



Planning, Affordable Housing and Sustainability Statement

Outline application for up to 228 dwellings – Land to the east of Froghall Road, Cheadle

for Bloor Homes (NW)

Emery Planning project number: 20-604

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Project : 20-604
Site address : Land to the east of
Froghall Road, Cheadle
Client : Bloor Homes (NW)

Date : 27 September 2021
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1. Introduction

1.1 This Planning Statement has been prepared in support of a planning application by Bloor Homes (NW) for up to 228 dwellings on land to the east of Froghall Road, Cheadle. The application is made in outline, with all matters reserved for subsequent approval except for access.

1.2 The statement is structured under following chapters:

2. The site
3. The application
4. Planning policy context
5. Housing land supply
6. Planning considerations
7. Conclusions and the planning balance

1.3 This statement should be read in conjunction with the following supporting information:

- Application forms;
- Site Location Plan;
- Parameters Masterplan (eScape Urbanists);
- Design and Access Statement (eScape Urbanists);
- Statement of Community Involvement (Emery Planning);
- Desk Study (Betts Geo);
- Flood Risk Assessment (Betts Hydro);
- Heritage Statement (Orion);
- Archaeological Desk-Based Assessment (Orion);
- Landscape and Visual Appraisal (FPCR);
- Air Quality Assessment (SLR Consulting);
- Transport Assessment (Croft, Eddison Transport Planning and Design);
- Preliminary Ecological Appraisal (Tyler Grange); and
- Noise Impact Assessment (JPM Acoustics).

2. The site

Site location and description

- 2.1 The application site is located to the north of Cheadle, Staffordshire. The site is greenfield and comprises two fields located east of Froghall Road (A521). 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.
- 2.2 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. 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.
- 2.3 The site is well connected to the settlement of Cheadle, being 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. Local 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.

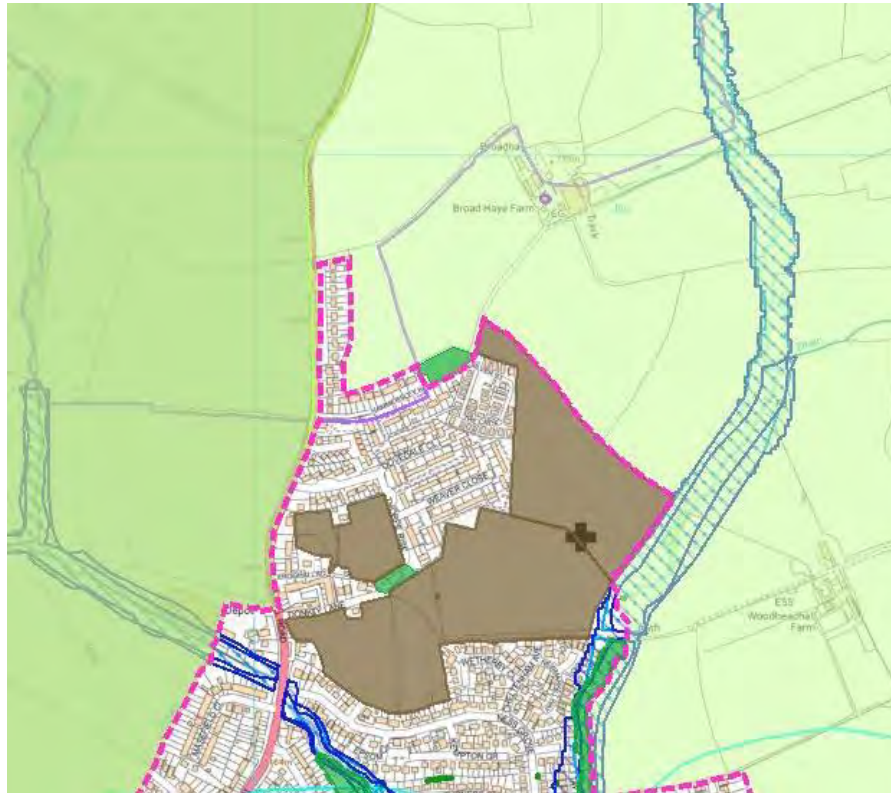
Relevant planning history

The application site

- 2.4 A desk-based review of the site's planning history has been undertaken. There are no applications of relevance in relation to the application site.

Cheadle North Strategic Development Area

- 2.5 Land immediately to the south of the application site is allocated for residential development in the Local Plan under Policy DSC1: Cheadle North Strategic Development Area. The allocation comprises two parcels (CH001 & CH132) which are to deliver approximately 320 dwellings, a new primary school, playing pitches and associated public open space. An extract of the proposals map showing the location of these allocations in relation to the application site is provided below, with the allocations shaded brown:



2.6 The allocated site achieved hybrid planning permission (ref: SMD/2018/0180) on 1 December 2020, comprising full planning permission for 125 dwellings and access to proposed primary school, and outline permission for up to 135 dwellings and primary school. Works have commenced on site, with properties currently being marketed as "Pottery Gardens".

3. The application

- 3.1 The application seeks outline planning permission for up to 228 dwellings on land to the east of Froghall Road, Cheadle. The application is made in outline, with all matters reserved for subsequent approval except for access. Access for the purpose of this appeal relates to the proposed vehicular access point from Froghall Road, and does not include the internal road layout, which would be a reserved matter. A detailed access plan is provided with the application for approval.
- 3.2 The proposals include the delivery of affordable homes, self-build / custom plots and bungalows. The area proposed for self-build plots is shown on the parameters masterplan. The provision of affordable homes and self-build / custom plots can be secured via a Section 106 agreement.
- 3.3 Up to 50% of the proposed dwellings would meet Part M4(2): accessible and adaptable standard homes, and furthermore 6 bungalows will be provided as M4(3): wheelchair user standard homes. In addition, the proposed dwellings would all meet the Nationally Described Space Standards as well all homes being installed with ultra-low emissions boilers to deliver sustainable family homes. Those matters can be controlled by condition.
- 3.4 Development parameters and indications of the use, amount, scale, appearance and landscaping are provided within the supporting Design and Access Statement. The parameters masterplan shows how the proposals would incorporate green infrastructure and link to the existing public rights of way network, to provide an integrated form of development which would enable future residents of utilise sustainable modes of transport.
- 3.5 The submitted parameters masterplan indicates extensive green infrastructure would be provided throughout the site, with a green corridor intersecting the site and a central tree lined street is proposed. In addition, extensive areas of open space are proposed including an orchard green located along the site's eastern boundary with Broad Haye Farm and a crescent green which extends the existing area of open space located off of Hammersley Hayes Road along the site's southern boundary. The orchard green not only provides an area of extensive attractive green space for residents and local wildlife but also acts as a buffer between the proposed development and Broad Haye Farm, a Grade II Listed Building. The crescent green would adjoin the allotments and areas of open space as approved on the adjoining development to the south-east which is currently being built out by Persimmon Homes (LPA ref: SMD/2018/0180).

- 3.6 The application also proposes to achieve a measurable net gain in biodiversity. This can also be controlled by condition.

Consultation

- 3.7 Prior to the submission of this application and to inform the preparation of the application proposals, the applicant undertook public consultation. Details of the consultation as well as a summary of responses from interested parties and how the development has responded to the view of local residents is provided within the submitted Statement of Community Involvement.
- 3.8 In addition to consulting the local community, the applicant also submitted a pre-application enquiry to the local planning authority under reference PAD/2021/0030. Initial feedback from statutory consultees, particularly on the scope of the heritage and landscape assessments, has been taken account of in preparing the reports which support the application. Although the pre-application discussions were unable to conclude prior to submission, the applicant is committed to continuing discussions with the Council during the lifetime of the application.

4. Planning policy context

- 4.1 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

- 4.2 The Staffordshire Moorlands Local Plan, adopted September 2020, covers the plan period to 2033 providing the framework for development across the district. The relevant policies of the Local Plan are provided below:

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS3 Future Provision and Distribution of Development
- SS4 Strategic Housing and Employment Land Supply
- SS10 Other Rural Areas Strategy
- SS11 Churnet Valley Strategy
- SS12 Planning Obligations and Community Infrastructure Levy
- H1 New Housing Development
- H3 Affordable Housing
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- 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

National planning policy and guidance

The National Planning Policy Framework (the Framework)

4.3 The relevant sections of the Framework are listed below:

- Section 2 Achieving sustainable development
- Section 4 Decision-making
- Section 5 Delivering a sufficient supply of homes
- Section 12 Achieving well-designed places
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

4.4 Compliance with the development plan and other material considerations, including national planning policy, are addressed in Sections 6 (planning considerations) and 7 (planning balance) of this statement.

5. Housing land supply

5.1 The Council's most recent five-year housing land supply position was originally published in the Housing Implementation Strategy in July 2019, as part of the SMLP examination. This was subsequently amended through the examination of the local plan, and the Inspector found that the housing land supply at 31 March 2019 was 5.32 years. However, the Local Plan was examined under the transitional arrangements set out at paragraph 214 of the Framework. This provides:

"The policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019."

5.2 The plan (including the housing requirement and supply) was therefore assessed against the 2012 Framework. The housing land supply position has not been 'confirmed' as part of the examination process in accordance with paragraphs 68-009 and 68-010 of the NPPG. But in accordance with paragraph 74 of the Framework, the Council is still required to demonstrate a five-year housing land supply immediately from adoption.

