

DELEGATED REPORT

FILE REFERENCE: SMD/2014/0797

MAIN ISSUES:

Loss of employment; housing supply; layout and design; highway safety; nature conservation and trees

PUBLICITY/REPRESENTATIONS:

The number of representations of objection received is 3 summarised as follows:

- Confirm that all of my original points of objection remain unchanged, in particular:
- It is believed that the reduction in property numbers is offset by the reduction in developed area so the density remains largely unchanged and therefore is still too dense;
- The density to allow people to have room to live is still far too high. In my experience, 2 and 3 bed homes mean families within young children and there are no play facilities within this part of Cheadle and no open space provided for within the scheme;
- There are no facilities for young people / teenagers within this area of Cheadle so again investment needs to take place in this area if we are to facilitate a safe environment for all;
- It is a fair walk to the local primary and secondary schools and therefore the proposal would cause traffic congestion during term time;
- The pavements need attention to provide safe routes to schools;
- The residents already living in this part of Cheadle are mainly owner occupiers or let under private agreements.
- The proposal is not in keeping with the area and is already causing residents distress;
- The development of this site is not objected to in principle, however, 21 properties would be more than enough on this available space;
- My objection on the lack of variation in house type is still valid. I believe the mixture of housing types was widely recognised as good development practice;
- Additionally, there has been no attempt to blend the development with existing housing surrounding the proposed development, in particular, the bungalow known as the 'Almont' and 3 bungalows in Beaver Drive will have multi-storey properties erected next to them, which will detrimentally affect their south facing aspect;
- It is noted that the police have made some comments about layout and it is trusted that the Council will take note of those points, which in their own right constitute a valid reason for rejection of the application;
- The Transport Statement has been reviewed and it is noted that the traffic survey was carried out on Thursday 17th October 2013. It is contended this is not representative of the general situation of traffic in summer, in the main Alton Towers season nor is Thursday a typical day of the week. Many Saturday mornings sees traffic backing up from Town End as far as the Green. Cheadle is in desperate need of road improvements to alleviate congestion and developments such as this one should be refused until general road system improvements have been completed;
- Despite backing onto the development, no correspondence has been received in relation to the latest planning application, and,
- Consider that our current property is at risk of flooding and photographs can be provided of the fire service pumping water out of Brookhouse Road, directly outside of our drive entrance to prevent flooding from excess surface water and if this development is permitted, then our family home will be at further risk of flooding.

A letter of objection has also been forwarded from the Brookhouse Residents Group. The group objected to the previous application and is doing so again because it states that it does not appear that any of the key issues have been addressed by this second application. The Group is not against the application of the site, but consider that the current proposed development is still too dense. Traffic safety remains a concern as does the very great risk of flooding and sewerage over capacity. There is potential for considerable harm to local wildlife and habitat. Particular points of objection are summarised as: housing type and density; the proposed development would not blend in with the surrounding properties; contaminated made-up ground; trees and habitat; road safety and flooding and drainage issues.

CASE OFFICER ASSESSMENT:

CONSULTATIONS:

Cheadle Town Council: It was resolved that the Council had several objections to the application. The Council concluded that this application which had been resubmitted had not met the criteria for which it had been previously refused, namely: highway grounds, due to the development adjoining a busy main road causing potential traffic problems with poor visibility to the proposed access onto the Green; contamination of the land, there is no proposal in the application to deal with contamination of the land and the level of ground which has been raised through tipping materials; flood risk, potential of flooding from the surrounding land and near waterway; drainage plans, the proposed plans do not comply with drainage in accordance with Severn Trent Water's recommendations; s106 obligation is not agreed; no updated ecological report and letters of objection were received from the residents objecting to the type / affordable housing in a residential area and the Council resolved to agree with the residents objections.

Coal Authority: No objections and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues. The Coal Authority is satisfied with the broad conclusions of the Geo-environmental Assessment, informed by the site investigation works, that Coal Mining legacy issues are not significant within the application site and do not pose a risk to the proposed development.

Environment Agency (EA): Previously objected on the basis of an unacceptable Flood Risk Assessment and therefore does not provide for a suitable basis for assessment to be made of the flood risks arising from the proposed development (January 2015). Following the submission of the 'HECRAS' hydraulic flood model the EA are now able to support the proposal. It is noted that the FRA has been updated and includes a revised site layout. Alterations have also been made to address concerns raised by the LLFA. Conditions are recommended in relation to Groundwater and Contamination securing a remediation strategy, verification report; Biodiversity requiring a protected species survey for water voles and otters; a scheme for the provision and management of an 8.0m wide buffer alongside the watercourse and provision of a landscape management plan.

