclusion in recommending the application for approval. Therefore, in accordance with paragraph 11(d) of the Framework, I consider that the appeal should be allowed.



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