5.3 Sites can only be included within the five-year supply if they meet the definition of "deliverable". For the purposes of the Local Plan examination, the supply was assessed against the definition of "deliverable" set out in the 2012 Framework and the previous guidance, which allowed all sites with planning permission (whether full or outline) and allocated sites without permission at all to be considered deliverable¹ unless there was clear evidence that schemes will not be implemented within 5 years. It was within that context that the Local Plan Inspector found that the Council can demonstrate a supply of 5.32 years. It can be noted that even that position was only marginally above the Government's minimum requirement to demonstrate a five-year supply.

5.4 Now that the plan is adopted, the Council's supply is to be assessed against the definition of "deliverable" set out in the 2021 Framework. The change to the definition of deliverable is significant for Staffordshire Moorlands because only 33% of the Council's claimed supply at 31 March 2019 (the base date of the Council's current position statement) falls under category a) of the definition of "deliverable" as shown in the following table:

¹ Paragraph 3-031 of the NPPG, revision date 06/03/2014, now superseded

Table 5.1 – Breakdown of Staffordshire Moorland’s claimed supply by category

| Description | Category a) Should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered in 5 years | Category b) Should only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years | Compelling evidence required | Total |
|--|--|---|------------------------------|-------|
| (A) Large sites with full planning permission | 239 | | | 239 |
| (B) Large sites with outline planning permission | | 461 | | 461 |
| (C) Small sites with planning permission | 280 | | | 280 |
| (D) Allocations | | 964 | | 964 |
| (E) Windfall allowance | | | 154 | 154 |
| (F) Sites under construction | 294 | | | 294 |
| (G) PDNPA allowance | | | 35 | 35 |
| Total | 813 | 1,425 | 189 | 2,427 |
| Percentage | 33% | 59% | 8% | |

5.5 The Council has failed to publish a new position statement which addresses the 2021 Framework definition of 'deliverable', and consequently the Council has not provided the necessary clear evidence that sites without full planning permission (including the recent site allocations) are deliverable.

5.6 Therefore, in accordance with the 2021 Framework, there are 1,425 dwellings in the housing land supply which cannot be considered deliverable. This reduces the Council's deliverable supply from 2,427 dwellings to only 1,002 dwellings. Against a five-year requirement plus 5% buffer of

1,975 dwellings, a supply of 1,002 dwellings equates to 2.54 years as summarised in the following table:

Table 5.2 – **Summary of Staffordshire Moorlands' Five-Year Housing Land Supply** at 31st March 2019

| | Requirement | At 31 st March 2019 |
|---|--|--------------------------------|
| A | Annual housing requirement | 320 |
| B | Five year requirement (A X 5 years) | 1,600 |
| C | Shortfall | 788 |
| D | Proportion of shortfall to be addressed in 5 years | 281 |
| E | Total five year housing requirement (B + D) | 1,881 |
| F | 5% buffer (5% of E) | 94 |
| G | Total supply to be demonstrated (E + F) | 1,975 |
| H | Annual requirement plus buffer (G / 5 years) | 395 |
| | Supply | |
| I | Five year supply to 31 st March 2024 | 1,002 |
| J | Supply in years (I / H) | 2.54 |

5.7 Consequently, the Council cannot demonstrate a five-year housing land supply in accordance with paragraph 74 of the 2021 Framework. The implications of this are addressed below.

6. Planning considerations

Principle of development

- 6.1 The application proposes a residential development of up to 228 dwellings on land to the east of Froghall Road, which is designated as open countryside.
- 6.2 Local Plan 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.
- 6.3 However, we consider that there are material considerations to justify the granting of planning permission. As set out in Section 5 of this statement, the Council cannot demonstrate a five-year housing land supply. Consequently, in accordance with paragraph 11 and footnote 8 of the Framework, the tilted planning balance applies. This means that planning permission should be granted unless:
- i. the application of policies in the 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 this Framework taken as a whole.
- 6.4 We therefore assess the benefits of the proposed development below, before considering other factors and whether there is any harm that would significantly and demonstrably outweigh the benefits.
- 6.5 But notwithstanding the Council's position on its housing land supply, we consider that planning permission should be granted irrespective of the five-year housing land supply position, on the basis that the benefits of the proposed development outweigh the conflict with the development plan. The relevant considerations are discussed below, before the planning balance exercise is undertaken in Section 7.

Benefits of the proposed development

Housing delivery

- 6.6 Paragraph 59 of the Framework sets out the Government's objective of "*significantly boosting the supply of homes*". The origins of the current Framework can be found in the previous Government's 2017 White Paper: *Fixing our Broken Housing Market*, which made it very clear that the cause for the broken market is simple: for too long, not enough homes have been built. The current Government's ambition is to increase the supply by 300,000 new homes annually which is, as explained in the current Government's 2020 White Paper: *Planning for the Future*, a figure which far exceeds the cumulative targets in adopted development plans (187,000 homes per annum) and current delivery (241,000 homes were built in 2018/19). The messages are clear: there is a national housing crisis and boosting the supply of housing is a critical objective for the Government.
- 6.7 It can be noted that the Secretary of State has held that significant weight can be given to the delivery of housing, even where a Council can demonstrate a 5-year housing land supply. In his decision in respect of the land off Audlem Road / Broad Lane, Stapeley, Nantwich, the Secretary of State found that Cheshire East Council could demonstrate a five-year housing land supply of between 5.7 and 6.6 years, and that the Housing Delivery Test had been passed. However, in allowing the appeal (despite the proposal being contrary to a recently adopted development plan) the Secretary of State gave significant weight to the benefits of delivering housing, stating at paragraph 28 of his decision letter:
- "For the reasons given in IR414 and IR420 the Secretary of State agrees with the Inspector that the delivery of significant numbers of market housing in a sustainable location is a significant benefit. Whilst the Secretary of State has concluded that the Council can demonstrate a 5 YHLS, he has taken into account that nationally it is a government policy imperative to boost the supply of housing, as set out at paragraph 59 of the Framework, and he considers that this benefit should be afforded significant weight." (our emphasis)*
- 6.8 A copy of the decision letter is provided at Appendix EP1.
- 6.9 In this case, as demonstrated in Section 5 of this statement, the Council is unable to demonstrate a five-year housing land supply. Furthermore, the Council has also failed to meet its housing requirement in each and every year since the start of the plan period in 2014. Between 2014 and 2020, there have only been 1,015 net completions across Staffordshire Moorlands, against a

requirement for the same period of 1,920 dwellings. This represents a shortfall against the housing requirement of 905 dwellings, equating to nearly 3 years' worth of supply that should have been built, but has not.

- 6.10 The proposals would therefore assist the council in terms of its five-year housing land supply and achieving the overall housing requirement under Policy SS3 by providing up to 228 new homes. This site is deliverable, and the applicant would build out and deliver the site within the next five years, being an active builder nationally and in the north-west.
- 6.11 Therefore, the benefits of delivering housing to meet an identified shortfall and to contribute to the national policy imperative of boosting supply, should be afforded very substantial weight in the planning balance.
- 6.12 Furthermore, the site is a highly accessible location adjacent to the settlement boundary of Cheadle, which is identified as a Town under Policy SS2 being a focus for development and future growth. The location has also already deemed to be sustainable through the recent allocation of the Cheadle North Strategic Development Area in the Local Plan under Policy DSC1. The site is therefore a sustainable location for meeting the shortfall in housing supply.

Provision of affordable housing

- 6.13 Local Plan Policy H3 relates to affordable housing and requires that residential development of 10 dwellings (or 0.5ha) or more provide 33% affordable housing. The policy requires that affordable housing be designed as an integral part of a development and needs to be tenure blind in relation to other properties.
- 6.14 The proposed development would provide 33% affordable housing in accordance with Policy H3. This would equate to up to 75 new affordable homes being delivered on the site with the type, location and tenure split to be agreed through a Section 106 legal agreement and at the reserved matters stage. Draft S106 Heads of Terms are provided at Appendix EP2.
- 6.15 The Council's Strategic Housing Market Assessment (SHMA) Update identified a need of between 224 and 432 affordable houses per annum to 2031. The Local Plan will not deliver anywhere near that quantum of affordable housing. Even if the Council meets its housing requirement and delivers 320 dwellings per annum over the plan period, and 33% are delivered as affordable homes, only 106 affordable homes per annum would be delivered. This equates to a shortfall of

118 affordable homes per annum, even on the lowest end of the Council's range of need. However, even that projection is unrealistic having regard to the following considerations:

- As set out above, between 2014 and 2020 a shortfall of 905 dwellings has accrued against the housing requirement, equating to nearly **3 years' worth of supply**. The need for market and affordable housing is only increasing, as are pressures upon the housing market caused by continued under-supply.
- In the last monitoring year (2019/20), only 18 affordable homes were delivered. This is extremely poor performance having regard to the levels of current need, albeit unsurprising in the context of current levels of delivery overall (discussed above) and viability considerations across parts of the district (discussed below).
- Much of the future supply is made up of site allocations in the Local Plan. However, the Council's own evidence for the Local Plan (i.e. the Local Plan Viability Study (LPVS)) identified that most of those allocations are not viable to come forward with 33% affordable housing. This is noted at paragraph 115 of the Local Plan Inspector's report, which states that: *"the LPVS suggests that achieving the 33% affordable housing figure as well as other policy requirements on many sites, particularly those in lower value areas, will be challenging"*.

6.16 Consequently, the affordable housing needs identified within the SHMA will not be met by a very significant margin, and very substantial levels of unmet need will remain. This need includes people who are homeless, concealed households and households living in private rented accommodation that they cannot afford, and which is often unsafe and/or unsuitable for their needs². The failure to deliver sufficient levels of affordable housing therefore has severe consequences for those who need an affordable home. Whilst the delivery of affordable housing is unquestionably a national crisis, this does not mean that the crisis at the local level (as is clearly the situation in Staffordshire Moorlands) should be allowed to persist when there are proposals which can help to address the need. The proposed development would meet the needs of up to 75 households in urgent need of an affordable home. This would make a significant and valuable contribution to addressing the shortfall.