Lead Local Flood Authority (LLFA): In summary, no objections subject to a pre-commencement planning condition requiring details of the mitigation of all potential impacts of flood risk and a satisfactory surface water design, including: Details of the proposed surface water system for the development and details of how existing surface water pipes that pass through the site will be dealt with. The design in the FRA may need to be revised, depending on how the existing surface water pipes under the site are dealt with, ensure access to and maintenance of existing watercourse and proposed surface water system and ensure finished floor levels are set no lower than 150mm above local ground levels.

Severn Trent Water: No objection subject to a condition concerning plans for the disposal of surface water and foul sewage.

Local Highway Authority: In summary, there are no objections on highway grounds to the proposed development subject to recommended conditions being included on any approval. The Transport Statement refers to visibility splays of 2.4m x 40.0m. Manual for Streets requires a 2.4m x 43.0m splay in a 30mph area. This has been conditioned and is available.

Staffordshire County Council (SCC) Education: In summary, the development falls within the catchments of Bishop Rawle CE(VA) Primary School and The Cheadle Academy. All schools are projected to have sufficient space to accommodate the likely demand from pupils generated by the development.

Staffordshire Police Architectural Liaison Officer: Staffordshire Police have no objection to the principle of housing land use on the application site. The applicant is advised to visit www.securedbydesign.com and familiarise themselves with and ensure the proposals respond to the Secured by Design Principles and New Homes 2014 guidance documents currently contained within the Design Guides section. Although presumably indicative at this stage, the proposed site layout possesses some good features in terms of crime prevention including dual aspect corner properties, outward facing properties providing natural surveillance over the road network and new dwellings rear gardens backing on to those of existing dwellings to provide mutual security. However, of concern are the rear parking courts. The rear parking courts should be designed out. One solution for the larger parking court would be to swap it with the four 2B4P units immediately to the east. In this way, with the four units turned 90°, they would back on to the rear gardens of other houses (those currently proposed to the west of the rear parking court) thus providing mutual security, and would face and provide natural surveillance over the relocated parking court. Further natural surveillance of this parking court could be provided by providing gable end windows in other overlooking dwellings. Staffordshire Police would welcome the opportunity to provide input/comment to the architects on their proposals for the reserved matters (notably the layout) by way of pre-application consultation. Ideally this should be undertaken

Countryside Officer: The additional ecological information provides an acceptable level of survey to support the planning application. The Phase II Ecological Survey (August 2015) by Paul Hickling Associates provides useful ideas for habitat and species mitigation and compensation features that could be incorporated into the final landscaping in relation to bats, breeding birds and retained habitats. However, the indicative layout indicates that the site is overdeveloped to be able to accommodate the number of units proposed. The area of retained green space at the western edge of the site is on particularly steep ground. Given the steep ground conditions (not precisely defined on the indicative plan) the quality of the habitat that can be created within this area is uncertain. The scale and impact on retained and created habitats of the retaining structures to stabilise the bank is uncertain. Further detail is required to be provided in relation to levels across the site and how these relate to proposed habitats particularly in the retained buffer strip and balancing pond. Creating hedges along proposed property boundaries would provide additional green linkages and habitat across the site. The indicative development provides no space for such linkages. Two metre wide hedgerows would impact substantially on the proposed garden plots. The amount green infrastructure within the indicative layout that could provide habitat for wildlife enhancement is low and confined only to the buffer strip at the western side of the site. Indicative parking areas and areas to the frontages of properties show no indicative green infrastructure, tree planting or wildlife habitats. Linked wildlife habitats such as semi-natural grassland and trees planting to compensate for the loss the grassland and trees is required throughout the development. More trees and grassland through the development would have benefits in ameliorating climate. Green infrastructure such as tree planting can help to reduce the increased heating effect in built development. Evapotranspiration from trees will cause local cooling rainwater storage and infiltration. Whilst the further detail of some compensation features for bird and bat is welcome the indicative layout does not provide sufficient detail for proposed landscaping and habitat creation measures to be assessed. The site is overdeveloped lacking space for biodiversity enhancement.

Regarding the revisions, my comments of 26th August 2015 still apply. The plan does show some indicative hedgerows and trees. However, the amount green infrastructure within the indicative layout that could provide habitat for wildlife enhancement is low and the site is overdeveloped. For example, there is no provision for semi-natural grassland as suggested in my previous comments. Further detail is required to be provided in relation to levels across the site and how these relate to proposed habitats, particularly in the retained buffer strip and balancing pond. A greater area of linked wildlife habitats such as semi-natural grassland and trees planting to compensate for the loss the grassland and trees is required throughout the development. Generally the revised plan indicates site is overdeveloped lacking space for biodiversity enhancement.

Trees and Woodlands Officer: In summary, I would confirm my previous conclusion that the quality of existing tree cover is generally medium to low, such that existing trees would not reasonably form a significant constraint to the principle of residential development at outline stage. However, for reasons detailed below, it is still considered that the proposed layout would represent a significant over-development of this site, so the lack of in-principle objection on tree grounds should not be construed as support for the application.

The indicated balancing pond adjacent to the site access point off The Green appears to be located on/partly include part of the site which is notably sloping down towards the brook. It is not clear how this pond would be constructed/supported nor how its levels those of its enclosing banks would relate to existing ground levels along the brook and within the site along the indicative access road. There is a drawing note on the indicative layout plan on the brook at the western boundary of the site saying "8m maintenance strip to watercourse including ground stabilization and retaining structure" but there appears to be no further information showing the position, scale, appearance or purpose of the retaining structure, nor showing the impact it would have on existing and proposed ground levels. Further, the construction of such a retaining structure near the brook could have a fundamental impact on the realistic retention of trees in this location, but given the lack of information this cannot be assessed.

The (presumed) block of flats indicated immediately to the north of the balancing pond appears from my site visit to be right at the edge or even just over the edge of the steep bank down to the brook. We could do with more detailed information such as large scale sections showing existing/proposed levels to consider this properly, but this element has the potential to generate a very poor relationship with the brook and its steep bank. Any amenity space to the rear of these flats would also be on steeply sloping ground and rendered practicably unusable. Furthermore, although there is a lack of detail regarding existing trees, it appears that the rear elevation of this block could be at or within the crown spread of some of the mature Willows and Alders along the bank, which would be an inappropriate relationship likely to lead to felling or lopping of trees due to shading, over-bearing, concerns about falling branches etc.

Despite the reduction in the number of proposed dwellings compared with the previous application, it is considered that the indicative layout would still be dominated by built form and engineered surfaces, with dwellings appearing to be closely spaced across the access road which would create a constrictive, enclosed character. Again there is little opportunity for substantial structural landscaping within the site to break up the over-bearing mass and proximity of buildings. There is a possibility that the development could be further crowded by on-street/on-pavement car parking if

these are likely to be few and far between, and only realistically of small ornamental species suitable for planting in close proximity to dwellings which would therefore have limited landscape contribution even at maturity. Meanwhile there would be no open space within the site to break up development and accommodate more substantial new landscaping.

The revised plan does not appear to be any different from the previous plan in terms of development layout. Therefore my comments essentially remain as previously advised. It is noted that the development description has been amended to "up to 51 units". Whilst in theory this introduces an element of flexibility, the plan still indicates 51 units on the same layout, so the same issues/concerns relating to overdevelopment remain as previously noted. Whilst the amended description implies the potential to slightly reduce the number of units it is unlikely that a scheme of, say, 48/49 units on a similar layout would overcome these issues, and we would probably need to see a much more substantial reduction. Given the nature of these issues relating to our assessment of overdevelopment, I would suggest that it would be inappropriate to approve an outline application without a layout plan which, albeit indicative, actually demonstrates that these issues have been satisfactorily addressed. The current revised plan does not do this.

Aside from the relationship/proximity/overdevelopment issues arising from the indicated development layout, the revised layout plan now includes an indication of potential new landscaping for the same layout. Whilst this in itself is a step forward and should have been included from the outset, the specifics of the indicated landscaping are unclear but potentially serve only to illustrate the very concerns that have already been noted. In particular:

There are indicated new hedges now shown throughout the layout. However, the majority of these appear to be located within private gardens to the proposed units, where there is little realistic prospect of widespread successful establishment or proper maintenance by individual occupiers, and where they did establish they would be unlikely to be allowed to develop as significant mature hedgerows as they would occupy too much space in the small gardens. Newly planted hedges would be inappropriate / ineffective as boundaries between residential properties, as occupiers reasonably expect/require immediate privacy and security. Such hedges within small private gardens on dense housing layouts usually don't work. Therefore they would be very unlikely to provide significant structural landscaping habitat features.