² Shelter report: *A vision for social housing*

- 6.17 The provision of up to 75 new affordable homes would therefore comprise a very significant benefit of the application proposals in the context of the level of unmet affordable housing need across the district.

Provision of self-build and custom homes

- 6.18 The Self-Build and Custom homebuilding Act (2015) placed a legal duty on local authorities to keep a register of individuals and association of individuals who want to acquire serviced plots of land. The 2016 Housing and Planning Act then made subsequent amendments to the Self-Build and Custom Housebuilding Act and placed a statutory duty on authorities to grant sufficient development permissions to meet the demand for self-build and custom housebuilding on their register.
- 6.19 Section 5 of the Framework relates to delivering a sufficient supply of homes, paragraph 62 states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including people wishing to commission or build their own homes.
- 6.20 Annex 2 of the Framework defines self-build and custom-build housing as follows:

Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

- 6.21 According to the 2019-20 Authority Monitoring Report (AMR), there are currently 29 households on the self-build register. Only 2 entries have specified the 'Cheadle / Draycott / Checkley / Freehay' sub-area, but 6 entries are for 'anywhere', 7 are for 'other / location not stated' and a further 5 are for the rural areas. Further entries continue to come forward. Furthermore, the self-build register continues to increase exponentially since 2017, when only 2 households were on the register according to the 2017 SHMA.
- 6.22 As shown on the parameters masterplan, land parcel 2a is identified for delivery of 10 custom / self-build units assisting the council in meeting their duty to provide service custom build plots. Therefore, the proposed development would assist in meeting an identified and ongoing need, and furthermore would be an exemplar project for self-build in the district, potentially increasing

demand and interest in self-build plots and demonstrating how this can be achieved on a larger site. This is a significant benefit of the application proposals.

Provision of adaptable and wheelchair user standard housing

- 6.23 The 2017 SHMA sets out that, over the plan period, there will be an increase in the need for housing which can meet the needs of the aging population in Staffordshire Moorlands. Such housing can include bungalows and housing that is adaptable to a household's changing requirements.
- 6.24 Up to 50% of the proposed dwellings would meet Part M4(2): accessible and adaptable standard homes, and furthermore 6 no. 2- and 3-bedroom bungalows will be provided as M4(3): wheelchair user standard homes. Furthermore, all dwellings would meet the Nationally Described Space Standards.
- 6.25 The proposed development would therefore make a valuable contribution towards meeting the needs of an ageing population and households with disabilities in Cheadle. This is a significant benefit of the proposed development.

Economic benefits

- 6.26 The proposed development would result in a number of economic benefits. During the build period, construction related jobs and indirect jobs would be created. This would benefit local contractors and suppliers. The proposed development would assist in contributing to the districts workforce and once occupied the residents of the proposed scheme would spend money within Cheadle town centre and other towns within the district.
- 6.27 A summary of the economic benefits of the scheme, using the House Builders Federation (HBF) Housing Calculator, is provided at EP3. This qualifies the economic benefits of the proposals, with the key outputs summarised below:
- 243 persons of direct employment during the construction phase;
 - Multiplier effects have the potential to create a further 377 person-years indirect and induced employment during the construction phase (further jobs supported in the wider economy in house building supply chains and by spending amongst direct and supply chain employees on goods and services).

- The increase in resident population arising from the occupation of the proposed homes is estimate to generate in the region of £6 million of resident expenditure every year, a significant proportion of which would be spent in local shops services and amenities.
- An increase in Council Tax revenue of £257,000.00 per annum.

6.28 As the HBF calculator demonstrates, during the construction phase there would be direct and indirect job creation. The range of benefits which would persist over the long term include increased household spending power, additional Council Tax revenues and New Homes Bonus payments. Local retailers and service providers would benefit at a time when businesses on the high street face considerable challenges.

6.29 Therefore, the economic benefits of the proposed residential development should be afforded positive weight in the planning balance, particularly in view of the effects of the Covid pandemic and the Government's imperative to *Build, Build, Build*³.

Provision of open space

6.30 Local Plan Policy DC3 relates to green infrastructure and states that the Council will support the provision of open space, sport and recreational facilities for local communities. Policy DC2 relates to sport, recreation and open space and states residential development of 10 dwellings (or 0.5ha) will be expected to make provision, or a contribution toward open space necessary and related in form and scale.

6.31 The submitted parameters masterplan indicates large areas of public open space and green infrastructure would be provided through the site including ecological grasslands, woodland edge habitats, orchard, grassland, amenity space and children's play space. Along the site's eastern boundary with Broad Haye Farm, a large orchard green is proposed. This would not only provide a visual buffer between the proposed dwellings and the listed building at Broad Haye Farmhouse, but also provides an opportunity for the provision of an extensive are of ecological grassland, woodland and hedgerow habitats within the site.

6.32 The existing play area located to the north of Hammersley Hayes Road would also be extended and upgraded as part of the proposals, creating a new children's play space and amenity green

³ Prime Minister's press release of 30 June 2020: Build, Build, Build

space for the benefit of both existing residents in the local area and the future residents of the proposed development.

- 6.33 Therefore, the provision of green infrastructure throughout the site in the form of extensive areas of open space including habitat creation, **children's play areas and improvements to existing areas of open space** are a significant benefit of the application proposals.

Biodiversity net gain

- 6.34 A Preliminary Ecological Appraisal has been prepared by Tyler Grange and contains a biodiversity net gain assessment. The assessment confirms that a measurable biodiversity net gain can be achieved as a result of the development, even taking a precautionary approach assuming a worst-case scenario for habitat condition post-development. It is considered through off-site measures in wider landholding and/or providing a detailed landscape scheme with ambitious targets for habitat condition, a 10% uplift in biodiversity value can be achieved to make future development compliant with emerging national planning policy and guidance on biodiversity net gain. This is a significant benefit of the application proposals.

Tackling climate change

- 6.35 The application site is sustainably located, benefitting from being near local bus stops and within walking distance of a range of services and amenities, reducing dependence on private vehicle use.
- 6.36 The proposed development would also contribute to reducing CO2 emissions through the installation of ultra-low emissions boilers to deliver sustainable family homes in accordance with Local Plan Policy SD1. This can be controlled by a suitably worded condition.

Other considerations

Design and development parameters

- 6.37 Local Plan Policy DC1 relates to design considerations and require all development be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area.
- 6.38 A Design and Access Statement has been prepared by eScape in support of the application proposals providing 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 228 dwellings proposed. 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
- 6.39 The masterplan and the Design and Access Statement demonstrate that a development of a high-quality design can be delivered on site, taking in account site constraints and existing development within the wider site context. The proposed development would comply with Policy DC1.

Traffic and highways

- 6.40 A Transport Assessment has been prepared in support of the application by Croft Eddisons Transport Planning and Design. The Assessment incorporates a Travel Plan Framework which puts forward features designed to reduce journeys made by private vehicle and encourage sustainable travel.
- 6.41 The application site is sustainably located and benefits from being located in close proximity to local bus stops located on the A521 Froghall Road which provide services which would cater for future residents of the proposed development. The Transport Assessment demonstrates that the site is within walking distance of a range of services and amenities, with the provision of a footway along the A521 Froghall Road providing a safe walking route to the town of Cheadle.
- 6.42 Vehicular access would be taken from the A521 Froghall Road located along the site's western boundary. The proposed access will incorporate a formal right-turn lane on the A521 Froghall Road. The assessment demonstrates that a safe and efficient access can be provided. As part

of the proposed vehicular access arrangements the existing 30mph speed limit will be relocated from just south of the site boundary to a location adjacent to the northern boundary. This is deemed appropriate given the potential extension of the 'built-up' A521 Froghall Road frontage.

6.43 The traffic impact assessment undertaken also indicates that the proposed development could be accommodated on the local highways network with minimum impact.

6.44 The proposals would therefore comply with Local Plan Policy DC1 in respect of:

- providing for safe and satisfactory access and meeting the parking requirements arising from necessary car use; and,
- being well integrated for car, pedestrian and cycle use as well as other sustainable transport links.

Historic environment

6.45 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. Preservation in this context means not harming the special interest in the building, as opposed to keeping it unchanged.

6.46 Policy DC2 of the Local Plan relates to the historic environment and sets out a number of provisions, including the following:

1. The Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. This will take into account the desirability of maintaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.
2. Protection will be given to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

3. All applications likely to affect heritage assets will require the submission of a heritage statement, including a qualitative visual assessment where appropriate.

6.47 A Heritage Statement and Archaeological Desk-Based Assessment have been prepared in support of the application by Orion Heritage Ltd. The submitted Heritage Statement considers the potential impact of the proposed development on the setting and significance of designated and non-designated heritage assets located in the vicinity of the site. In accordance with Local Plan Policy DC2, the report identifies and describes the historic development of the site and the significance of the designated and non-designated heritage assets before considering the impact of the proposals on that significance. The conclusions are summarised below.

6.48 Located to the east of the application site is Broad Haye Farmhouse a Grade II listed building. The report also identifies within the wider vicinity the following Grade II and Grade II* listed buildings:

- Thornbury Hall
- Woodhead hall
- Long Croft Farmhouse
- Booths Farmhouse
- Parkfileds
- Hales Hall
- St Giles Church

6.49 The submitted Heritage Statement, confirms that the significance of the designated heritage assets as listed above would be preserved by the proposals.