There are various symbols on the layout plan for indicative tree planting on some plot frontages, within some rear gardens and on some presumed shared space. These are not keyed, so potentially some could represent shrubs rather than trees, although I suspect that such details/distinctions are not intended to be given or inferred at this stage. However, it remains evident that in several cases such indications of planting would be too close to dwellings to allow reasonable expectations of establishment and development, and therefore early removal or lopping would be anticipated as the need to address encroachment/overbearing arose. This again illustrates insufficient space available on the indicative layout to reasonably accommodate new structural landscaping.

Strategic Housing Officer: The provision of 51 affordable dwellings upon the site is above the 33% planning policy requirement, 100% affordable housing would be welcomed and help to meet the demand for affordable housing within the District. There are, however, concerns about the deliverability and viability of 100% affordable housing scheme. For instance, I am not aware that any Registered Provider is presently on board, no Homes and Communities Agency grant is acquired. The July 2011 Development Appraisal Report submitted as part of the application assesses the extent of affordable housing that may be viably accommodated and concludes that 'it would not be viable to provide 33% affordable housing within the site and that in order to be viable, an affordable housing element of around 20% maximum would be possible, assuming affordable housing provision to comprise 70% rental and 30% low cost housing elements within a 100% residential scheme.'

The 2014 Strategic Housing Market Assessment highlights a net affordable housing need of 250pa for the District. For instance currently on 'Moorlands Homechoice' Choice Based Lettings (CBL) 520 households seek accommodation within the 'Cheadle' area of choice. An outline application the type, size and tenure of affordable housing is undertermined and would need to be agreed with the Housing Strategy team. Suggested mix follows; 50% 2 bed (4 person) houses, 15% 3 bed (5 person) houses, 16% 1 bed (2 person) bungalows, 4% 2 bed (4 person) bungalows, 15% 1 bed (2 person) general needs apartments. In line with planning policy 30% or 15 dwellings to be affordable home ownership (shared ownership) with remaining 70% or 36 dwellings rented. In terms of housing standards applicable to affordable housing; Lifetime Homes standards should be considered and minimum Sustainable Code 3. The affordable housing properties should be completed to 'Housing Quality Indicator' standards as contained in the most recent Homes and Communities Agency Design and Quality Standards (currently April 2007).

Further considerations include: Affordable contribution to be secured within a s106 agreement; 'Social Rent' or 'Affordable Rent' should be benchmarked against and not supersede Local Housing Allowance rates, in order for rented accommodation to remain affordable as outlined in guidance within the Staffordshire Moorland District Council's 'Tenancy Strategy'; encourage discussions with Registered Providers as soon as possible, contact details are attached above. A crucial partner in the delivery of affordable housing. Registered Providers will have preferences

Horticulture Officer (Development): Awaited.

Environmental Health Officer: Awaited. Previously, no objections, subject to conditions being imposed relating to noise, contamination and dust.

Conservation Officer: The Cheadle Historical Society has suggested that the brickwork forming the boundary of the property planned to be demolished is formed of blocks known as Copper Tar Slag blocks. They were made from the residue of the brassworks/copper industry and for a short while were made into building blocks and can still be seen as walling materials throughout the town and should be protected. The Officer suggests that any disturbed historic walling could be relocated along the frontage and therefore no objections are raised at this stage.

POLICY:

Adopted Staffordshire Moorlands Local Development Framework (LDF)

The Staffordshire Moorlands Local Development Framework (LDF) is a District wide development plan which replaces the Staffordshire Moorlands Local Plan to provide a framework for delivering development up to 2026. The Core Strategy is the key LDF document. It is a strategic District wide plan which influences how and where the Staffordshire Moorlands will develop in the future. It sets out what the District Council would like to achieve in each of the main towns and the rural areas outside of the Peak District National Park. The Core Strategy provides the framework for future LDF documents which will then identify specific sites for development in the District (Site Allocations Development Plan Document) and provide detailed guidance to supplement the policies (Supplementary Planning Guidance).

The Site Allocations CSD is still at an early stage. Public Consultation on site options and development boundaries as contained within the 'Site Options Consultation Booklet' (July 2015) began on the 6th July 2015 and will end on the 14th September 2015. The list of sites potentially suitable for development forms the basis of public consultation and the inclusion of a site at this stage does not imply the Council's support for a particular site as an allocation nor in respect of any planning application. The Council will consider all the responses received at this consultation stage. The Council will also undertake a full sustainability appraisal and use other evidence base documents to formulate 'Preferred Options'. As well as consulting on preferred sites, the Preferred Options stage will also include revised policies. Following this consultation stage, the CSD will be submitted to the Government for an independent examination with adoption currently anticipated early 2017.

The 'Site Options Consultation Booklet' document states that Leek will require 1200 dwellings on an estimated housing need (over a period from 2011 – 2031) from a number of potential sites which have been identified for consultation. The application site (2.60ha) is identified within the SHLAA (ref. CH020) as a site potentially suitable for 42 dwellings. It is described as a largely underused and derelict site with vacant industrial buildings. The site generally slopes downwards from east to west and a brook runs alongside the western boundary. It is stated that the site could provide an opportunity to continue the southern link road through to Dilhorne Road if comprehensively redeveloped with other adjoining sites. Strengthens / Opportunities are listed as: within the settlement boundary and surrounded by a mix of industrial and residential uses; site would be suitable for either employment or housing uses and the large industrial building to the north is underused and has the potential to be incorporated into the scheme. As to Weaknesses / Constraints: it is an employment site although it is no longer in employment use, there is the potential for contamination from past uses and flood zone 3 is to the west of the site. As to the 'Deliverability Assessment', it is indicated as being immediately available, the site would be potentially suitable for either employment or housing uses and as to achievability, development would be economically viable taking into account all likely costs and planning obligations associated with the site.

The following Core Strategy policies are relevant to the application:

- SS1 - Development Principles
- SS1a - Presumption in Favour of Sustainable Development
- SS2 - Future Provision of Development
- SS3 - Distribution of Development
- SS4 - Managing the Release of Housing Land
- SS5c - Cheadle Area Strategy
- SD1 - Sustainable Use of Resources
- SD3 - Carbon-saving Measures in Development
- SD4 - Pollution and Flood Risk
- E2 - Existing Employment Areas
- H1 - New Housing Development
- H2 - Affordable and Local Needs Housing

- C1 - Creating Sustainable Communities
- C2 - Sport, Recreation and Open Space
- C3 - Green Infrastructure
- NE1 - Biodiversity and Geological Resources
- T1 - Development and Sustainable Transport
- T2 - Other Sustainable Transport Measures

Supplementary Planning Guidance (SPG)

- Space about Dwellings SPG
- Developer Contributions SPG
- Public Open Space SPG
- Housing for Local People and Affordable Housing SPG

National Planning Guidance

The following general national policy documents and guidance are considered to be relevant to the proposal:

- National Planning Policy Framework
- National Planning Practice Guidance

COMMENTS:

1. The outline planning permission, with all matters reserved, seeks planning permission for up to 51 dwellings at the 1.29ha site known as the Green, Cheadle; a redundant employment site, which lies within the development boundary of Cheadle. It follows the refusal of SMD\2013\1029 for 63 dwellings and raised issues in relation to loss of an employment site, character and design, flood risk and nature conservation. The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).

Policy Context

2. Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (the Framework) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in that Framework indicate that development should be restricted.

3. Paragraph 47 requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land increased to a 20% buffer where there is a persistent under-delivery in past years. The Council calculates its 5-year land supply on a district basis. As at September 2014, it was 2.08 years (with a 20% buffer). Paragraph 49 requires all housing applications to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

4. The policies contained in the Framework as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

Main Issues

5. The Council considers the main issues to be in determining the proposal is:-

- a) Whether it can be demonstrated that the redevelopment of an existing employment site would not be suitable or viable for continued employment use having regard to the above criteria and evidence can be provided that no suitable and viable alternative employment use can be found, or is likely to be found in the foreseeable future;
- b) Whether substantial planning benefits would be achieved through the redevelopment which would outweigh the

- d) Whether the proposal would promote the appropriate maintenance, enhancement, restoration and / or recreation of biodiversity through its proposed scale, location and design;
- e) Whether these issues would be sufficient to overcome the presumption in the Framework to approve sustainable development proposals that accord with the Adopted Core Strategy (CS) without delay, particularly in circumstances where relevant Development Plan policies are out of date as a result of a lack of a five-year housing land supply, and,
- f) Would outweigh the benefits that the proposal would provide for the supply of housing within the Staffordshire Moorlands district.

6. Detailed considerations concerning the location of new development await the adoption of a 'Site Allocations' Development Plan Document (DPD), however, this is some time away with the first round of consultation now underway and adoption currently anticipated early 2017. The Council accepts that Staffordshire Moorlands has only a 2.1 years supply of housing land. Paragraph 49 of the Framework says that in circumstances where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites, housing applications should be considered in the context of the presumption in favour of sustainable development.