6.50 The proposals are found to generate harm, albeit the lowest level of less than substantial harm, to the Grade II listed Broad Haye Farmhouse through development within its setting. The setting of Broad Haye Farmhouse relates to its farmstead plot and its wider rural setting. The Heritage Statement finds that the proposals would cause a large degree of change to the character of the field parcel. However, a considerable buffer is proposed to be retained in the vicinity of the Broad Haye Farm, in the form of an orchard green as shown on the parameter's masterplan. This buffer prevents the visual coalescence of views from the nearby public rights of way and ensures

that Broad Haye Farm would continue to be viewed within a broadly rural context. In terms of the impact of the proposals on Broad Haye Farm the Heritage Statement concludes:

“The legibility of the farmhouse's typology and function will remain evident and it is considered that the level of harm generated by the proposal to the asset, through loss of context, is at the lowest level of less than substantial harm.”

6.51 Paragraph 202 of the Framework states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including where appropriate, securing its optimum viable use.”

6.52 In this case, it is considered that the 'lowest level' of less than substantial harm to the Grade II listed Broad Haye Farmhouse through development within its setting is clearly outweighed by the public benefits of the application proposals, as detailed the section above entitled 'benefits of the proposed development'. Cumulatively, these comprise very significant public benefits which must be afforded very substantial weight, both in the overall planning balance and also in undertaking the balancing exercise required under paragraph 202 of the Framework.

Landscape

6.53 Local Plan Policy DC3 relates to landscape and settlement setting. The policy states the Council will protect and where possible enhance local landscape and the setting of settlements in the district.

6.54 A Landscape and Visual Impact Statement has been prepared in support of the proposals by FPCR. The statement identifies the site as falling within 'Ancient slope and valley farmlands. The development would result in the loss of agricultural land; however, 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 as a result the impact of the development is considered to be minor adverse effect overall.

6.55 Design and mitigation measure embedded in the proposal including the provision of green infrastructure throughout the site minimise the level of adverse effects the development would have on landscape character and visual amenity. The proposed development would not result in any unacceptable long-term landscape and visual effects.

Ecology

6.56 Ecological surveys have been undertaken by Tyler Grange and the Preliminary Ecological Appraisal (PEA) report has been submitted with this application. The findings and recommendations of the PEA can be summarised as follows:

- The proposals require the removal of some areas of habitat that provide some ecological value within the site and have the potential to support species such as bats, birds and hedgehogs.
- A planting scheme should be provided incorporating native UK tree and shrub species to compensate for the loss of any trees and shrubs and encourage wild life back to the site following the construction phase.
- Sensitive working methodologies should be employed to help reduce disturbance to wildlife during construction.
- A biodiversity net gain (BNG) has been carried out, based on the parameters plan and green infrastructure strategy, and demonstrates that the proposals have the ability to achieve a measurable biodiversity net gain.

6.57 In light of the findings of the PEA it is considered that the application proposals accord with Local Plan Policy NE1. As discussed above, the provision of a net gain in biodiversity is a benefit of the proposed development.

Residential amenity

6.58 Policy DC1 of the Local Plan relates to design considerations and requires that all development protect the amenity of the area, including the creation of healthy active environments and residential amenity in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

6.59 In support of the application a Noise Impact Assessment Report has been prepared by JPM Acoustics. The report provides an assessment of the impact of road traffic noise on external amenity space and internal space and confirms that reasonable conditions could be achieved, concluding that noise need not be a determining factor in the consideration of the application proposals.

- 6.60 In addition, SLR Consulting have prepared an Air Quality Assessment. The report concludes that during the construction phase there is predicted to be an insignificant effect on air quality from construction-generated vehicle emissions and in terms of dust emissions this would be not significant. During the operational phase, the report finds that the impact of the development air quality would be negligible.
- 6.61 The submitted illustrative masterplan indicates a layout could be achieved which would provide sufficient separation distances between proposed and existing dwellings to ensure that the privacy and amenity of both existing adjoining residents and future residents of the proposed dwelling would not be compromised. Furthermore, the provision of a landscaping scheme and green infrastructure on site would provide residents with a pleasant and attractive place to live with access to new areas of open space proposed throughout the site.
- 6.62 It is therefore considered that the proposals accord with Local Plan Policy DC1.

Contaminated land

- 6.63 A Desk Study Report has been prepared by Betts Geo Consulting Engineers in support of the application. The report provides an assessment of potential risks on site and sets out a number of recommendations for initial investigations, relating to the possible causes of contamination with potential sources, pathways and receptors of contamination identified. The further works recommended within the report could be subject to a suitably worded condition.

Building for Life Criteria Assessment

- 6.64 As the application relates to proposals for major development, an initial assessment has been undertaken in light of the building for life criteria, this will be completed at the reserved matters stage. However, many issues have already been considered both within this statement, the Design and Access Statement and other supporting information submitted in support of the application.

Criteria 1: Connections

- 6.65 The proposed site layout assists in integrating the proposed development within the existing community and local patterns of development. The proposals incorporate vehicular and pedestrian links to the existing highways network and public rights of way as shown on the submitted Parameters Plan and Illustrative Masterplan.

Criteria 2: Facilities and services

- 6.66 The application site is sustainably located and is accessible to a range of services and facilities located within the town of Cheadle. The application proposals as shown on the proposed Parameters and Illustrative Masterplans incorporate areas of open space and children's play areas for the use of both existing residents and future occupiers of the proposed development

Criteria 3: Public transport

- 6.67 The scheme has good connections to public transport links being located in close proximity to bus stops providing regular services located on Froghall Road.

Criteria 4: Meet local housing requirement

- 6.68 The proposed development would deliver a mix of housing including affordable housing and self-build units in accordance with the requirements of the development plan as considered above in paragraphs 6.13 – 6.25.

Criteria 5: Character

- 6.69 The application proposals are in outline form, with the matter of access to be considered and all other matters reserved. A comprehensive Landscape Visual Appraisal has been undertaken to ensure that the proposals would result in a form of development in keeping with the wider landscape character and the area.

Criteria 6: Working with the site and its context

- 6.70 The scheme has been development to take account of the existing landscape and key views of the site and the area surrounding the application site. In addition, the proposals have been developed to take account of the of site constraints including the proximity to the nearby listed building at Broad Haye Farmhouse.

Criteria 7: Creating well defined streets and space

- 6.71 The application as submitted is in outlined form, however the Illustrative Masterplan and the assessment as provided within the submitted Design and Access Statement demonstrate that the site is capable of delivering a form of development which would create well defined streets and spaces through the use of a defined street hierarchy to create a unique development and aid the sites legibility.

Criteria 8: Easy to find your way around

- 6.72 The proposed development as shown on the Illustrative Masterplan has been designed to be easily interpreted, with obvious pedestrian and vehicular access points provided.

Criteria 9: Streets for all

- 6.73 The submitted plans illustrate a scheme can be delivered which would provide connections to proposed areas of open space and the wider highways and PROW network.

Criteria 10: Car parking

- 6.74 The Illustrative Masterplan demonstrates that off road car parking for each of the proposed dwellings can be accommodated within the site.

Criteria 11: Public and private spaces

- 6.75 The submitted Parameters and Illustrative Master Plans show green infrastructure provided throughout the development including both public and private green spaces.

Criteria 12: External storage and amenity space

- 6.76 The submitted Illustrative Masterplan demonstrates that the site is capable of accommodating up to the 228 units proposed, including areas of private outdoor amenity space.

7. The planning balance

- 7.1 The application comprises the development of up to 228 dwellings on land to the north of Cheadle which is currently designated as open countryside. As the development of housing on land within the open countryside, the proposed development is contrary to Policies H1, SS2 and SS10 of the Local Plan. 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 5-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 this Framework taken as a whole.

- 7.2 It should be noted that for an adverse impact to significantly and demonstrably outweigh the benefits of development is a very high threshold when considering the planning balance. In a

recent appeal decision concerning a site in Bolton promoted by this practice⁴, an Inspector concluded:

“Even if I were to have found that the effect of either scheme on the character and appearance of the area and any associated development plan policy conflict carried very significant weight against both appeal developments, the collective weight of the adverse impacts would not significantly and demonstrably outweigh the considerable identified benefits, when assessed against the policies in the Framework taken as a whole. Accordingly, both appeal schemes would be sustainable development in the terms of the Framework for which there is a presumption in its favour, such that the sites both represent acceptable locations for housing development.” (our emphasis)

7.3 Therefore, as a matter of principle, it is not simply sufficient for there to be significant harm in one or more areas. Such harm must (if identified) significantly and demonstrably outweigh the benefits, which in the case of this proposed development are multiple and very substantial. They are:

- The delivery of new housing in an authority which has significantly under-delivered on its housing requirement to date, and where there is a significant shortfall in the five-year housing land supply.
- Up to 75 affordable homes (33% of the proposed development) to meet a very significant level of unmet need, as per the shortfall identified in the Council's own SHMA.
- 10 self-build plots, which would assist in meeting an identified need and the Council in fulfilling its statutory duty.
- The provision of new family homes in a sustainable location, well connected to local services and amenities, reducing dependence on private vehicle use.
- The delivery of 6 no. 2- and 3-bedroom bungalows will be provided as M4(3): wheelchair user standard homes, and up to 50% of the proposed dwellings as Part M4(2): accessible and adaptable standard homes, to meet the needs of an ageing population and households with disabilities.