7. At paragraph 14, the Framework says that where the relevant development plan policies are out of date, 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 or specific policies in the Framework indicate that development should be restricted. Clearly, the CS Policies that regulate the supply and location of housing are out of date. In this case, there are not considered to be any specific restrictive policies which seek to control housing development in relation to the application site.

8. CS Policy T1 states that the Council will promote and support development which reduces the reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plan, where this is consistent with other policies. Paragraph 34 of the Framework says that decisions should ensure developments that generate significant movement are located where the need to travel can be minimised and the use of sustainable transport modes can be maximised.

9. The application site is within walking distance of Cheadle town centre where there is a wide range of shops and services. The application site is also close to sources of employment, schools and to local schools. Paragraph 38 of the Framework identifies primary schools and local shops as key facilities that should be located within walking distance of most residential properties. Paragraphs 94 and 95 of the Framework in discussing climate change, also state that local authorities should adopt proactive strategies that plan for new development in locations and ways that reduce greenhouse gas emissions. The application site's location is one where the proximity to employment and facilities would encourage walking, rather than the use of motor vehicles. As a consequence, the proposal would comply with relevant housing land supply policies as it is within an 'environmentally', sustainable site.

10. The application proposal for up to 51 affordable housing units would clearly contribute to meeting the district's identified housing need. Although it has not been demonstrated that a scheme for 100% affordable housing would be viable and therefore the scheme can only be assessed on the basis of market housing and the standard policy requirement for affordable units unless a financial viability assessment can demonstrate otherwise. Notwithstanding this issue, the development would make a positive contribution to housing delivery in the Staffordshire Moorlands, particularly in a situation where a five-year housing supply cannot be demonstrated and this attracts substantial weight in support of the proposal. The contribution to social sustainability, particularly, in the context of the provision of some affordable homes attracts further weight attributable to the proposal. The development would enhance the economy by the creation of jobs associated with the application's construction stage and new residents are also likely to support existing local services and businesses. In addition, future Council tax payments and the New Homes Bonus would be spent within the district. In these respects, the application site would contribute positively to fulfilling an economic role adding further weight in support of the proposal.

Employment

11. Core Strategy Policy E2 'Existing Employment Areas' concerns employment areas and premises falling within Use Classes B1, B2 or B8. It states that employment premises that have good access arrangements, provide or could provide good quality modern accommodation and are capable of meeting a range of employment uses to support the local economy, will be safeguarded for such purposes. It states that redevelopment of such areas for housing, retail or other non-employment will not be permitted unless: the site is identified in the Site Allocations DPD (Development Plan Document) for redevelopment; or, it can be demonstrated that the site would not be suitable or viable for continued employment use having regard to the above criteria and evidence can be provided that no suitable and viable alternative employment use can be found, or is likely to be found in the foreseeable future; or substantial planning benefits would be achieved through redevelopment which would outweigh the loss of the site for employment use. Additionally, Policy E2 states that 'Where redevelopment is proposed preference will be given to a mixed use

12. National planning guidance, NPPF paragraph 22 states that 'Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'.

13. The Core Strategy identifies the need for 4.8 ha of additional employment land in the Cheadle Town Area 2006-2026 over and above existing allocations (but less post 2006 employment commitments). More recently, the 2014 Employment Land Study re-assesses new employment land requirements across the District at around 25-45ha 2011-2031. A September 2014 update derived a more precise figure of 33.5ha for the same period, linking to current annual housing requirements. In terms of re-calculating the new 'Cheadle Town Area' requirement (and after deducting 2011-14 completions) for the purposes of Policy SS3 'Distribution of Development', it leaves a residual requirement for the Cheadle Town Area of c.3.2ha to be identified between 2014 and 2031 (monitoring has not taken place 2014-15).

14. Policy E2 applies to existing premises as well as unconstructed, extant employment commitments and existing employment allocations (whether completed or not). The policy imperative is separate from the Council's duty to provide additional employment land across the District under Policies SS2 and SS3 informed by the employment land study findings. The latter is a result of wider economic and demographic factors (such as past employment land completion rates and population increase from new housing), wider Council aspirations etc and already takes into account predicted losses of employment land, alongside completed losses since 2006. Policy SS3 'translates' the additional employment land requirements to the rural area as a whole. It is then for the Council to decide the most appropriate manner according to the Spatial Strategy to achieve this, which sets out which villages (larger/smaller) are identified for further development.

15. No recent or robust marketing evidence has been undertaken to support the loss of existing employment areas to residential development contrary to Policy E2. The Thomas Lister summary response states: 'In conclusion, with no prospect of the site being delivered for employment within the foreseeable future through not only the poor nature of the site for such provision but also very low levels of demand and low values derived, such that an employment scheme is not viable, then the prospect of the site being brought forward for delivery of a 100% affordable housing scheme which satisfies local need must be considered to considerably outweigh the loss of employment land'.

16. The marketing of the site for employment uses in 2005 is considerably out of date and has not been evidenced. In the work done by Thomas Lister (for the applicant), it is stated that the local market is slow generally and that a specific marketing exercise would be meaningless. Regarding the viability appraisal, this is a fairly high-level approach, based on TL's experience of other developments to give estimated average figures for build cost and value. No actual specifics were used, for example, BREEAM values or any special design requirements and actual local examples. In these circumstances, the applicant has not demonstrated a lack of demand by an appropriate marketing exercise and nor that the retention of the site in employment use can clearly be shown to be unviable.

17. The further issue for consideration, therefore, is whether the proposal would provide substantial planning benefits to outweigh the loss of this site for employment use in accordance with Policy E2. Finally, the applicant is offering a fully affordable scheme, which appears at odds with the conclusion of the development appraisal that anything over 20% makes the scheme unviable. In these circumstances, it would be appropriate to see the appraisal extended to 100% residential / 100% affordable. It suspected, however, the residual value of the scheme would fall to such an extent the scheme could only be delivered with grant (say from the HCA).

18. In any case, the loss of this employment site has not been justified nor has there been any consideration of a mixed use redevelopment scheme. In these circumstances, it is not considered that the applicant has adequately demonstrated why the development of this site for housing outweighs the loss of a potential employment site contrary to Core Strategy Policy E2 and the NPPF.

Layout and Design

19. CS Policy H1 'New Housing Development' states 'all development will be assessed according to the extent to which it provides for high quality, sustainable housing ... and the strategy for the area having regard to the location of the development, the characteristics of the site ... All housing should be the most appropriate density compatible with the site and its location, with the character of the surrounding area ...'. The specific design and conservation policies of the CS also seek to promote local distinctiveness by means of good design and the conservation, protection and enhancement of historic, environmental and cultural assets along with the District's landscape and the setting of its settlements. Policy DC1 sets out design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area.

20. Paragraph 56 of the Framework makes it clear that good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people. Whilst it is not appropriate to impose architectural styles or particular tastes, it is proper to seek to promote or reinforce local distinctiveness. The Framework makes clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

21. National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council's 'Space about Dwellings' SPG. These standards, other than landscaping concerns, appear to be broadly attainable with reference to the indicative layout. There would of course be an assessment of the detailed relationship at any reserved matters stage to ensure a good standard of amenity for all existing and future occupants of land and buildings, to accord with such requirements in relation to CS Policies H1 and DC1 and the Framework.

22. CS Policy DC2 covers the protection and enhancement of the historic environment. Paragraph 135 of the Framework states: 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. The Cheadle Historical Society has suggested that the brickwork forming the boundary of the property planned to be demolished is formed of blocks known as Copper Tar Slag blocks. The Council's Conservation Officer states that these blocks were made from the residue of the brassworks / copper industry and for a short while were made into building blocks, which can still be seen as walling materials throughout the town and should be protected. The Officer suggests that any disturbed historic walling could appropriately relocated along the frontage and therefore no objections are raised at this stage. These matters can be satisfactorily covered by an appropriate worded planning condition in the event of an approval and in these respects the proposal accords with CS Policy DC2 in particular and the relevant paragraph of the Framework.

23. The conservation and enhancement of the natural environment is a core principle of the NPPF whereby planning policies should promote the preservation, restoration and re-creation of priority habitats and ecological networks. In determining planning applications, permission should be refused if significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for. Core Strategy policy DC1 promotes the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate, in accordance with policy NE1 'Biodiversity and Geological Resources'. Amongst other matters, policy NE1 requires that development, where it is appropriate, produces a net gain in biodiversity and ensures that any unavoidable impacts are appropriately mitigated for whilst promoting the appropriate maintenance, enhancement, restoration and/or re-creation of biodiversity through its proposed nature, scale, location and design.