⁴ Appeal Decisions APP/N4205/W/20/3256381 & 3266030

- The provision of dwellings which would meet the Nationally Described Space Standards, thus providing provide flexible accommodation which is capable of future adaptation.
- The provision of sustainable family homes which will be installed with ultra-low emissions boilers.
- Economic benefits in the form of new direct and indirect employment opportunities during the construction stage, and also throughout the lifetime of the development through increased household spending in the local area.
- Ecological benefits, in the form of a measurable net gain in biodiversity.
- The provision green infrastructure throughout the site in the form of extensive areas of open space including habitat creation, children's play areas and improvements to existing areas of open space, for the benefit of both existing residents in the local area and the future residents of the proposed development.

7.4 Set against this range of very substantial benefits, the proposed development would generate some harm insofar as it would involve the development of a greenfield site beyond the existing settlement boundary. However, the submitted Landscape and Visual Appraisal demonstrates that the impact upon the landscape and the character and appearance of the area would not be significant.

7.5 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.

- 7.6 Therefore, there are no adverse impacts which would significantly and demonstrably outweigh the very substantial benefits of the application proposals.
- 7.7 Notwithstanding the above, and without prejudice to our view that the Council cannot demonstrate a five-year housing land supply, we consider that planning permission should be granted even if the Council considers that it can demonstrate a five-year supply and that the tilted balance is not engaged. It is clear that material considerations associated with the application (i.e. the substantial benefits identified above) outweigh conflict with the development plan so as to justify the grant of planning permission.
- 7.8 The proposals therefore represent a sustainable form of development as defined by paragraph 8 of the Framework and it is considered that planning permission should be granted without delay.

8. Appendices

- EP1. Secretary of State appeal decision - land off Audlem Road / Broad Lane, Stapeley, Nantwich
- EP2. Draft S106 Heads of Terms
- EP3. HBF Housing Calculator

EP1



Appeal Decisions

Inquiry Held on 28 June to 2 July 2021

Sites visit made on 5 July 2021

by G D Jones BSc(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 14 September 2021

Appeal A - Ref: APP/N4205/W/20/3256381

Land off Victoria Road, Horwich

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Peel Investments (North) Ltd against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 07245/19, dated 31 October 2019, was refused by notice dated 22 January 2020.
 - The development proposed is residential development of up to 276 dwellings with access and associated works.
-

Appeal B - Ref: APP/N4205/W/20/3266030

Land off Victoria Road, Horwich

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Northstone Development Ltd against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 09488/20, dated 28 September 2020, was refused by notice dated 14 December 2020.
 - The development proposed is residential development of up to 150 dwellings and an area of ecological and recreational greenspace with access considered.
-

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 4 August 2021.

Decisions

1. Appeal A is allowed and outline planning permission is granted for residential development of up to 276 dwellings with access and associated works at Land off Victoria Road, Horwich in accordance with the terms of the application, Ref 07245/19, dated 31 October 2019, subject to the conditions contained within the relevant Schedule at the end of this decision.
2. Appeal B is allowed and outline planning permission is granted for residential development of up to 150 dwellings and an area of ecological and recreational greenspace with access considered at Land off Victoria Road, Horwich in accordance with the terms of the application, Ref 09488/20, dated 28 September 2020, subject to the conditions contained within the relevant Schedule at the end of this decision.

Preliminary Matters

3. As set out above, there are two appeals relating to two separate planning applications. While similar, the sites differ. They both include Horwich Golf Course, at least in large part, with the Appeal A site being the larger of the two due mainly to the inclusion of land to the north of the Course. I deal with the Appeals together given the **sites' similarities** and as many of the issues raised are common to both schemes.
4. Both sets of proposals are for outline planning permission with access only to be determined at this stage and with appearance, landscaping, layout and scale reserved for future approval. Whilst not formally part of the schemes, I have treated the details relating to these reserved matters submitted with the two appeal applications as a guide as to how the sites might be developed.
5. Legal agreements, dated 2 July 2021, made under s106 of the Town and Country Planning Act 1990 (the Planning Obligations) for each appeal were submitted shortly after the Inquiry closed in accordance with an agreed timetable. I have had regard to them in my consideration and determination of both appeals.
6. After the Inquiry closed and before the decisions were made, a revised version of the National Planning Policy Framework (the Framework) was published. I gave the main parties to the appeals the opportunity to comment in response to its publication. I have taken into account any resulting submissions when making my decision¹.

Main Issues

7. The main issues for both appeals are:
 - Whether this would be an acceptable location for housing development, having regards to the spatial strategy in the development plan; and
 - The effect of the proposed development on the character and appearance of **the area, with particular regard to Horwich's landscape setting.**

Reasons

Location

8. I deal with the first main issue identified above broadly in two parts. Firstly, here under this subheading, largely in respect to how the two appeal proposals sit, as a matter of principle, with the adopted strategy for the location of new housing in Bolton Metropolitan Borough. And secondly, drawing on my conclusions in respect to the main issues and having regard to the other matters raised in each appeal, as part of the Planning Balance section that follows. Consequently, it is there, in the Planning Balance section, that I come to an overall conclusion on whether the sites are an acceptable location for housing development.

The spatial strategy for the location of new development in the Borough, including housing, is set out in the development plan, notably for the purposes of these appeals in Policies SC1 (Housing) **and OA1 (Horwich and Blackrod) of Bolton's Core Strategy, March 2011 (the Core Strategy), and Policy CG6AP (Other**

¹ Including those made by the Stocks Residents' Association regarding the emerging Places for Everyone / Greater Manchester Spatial Framework

Protected Open Land) of Bolton's Allocations Plan, December 2014 (the Allocations Plan).

9. Core Strategy Policy SC1 identifies an annual housing requirement of 694 homes for the plan period, 2008-26, equating to 12,492 homes overall, and that a range of sites will be identified to deliver them. The planned distribution of housing is explained in the supporting text, as summarised at Figure 4.3 as:
 - Bolton Town Centre 10-20%
 - Renewal areas 35-45%
 - Horwich Loco Works 10-15%
 - Outer areas 20-30%
10. Additionally, Core Strategy Policy OA1 (4) seeks to concentrate sites for new housing in Horwich town centre, Horwich Loco Works and on other sites within the existing urban area. Policy OA1 (6) requires [Other] Protected Open Land (OPOL) around Horwich, of which the appeal sites form part, to remain undeveloped other than to the west of Horwich Loco Works.
11. The supporting text to Allocations Plan Policy CG6AP states, amongst other things, that within OPOL *while some development may be acceptable it should generally be small scale to maintain the open character of these areas*. The Policy itself identifies a short, closed list of development types that would be permitted within OPOL, which do not include housing development of the scale proposed by either appeal scheme.
12. Consequently, both appeal schemes conflict with Core Strategy Policies SC1 and OA1, and Allocations Plan Policy CG6AP when read together in terms of each set of proposals being clearly **at odds with the area's strategy for the** location of new housing.

Character & Appearance

13. Both appeal sites coincide to a large extent with the site of another appeal concerning housing development that was determined in 2019² (the Previous Appeal). The Previous Appeal site was similar to that of the Appeal A site, but also extended further northeast beyond a notional line between the neighbouring streets of Mayfair and Buckingham Avenue.
14. There is a considerable amount of evidence before me on matters of character and appearance, including the Previous Appeal **Inspector's decision letter and** material associated with that case. This was discussed and tested at some length during the Inquiry, following which there remained significant points of difference between the main parties in respect to each appeal developments' effect on the character and appearance of the area. In short, the appellants maintain that any effects would be acceptable and accord with the development plan in that regard, whereas the Council and the Stocks **Residents' Association (SRA)** both consider that they would not.
15. Having taken all of the evidence into account along with what I experienced during my sites visit, **I broadly agree with the Council officer's assessment that** both proposed developments would have an acceptable effect on the character and appearance of the area as set out in the respective Committee Reports for each of the proposed developments, including their conclusions as follows:

² Ref: APP/N4205/W/18/3210299

- Appeal A – *The proposed development would have some landscape and visual impacts, in that it would develop what is currently a greenfield site and would inevitably have some effect [on] the character and appearance of the area, however it is considered that the proposed development has responded fully to the findings of the Inspector's appeal decision for application 02434/17. ... It is therefore considered that the proposed residential development, as amended, would not be contrary to Policies CG3 and OA1 of the Core Strategy [paras 90 & 91]; and*
 - Appeal B - *It is therefore considered that the proposed development would conserve and enhance local distinctiveness and would have regard to the overall built character and landscape quality of the area, compliant with Policies CG3 and OA1 of Bolton's Core Strategy [para 78].*
16. Nonetheless, in the circumstances of the case, I have not found it necessary to go into the detail of why the appeal developments would cause only limited harm in this respect or why that limited harm attracts limited weight only. This is because, even if I were to take a different position on this evidence and accept the best case of the Council and SRA on this matter, the weight carried against each appeal scheme would be insufficient to alter the outcome of either appeal. I return to why this is the case in the Planning Balance section below.
17. At this stage in my decision, it is sufficient to record that both appeal schemes would result in the loss of predominantly greenspace to mainly housing development outside the settlement boundary of Horwich. The resultant urbanising effect would be very evident within the sites themselves and would also be discernible from beyond each site. On this basis, both proposed developments would cause some harm to the character and appearance of the area, **including in terms of Horwich's landscape setting.**

Planning Obligations

18. In the event that planning permissions were to be granted and implemented the respective Planning Obligations would secure the provision of on-site affordable housing at a rate of 34% and 33% for Appeals A and B respectively and of on-site open space and provisions for its management; payments towards secondary education provision, the delivery of improvements to the Beehive roundabout and the administration of a Traffic Regulation Order; in respect to Appeal A only, a payment towards enhancements to Old Station Park, Horwich; and in respect to Appeal B only, the delivery and management of the proposed area of on-site ecological and recreational greenspace.

The Council has submitted detailed statements for each appeal (the CIL Statements), which address the application of statutory requirements to the Planning Obligations in respect to each appeal and also set out the relevant planning policy support / justification. I have considered the Planning Obligations in light of Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended) and government policy and guidance on the use of planning obligations. Having done so, I am satisfied that they would be required by and accord with the policies set out in the CIL Statement for each respective appeal scheme. Overall, I am satisfied that all of those obligations are directly related to the respective proposed developments, and in each case are fairly and reasonably related to it and necessary to make it acceptable in planning terms.

Other Matters

Housing Delivery

19. The Council accepts that it cannot currently demonstrate a five year supply of deliverable housing sites as required by the Framework. It is also common ground between the Council and the appellants that the deliverable supply for the period in question is only 3.3 years.
20. Further to the absence of a five years' **supply of housing land, the** Core Strategy, while aiming to plan for the **Borough's housing needs to 2026**, is based on a significantly constrained housing requirement, which is out of date and inconsistent with the Framework. **As the Council's witness acknowledged**, there has been a *total failure to deliver the planned level of housing for over a decade* in the Borough. Of course, that has been against **the Core Strategy's** constrained requirement figure rather than against the current full requirement.
21. Consequently, and in this context, in order to meet the out of date and constrained minimum requirement of the Core Strategy, some 6,559 new homes would need to be delivered over the remaining 6 years of the plan period³. That equates to well over 1,000 homes a year compared to the annual average of some 495 homes delivered so far and to the out of date, constrained annualised minimum requirement of 694 homes.
22. As identified in the *Location* subsection above, 35 to 45% of the out of date, constrained Core Strategy housing requirement is intended to be delivered via 'Renewal areas'. **This equates to some** 4,372 to 5,621 homes. The Transforming Estates Programme (TEP) was the primary vehicle intended to deliver new housing in the renewal areas. However, the appellants' uncontested evidence is that to date the TEP has delivered no new homes, that it has now been abandoned and that there is no identified replacement programme. The TEP was also to deliver 50 to 60% of the total affordable housing provision identified in the Core Strategy.
23. While there has been activity in terms of attempting to bring forward a replacement Local Plan, including at neighbourhood plan level and at sub-regional level, there can be no certainty regarding when a replacement Plan might be adopted. In the meantime, while I note that the Council has produced a Housing Delivery Test Action Plan and that a number of major housing development schemes have been granted planning permission, including on OPOL, there remains significant uncertainty regarding how and by when the substantial housing shortfall will be remedied. Nonetheless, it is apparent from the evidence that this will, at least in part, be dependent on further greenfield OPOL coming forward for housing development.
24. SRA take a different or, at least, additional approach to the housing requirement with reference to the Horwich Housing Needs Assessment, March 2020, (the HHNA), which was produced to inform the emerging Horwich Neighbourhood Plan. The suggested local housing requirement figure from the HHNA has not been consulted upon or been subjected to significant scrutiny.

³ This residual figure is for the period April 2020 to March 2026 and based on dwelling completions of 5,933 over the period April 2008 to March 2020 bearing in mind that the total Plan requirement is 12,492 homes

25. There were also a number of issues identified during the Inquiry, which indicate that reliance on the HHNA housing requirement figure in determining these appeals would be flawed. These include, amongst several other things, that it is not in general conformity with the Core Strategy, that the Council does not appear to have been asked to provide an indicative housing requirement figure for the Neighbourhood Plan area, and **its 'Step 5: the Local Authority'** appears to sit at **odds with the Council's role as local planning authority and, even if this** were not the case, it has not yet been undertaken. Consequently, in this respect the HHNA does not diminish the weight to be attached to the delivery of housing associated with either appeal scheme.

Community Infrastructure, Housing Mix and Scheme Delivery

26. **SRA's planning witness states that** *the Horwich area has been the focus of a large number of recent housing completions, and evidence shows the housing supply is more than ample, arguably the area is full.* Nonetheless, there is no substantiated supporting evidence or analysis regarding potential infrastructure constraints. Nor are there any outstanding objections to either of the proposed developments from any statutory consultee, the local highway authority, the local education authority, or any medical service provider. Consequently, I can give this matter no weight against either proposed development, and nor does it diminish the weight of those matters that weigh in favour of each appeal scheme.

27. This witness also raises reservations over the proposed housing mix that either of the appeal schemes would yield with reference to the HHNA. Nonetheless, **the Council's adopted policy on housing mix is set out in Core Strategy** Policy SC1. Given that the HHNA has not been the subject of consultation or scrutiny in the way that the Core Strategy Policy will have been, it attracts limited relative weight in that regard. In any event, housing mix is a matter that would be reserved for future consideration were planning permission to be granted. Accordingly, this matter also attracts no weight against either scheme, and nor does it diminish the weight of those matters that weigh in their favour.

28. I also see no good reason why either of the appeal schemes would not deliver at least 150 homes in the relevant 5 year period were they to be granted planning permission given the nature of the sites and the wider circumstances of each case, including that the land is in the control of a housebuilder that has been involved in the formulation of both applications. **SRA's suggestion that** this may not be the case, therefore, attracts very limited weight.

Public Health

29. **SRA's evidence on this matter provides a helpful reminder of the importance** and value of public health and well-being, as recognised in the Framework and as highlighted during the on-going Covid-19 pandemic, particularly in areas effected by deprivation. Nonetheless, its evidence in this regard carries very limited weight against either appeal scheme due to many wide-ranging reasons, the more significant and prominent of which are summarised in the following paragraphs.

30. There is no requirement nationally or locally for development of the types proposed to have a Public Health Impact Assessment and no request has been made for one in respect to either scheme from the Council or from any health

service provider. None has been undertaken, including to inform SRA's evidence, which is based on a more narrow, partial approach. The **government's** policy on such matters is embedded within the Framework as part of its planning policies for England and there is no planning policy requirement for proposed development to address existing deficiencies. There are no outstanding objections to the appeal proposals from the Council, health service providers or any statutory consultee in this regard.

31. While relying, at least to some extent, on the impacts of the proposals on air quality, noise, traffic impact, ecology and flooding, the wider professional evidence indicates that there would be no significant effects in these respects. **The results of the survey undertaken to help inform SRA's evidence appears** likely to have been influenced by the context of the appeal proposals as well as by some of the partial communication associated with the survey and by Question 6 within the survey itself. Some of the responses to the questionnaire also suggest that there may have been at least some misunderstanding by some respondents regarding the land and proposals in question.
32. The evidence indicates that there is no lawful access to either appeal site other than along rights of way. These rights of way would be retained as part of both schemes, such that any associated effects would be limited to how the experience of using the rights of way would change as a result of the appeal developments. In the case of the public footpath that follows Nellies Clough, this would be limited to a stretch of only some 87m and 268m, in the case of Appeals B and A respectively. In spite of the analysis provided, it remains unclear how such change **might affect people's use** of this right of way or their well-being, if at all. **SRA's evidence also appears to pay unduly limited regard** to the potential benefits offered by the appeal proposals in terms of health and well-being, such as through the provision of affordable housing and/or enhancement of publicly accessible open space.

Other Considerations

33. In addition to the main issues and the other matters outlined above, concern has been expressed locally, including in respect to the extents to which the current schemes differ from the Previous Appeal scheme; effects on rights of way, biodiversity, wider matters of health and wellbeing; loss of agricultural land, dry stone wall, the golf club, trees, tranquillity and greenspace; highway safety, access arrangements, congestion, rat-running, car-dependency, and parking; the cumulative effect of either set of proposals with other development, including the need to take a holistic approach to development in Horwich; there are adequate other sources of housing without these schemes, Horwich has already contributed enough new homes, and brownfield land should be developed first; infrastructure, services and facilities as existing and proposed, including open space; consultation on the proposals; drainage and flooding; and living conditions in the area, including in respect to air quality, pollution, noise and light, and including during the construction phase.
34. Other issues raised include antisocial behaviour; the sites are being promoted to be designated Green Belt; weight should be given to local opposition; overdevelopment; the planning system and circumstances of the appeals favour the developer over the local community; climate change; matters relating to the pandemic; proximity to Wallsuches Conservation Area; there are

limited employment opportunities in the area; **more 'social housing' is needed**; the affordability of the proposed housing; **the developer's motives and conduct**; the golf course has been intentionally rundown; there is established public access to and across the sites additional to the identified rights of way; any benefits associated with Appeal B are more limited than those of Appeal A due to the smaller number of homes proposed; the setting of a precedent for other development; the deliverability, maintenance and retention of the proposed mitigation; and that the schemes are prejudicial to and premature in terms of the local plan-making process, including in respect to HNP and Places for Everyone / Greater Manchester Spatial Framework.

35. These matters are largely identified and considered within the Council officers' reports on the appeal developments. They were also before the Council when it prepared its evidence and when it submitted its case at the Inquiry, and are largely addressed in its evidence and in the statements of common ground. Other than as set out above, the Council did not conclude that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's **conclusions in these respects subject to the** respective Planning Obligations and the imposition of planning conditions.
36. I also note that representations have been made in support of housing development at the golf club site. While I have also taken them into account, they have not altered my overall decision on either appeal.
37. In addition to the Previous Appeal decision letter, the evidence refers to a range of decision letters in respect to other planning appeals as well as to other planning decisions made locally. I am mindful of the need for consistency in decision making, particularly in respect to appeals casework. Nonetheless, while I am not familiar with all of the circumstances of those other cases, they do appear to differ in notable respects to those of the appeal proposals. Moreover, each application for planning permission must be determined on its individual merits. Consequently, none of those other cases have had a significant bearing on my decision.