24. Notwithstanding the outline nature of the proposal for up to 51 dwellings, the layout is overdeveloped with inadequate space for biodiversity enhancement / mitigation / landscaping and would require a notable reduction in built form to overcome such issues. Evidently, the proposal would represent an intensive use of the site, which does not make provision or opportunity for any meaningful structural landscape treatment to address the need for mitigation and enhancement of landscape and habitat. In addition, it would appear that significant engineering works would be necessary to the west of the application site (adjacent to the stream) to overcome the evident change in land levels.

25. In this sense, the proposal is not considered to be high quality design in that it has not been designed to respect the site and its surroundings neither would it promote a positive sense of place or promote the appropriate maintenance, enhancement, restoration and / or re-creation of biodiversity through its nature, scale, location and design contrary to Policies SS1, H1, DC1, DC3, C3 and NE1 of the Adopted Core Strategy Development Plan Document (March 2014) and the national planning guidance contained in the National Planning Policy Framework (NPPF).

Section 106 Matters

25. Core Strategy Policy H2 'Affordable and Local Needs Housing' requires the application proposal to deliver 33% affordable housing on site. C1 'Creating Sustainable Communities' states that the Council will 'only permit new development where the utility, transport and community infrastructure necessary to serve it is either available, or will be made available by the time the development needs it. C2 'Sport, Recreation and Open Space' states that the Council will promote the provision of high quality recreational open space by implementing and supporting schemes that will protect and improve the quantity, quality and accessibility of open space and outdoor sports, leisure and children's play facilities throughout the district.

Currently, these matters are not agreed with the applicant, however, are required to mitigate or compensate for the effects of the proposal and should be sought by the Council via a 106 agreement in the event the planning application is approved.

Highway Safety

27. The Local Highway Authority Officer confirms that there are no objections to the resubmitted application on highway safety grounds subject to recommended conditions. The proposal has been assessed on the basis of gaining a satisfactory means of access into the site; therefore, requiring detailed access details, the internal layout and access to individual plots to be considered at any reserved matters stage. With the Highways Officer support for the scheme, there would be no significant conflict with CS Policy TR1 or with the guidance of the Framework.

Other Technical Considerations

28. Policy SD4 'Pollution and Flood Risk' states that the Council will ensure that the effects of pollution (air, land, noise, water, light) are avoided or mitigated by refusing schemes which are deemed to be (individually or cumulatively) environmentally unacceptable. This is further reinforced by paragraph 120 of Framework which states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The Framework asks for the effects (including cumulative effects) of pollution on health, the natural environment or general amenity and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account in decision making.

29. The application site does not present any significant flood risk, groundwater, stability or contamination constraints and there are no significant concerns regarding air quality, noise and dust or land instability. Further contamination work, construction work hours and measures for controlling dust can be dealt with by way of appropriately worded planning conditions to meet with the provisions of Core Strategy policy SD4 and Section 10 of the Framework in these respects.

Planning Balance and Conclusions

30. The development proposed would provide additional housing at a time when the Council has an acknowledged shortfall. In such circumstances, paragraph 14 of the Framework indicates that permission should be granted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, or where specific policies indicate otherwise. The application site is in a sustainable location, within walking distance to the town centre with its associated services and facilities with ready access to public transport. Economic benefits of the scheme include the creation of employment during the construction phase. Future occupiers would also help to sustain local shops and services in the longer term.

31. In achieving those benefits, however, there would, as is clear from the Council's reasoning set out above, be material harm where it has not been demonstrated that: the redevelopment of an existing employment site would not be suitable or viable for continued employment use having regard to the above criteria and evidence can be provided that no suitable and viable alternative employment use can be found, or is likely to be found in the foreseeable future; no substantial planning benefits would be achieved through the redevelopment which would outweigh the loss of the site for employment use; the proposal would not be designed to respect the site and its surroundings and promote a positive sense of place and identity and it would not promote the appropriate maintenance, enhancement, restoration and / or recreation of biodiversity through its proposed scale, location and design.

32. Overall, the impacts arising from granting planning permission would be adverse and they would significantly and demonstrably outweigh the benefits of the residential scheme contrary to Policies SS1, SS1a, E2, H1, DC1, DC3, C3 and NE1 of the Adopted Core Strategy Development Plan Document and the national planning guidance contained in the National Planning Policy Framework (NPPF).

RECOMMENDATION: REFUSE

Date 30/09/2015

Signed _____
Rachael Simpkin

DEVELOPMENT CONTROL MANAGER COMMENTS:

Date

Signed _____