Planning Balance

38. The Council cannot currently demonstrate a Framework compliant supply of housing land and the development plan is based on a significantly constrained housing requirement, which is out of date and inconsistent with the Framework. As a consequence, the fact that both proposed developments would be at **odds with the area's strategy for the location of new housing** and conflict, in that regard, with Core Strategy Policies SC1 and OA1, and with Allocations Plan Policy CG6AP, currently carries limited weight against them.
39. As outlined above, I am not persuaded by the evidence that either of the proposed developments would have a significantly harmful effect on the **character and appearance of the area, including in terms of Horwich's** landscape setting, nor that they would conflict, in that regard, with Core Strategy Policies CG3 and OA1. Nonetheless, if I were to adopt the position of the Council or that of SRA as presented during the appeals process on this matter that would amount to very significant weight against either appeal development. As outlined above, there are no other matters that individually or collectively significantly weigh against either appeal scheme or which significantly diminish the considerations that weigh in their favour.

40. Either of the proposed developments would bring a range of benefits, most notably the delivery of a considerable amount of market and affordable housing in an accessible location with good access to a range of services and facilities. **In the context of the area's current issues with housing delivery, the benefits together carry at least considerable weight in favour of each of the appeal schemes.**
41. **Due to the Borough's current housing land supply issues, the so-called tilted balance**, as set out in para 11 of the Framework, applies to the determination of both appeals. It provides 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.
42. Even if I were to have found that the effect of either scheme on the character and appearance of the area and any associated development plan policy conflict carried very significant weight against both appeal developments, the collective weight of the adverse impacts would not significantly and demonstrably outweigh the considerable identified benefits, when assessed against the policies in the Framework taken as a whole. Accordingly, both appeal schemes would be sustainable development in the terms of the Framework for which there is a presumption in its favour, such that the sites both represent acceptable locations for housing development.

Conditions

43. Final schedules of suggested conditions for each appeal, as agreed by all three main parties, were supplied to me shortly after the Inquiry closed in accordance with an agreed timetable. They include the standard time limit / implementation conditions, including in terms of phasing in respect to Appeal A, which also applies to several of the other Appeal A conditions. I have considered these in the light of government guidance on the use of conditions in planning permissions and made amendments accordingly. My conclusions in respect to both appeals are summarised below.
44. In order to provide certainty, and to protect living conditions within the area as well as character and appearance, a condition would be necessary to ensure that the developments would proceed in substantial compliance with the principles and parameters of key illustrative plans. For those reasons as well as to ensure that the homes would meet local needs, to reduce crime and the fear of crime, and in the interests of biodiversity, conditions would also be necessary to control the details of material to accompany the reserved matters applications, including in respect to housing mix, landscape strategy and the restoration of the upper fairway⁴, crime impact, and tree assessment and protection, along with their implementation.
45. To safeguard and enhance biodiversity, conditions would be necessary to control habitat compensation and connectivity, the details of bat, reptile, amphibian, badger and bluebell protection/mitigation, the details of a Landscape Ecological Management Plan, and to mitigate invasive species. For those reasons and to protect the character and appearance of the area and living conditions within the area, a condition would be necessary to control

⁴ Restoration of the upper fairway in the case of Appeal A only, not Appeal B

- details of lighting. A condition to secure public art would be necessary to ensure compliance with Core Strategy Policy IPC1.
46. A condition requiring adequate remediation of any contamination affecting the sites would be necessary to safeguard the health and well-being of future occupiers. Conditions to control the details of surface and foul water drainage, would also be necessary to reduce flood risk, to control surface water run-off and in the interests of public health. In the interests of highway safety, to **safeguard residents' living conditions and to protect wildlife and their habitat**, a condition would also be necessary to ensure that the construction works proceed in accordance with a Construction Environmental Management Plan.
47. A condition to control the delivery of the proposed access would be necessary in the interests of highways safety and to ensure that both developments would be served by appropriate means of access. To promote sustainable modes of transport, reduce the need for travel and in the interests of highway safety, conditions to secure the implementation of a Travel Plan and the installation of charging points for electric vehicles would be necessary.
48. In order to provide certainty in respect to the matters that are not reserved for future consideration, a condition requiring that the developments would be carried out in accordance with the approved plans would be necessary. Although such a condition has not been suggested to me for either appeal scheme, for that reason and to protect the character and appearance of the area, a condition limiting the number of dwellings permitted for each development to no more than the upper amount that each application sought permission for would also be necessary.

Conclusion

49. In conclusion, both appeal proposals would be at odds with the spatial strategy of the development plan in terms of the location of new housing development of this type and cause at least some harm to the character and appearance of the area.
50. In both cases, however, the combined adverse impacts would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the appeal schemes would both represent sustainable development in the terms of the Framework, which is a material consideration that, in the particular circumstances of each case, outweighs the conflict with the development plan as a whole⁵.
51. Accordingly, subject to the identified conditions, Appeals A and B are allowed.

G D Jones

INSPECTOR

⁵ Here, although I have found no conflict with Core Strategy Policies CG3 and OA1 in respect to either **developments' effect** on the character and appearance of the area, **with particular regard to Horwich's landscape setting**, for the purposes of this exercise, as a decision-making tool, I have applied the Council's and SRA's positions on this main issue in terms of the harm and associated development plan conflict they each allege

APPEARANCES

FOR THE APPELLANTS:

| | |
|---|---|
| Giles Cannock, of Queens Counsel | Instructed by Kathryn Jump, Shoosmiths, Manchester |
| He called ⁶ | |
| Brian Denney BA (HONS), DIPLA, FLI, CENV, MIEMA | Landscape & Environmental Planning Senior Director, Pegasus Planning Group Limited |
| Francis Hesketh MCIEEM, CML1, CEnv, MICFor | Ecology Director, The Environment Partnership |
| Mark Jones BEng (Hons), CEng, C.WEM, MICE, FCIWEM | LK Consult Ltd |
| John Coxon BSc (Hons) MPlan MRTPI | Director, Emery Planning |

FOR THE LOCAL PLANNING AUTHORITY:

| | |
|------------------------|---|
| Alan Evans, of Counsel | Nicola Raby, Senior Lawyer with Bolton Metropolitan Borough Council (BMBC) |
| He called ⁷ | |
| Councillor Nick Peel | Borough Councillor |

FOR STOCKS RESIDENTS' ASSOCIATION:

| | |
|--|--|
| Jonathan Easton of Counsel | Instructed by Stocks Residents' Association |
| He called | |
| Malcolm Harrison BSc, FRICS | Chair, Stocks Residents' Association |
| Professor Penny Cook BSc, PhD, PGCAP, FRSPH | Salford University |
| Jackie Copley MA, BA(Hons), PGCert, MRTPI | Campaign for the Protection of Rural England |

INTERESTED PERSONS:

| | |
|------------------------|--|
| Cllr Kevin McKeon | Borough Councillor |
| Cllr Richard Silvester | Borough Councillor |
| Bernard Taylor | Local Resident |
| Revd David Griffiths | Local Resident |
| Louise Aslam | Resident on behalf of residents of the Rivington Grange development |
| Ryan Bamforth | Local Resident |

⁶ Although other proofs of evidence were submitted in support of **the appellants' case**, only the four witnesses listed here were called to give evidence at the Inquiry

⁷ Additionally, Martin Mansell of BMBC contributed to the conditions / planning obligations session

APPEAL A - REF APP/N4205/W/20/3256381 - SCHEDULE OF CONDITIONS:

1. **All applications for the approval of 'Reserved Matters'** shall be made no later than the expiration of two years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development (or if the development is to be phased, no phase of the development) shall commence until details of access (internal layout only), appearance, landscaping, layout and **scale (hereinafter called "the reserved matters")** have been submitted to and approved in writing by the Local Planning Authority in respect of that phase.
3. If the development is to be phased, the first application for Reserved Matters shall be accompanied by a phasing plan. No development shall take place on any phase until the phasing plan has been approved in writing by the Local Planning Authority. The development shall be carried out thereafter only in accordance with the approved phasing plan.
4. Details of the Reserved Matters shall be in substantial compliance with the principles and parameters set out in the following plans:
 - 508E-64A - Parameters Plan with off site planting, 18 December 2019
 - 508E-65A - Illustrative Masterplan with off site planting, 18 December 2019
 - 508E-66A - Landscape Strategy with off site planting, 18 December 2019.
5. Any relevant application for Reserved Matters shall be accompanied by the following information for approval in writing by the Local Planning Authority and shall be implemented in accordance with the details approved therein:
 - a. Details of materials and finishes for all external walls, roofs, windows and doors and other external building features for homes, apartments, garages and other built structures;
 - b. Elevation drawings for all building types erected;
 - c. Floorplans for each level of all building types including roof plans;
 - d. Cross-sections in a minimum of two planes across the development site;
 - e. Details of cut and fill across the site to form proposed ground levels, including details of relevant retaining structures;
 - f. Details of finished floor levels of each building or structure and associated ground levels;
 - g. Interval cross-sections and long-sections for internal roads; and
 - h. Details of bin storage/recycling for each unit.
6. Any relevant application for Reserved Matters shall be accompanied by details of the housing mix proposed which shall include details of the number, type and tenure of each unit identified on a layout plan for approval in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

7. Any application for Reserved Matters shall be accompanied by a site-wide Landscape Strategy Plan. No development shall take place until the site-wide Landscape Strategy Plan has been approved in writing by the Local Planning Authority. The Landscape Strategy Plan shall also include details of the proposed off-site landscaping, as shown within drawing 508E-66A as "Area of off-site woodland planting". The development shall be implemented in accordance with the approved Landscape Strategy Plan.
8. Any application for Reserved Matters shall be accompanied by a site-wide Landscape Delivery & Management Scheme. The Landscape Delivery & Management Scheme shall cover all proposed and retained landscaped areas, including future publicly accessible areas, and shall include the following information for approval in writing by the Local Planning Authority:
 - a. Details of materials and finishes to hard and soft surfaces in public and publicly accessible areas;
 - b. Details of trees and shrubs to be planted / green infrastructure;
 - c. Details of boundary walls, fence and boundary treatments;
 - d. Details of external lighting structures, including external security lighting adjacent to woodland edges;
 - e. Details of proposed seating, bollards, bins, cycle racks, grilles and other street furniture proposed in public or publicly accessible areas;
 - f. Details of any proposed play equipment;
 - g. Details of proposed on-site alternative habitats, including for bats and nesting birds;
 - h. Updated biodiversity net gain calculation using the appropriate metric;
 - i. Details of the proposals for the future maintenance of public and publicly accessible areas of landscape in the form of a Landscape Delivery & Management Plan; and
 - j. Details for the programme of the delivery.

The development shall be carried out and maintained thereafter only in accordance with the approved scheme and plan.

9. **Any application for reserved matters shall be accompanied by a 'Crime Impact Statement' for approval in writing by the Local Planning Authority.** The development shall be carried out in accordance with the approved security measures and shall be retained thereafter.
10. No development (or if the development is to be phased, no phase of the development) shall commence until details of compensation for the loss of valued habitats to maintain and enhance the habitat connectivity across the site and the overall biodiversity of the site, as detailed within the Recommendations section of the Environment Partnership (TEP) Horwich Ecology Report (dated October 2019). The development shall be carried out only in accordance with the approved details.
11. Any application for Reserved Matters that proposes the felling or removal of trees shall be accompanied by an updated Bat Survey, to include aerial and

nocturnal surveys, to identify the potential for bat roosts on those trees proposed for removal and any compensation or mitigation measures necessary, for approval in writing by the Local Planning Authority. Any mitigation or compensation measures approved in the updated Bat Survey shall be carried out in accordance with the approved details and retained thereafter.

12. No development (or if the development is to be phased, no phase of the development) shall commence until details of the public art to be provided within that phase of the development have been submitted to and approved in writing by the Local Planning Authority. The public art shall be installed in full accordance with the approved details and in accordance with a timeframe to be submitted to and approved in writing by the Local Planning Authority. The public art shall be retained thereafter.
13. Any relevant application for reserved matters shall be accompanied by:
 - a. An Arboricultural Impact Assessment, including topographical information to prevent alterations within root protection zones of retained trees, woodland and hedgerows;
 - b. A Tree Protection Plan;
 - c. A Tree Removals Plan; and,
 - d. Service plans and specifications (where services fall within root protection zones of retained trees, woodland or hedgerows).

The development shall only be undertaken in accordance with the approved details.

14. No development shall commence until details of the proposed restoration of the Upper Fairway, including improvements of the hedgerow field boundaries and the removal of the fairway, bunkers and green, are submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved details and in accordance with a timeframe that shall have first been submitted to and approved in writing by the Local Planning Authority.
15. No development shall commence until details of a site-wide Bluebell Management Plan to include measures for the safeguarding of existing bluebells within the woodland areas within the site has been submitted to and approved in writing by the Local Planning Authority. The submitted Plan shall include a timetable and a programme for its implementation. The development shall be carried out only in accordance with the approved Plan.
16. No development (or if the development is to be phased, no phase of the development) shall commence until the following information has been submitted in writing and written permission at each of stages a – e below has been granted by the Local Planning Authority in respect of that phase.
 - a. The requirements as part of this condition shall have regard to the preliminary risk assessment that has been submitted to and approved by the Local Planning Authority, dated 27 January 2017 (ref: CL-602-LKC 16 1281-01) by LK Consultant Limited. Namely the requirement to carry out a site investigation.

- b. Prior to commencement of a Phase 2 intrusive survey, its scope shall have been submitted to and approved in writing by the Local Planning Authority. The intrusive survey shall include provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment. The survey shall be carried out in accordance with the approved scope and its findings presented and approved in writing by the Local Planning Authority.
 - c. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved in writing by the Local Planning Authority prior to implementation.
 - d. Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this shall be approved in writing by the Local Planning Authority.
 - e. Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.
17. No development (or if the development is to be phased, no phase of the development) shall commence until details of the implementation, adoption, maintenance and management of surface water, foul water and land drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted a site-wide assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework (or any subsequent amendment or replacement thereof), and the results of the assessment provided to the Local Planning Authority. The submitted details shall:
- a. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. Include a timetable for its implementation; and,
 - c. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- The development shall be carried out and maintained thereafter only in accordance with the approved details.
18. No development (or if the development is to be phased, no phase of the development) shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority in respect of that phase. The CEMP shall provide for:
- a. Hours of demolition, construction and deliveries;
 - b. Details of precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles shall

have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances and the sheeting over of construction vehicles hauling materials prior to entering the public highway;

- c. Dust suppression measures;
- d. Noise emission suppression measures;
- e. Measures for the recycling / disposal of waste arising from demolition and site construction works;
- f. Construction routes in and around the site;
- g. Compound location(s) together with details of the storage facilities for any plant and materials including off-site consolidation if appropriate, the siting of any site huts and temporary structures, including site hoardings and details of the proposed security arrangements for the site;
- h. Parking of vehicles associated with construction, deliveries, site personnel, operatives and visitors; and
- i. Measures to protect trees during construction.

Construction of the development shall be carried out only in accordance with the approved CEMP.

- 19. No development (or if the development is to be phased, no phase of the development) shall commence until a method statement addressing how the development will avoid the risk of killing or injuring any reptiles or amphibians which may be present on site shall be submitted to and approved in writing by the Local Planning Authority in respect of that phase. The approved measures shall be implemented in full and retained in accordance with the approved details.
- 20. No development (or if the development is to be phased, no phase of the development) shall commence until a site survey for badgers has been undertaken, submitted to and approved in writing by the Local Planning Authority, to ensure that badgers have not moved into the site prior to works commencing in respect of that phase. If badgers are found during the survey any recommendations for mitigation shall be fully implemented during the construction of the development and within the design of the development.
- 21. No development (or if the development is to be phased, no phase of the development) shall commence until a Non-Native Invasive Species Management Plan, including a scheme for the eradication of Japanese Knotweed and a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. Should there be a delay of more than one year between the approval of the scheme for the eradication of Japanese Knotweed and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority. The scheme shall be carried out as approved and retained thereafter.
- 22. No lighting shall be installed in public areas until a lighting scheme, to include details where necessary of measures to minimise and mitigate any impact from lighting on foraging and commuting bats along woodland edges, has

- been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved lighting scheme and the approved mitigation measures shall be retained thereafter.
23. No dwellings shall be occupied until details of the provision of five Schwegler 2B bat boxes to be installed on retained trees, including a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved details and retained thereafter.
 24. No demolition of the club house building (Building 1 within paragraph 5.9 of the Environment Partnership (TEP) Horwich Ecological Assessment (dated November 2017)) shall commence until a Reasonable Avoidance Measures Method Statement (RAMMS) has been submitted to and approved in writing by the Local Planning Authority. The RAMMS shall include the following measures, which shall be implemented in full:
 - a. The demolition to be undertaken outside the bat activity season (April to October) or a pre-commencement bat check to be completed by a licensed bat ecologist.
 - b. Bat roost features such as roof tiles, lead flashing and soffits to be removed by hand.
 25. No development shall commence until a scheme for the provision of the proposed vehicular access points at Victoria Road, Bond Close and Mayfair (in accordance with the approved plans listed at condition 28) has been submitted to and approved in writing by the Local Planning Authority. The scheme to be approved shall include details of the detailed construction specification and timing of implementation. The vehicular access points shall be provided in accordance with the approved scheme and retained thereafter.
 26. Within 3 months of the occupation of the 100th dwelling hereby approved a survey shall be undertaken of resident travel patterns and a Detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Detailed Travel Plan shall set out measures to encourage sustainable travel, appropriate targets and regular monitoring to take place following occupation of the 100th dwelling, and appointment of a Travel Plan Coordinator in accordance with the recommendations in Sections 4.0 and 5.0 of the Framework Travel Plan prepared by TTHC (M16068-02A FTP, dated October 2019). The Detailed Travel Plan, its measures, targets and monitoring, shall be carried out as approved and retained thereafter.
 27. Upon approval of the landscape details under condition 7 of this permission, the new planting shall be carried out during the planting season October / March inclusive, in accordance with the appropriate British Standard BS4428: 1989, (as amended, revoked or re-enacted), in accordance with the timescales set out within the programme of delivery to be approved under condition 8, unless otherwise approved in writing by the Local Planning Authority. Any plants or trees found damaged, dead or dying in the first five years are to be fully replaced and the scheme thereafter retained.
 28. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

- M16068-A-009E - Proposed Access Visibility Splays, 9 October 2019
 - M16068-A-013 - Access from Mayfair, 9 October 2019
 - M16068-A-014 - Access from Bond Close, 9 October 2019
 - Land off Victoria Road, Horwich, Bolton Location Plan, 24 October 2019.
29. A landscape and ecological management plan (LEMP) (or equivalent) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwelling houses hereby approved. The content of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in the Biodiversity Net Gain Assessment [TEP Report 5719.03.003, dated October 2019] and shall include biodiversity net gain areas as shown on the Ecological Enhancement and Habitat Management Strategy [TEP Report 5719.03.001, dated October 2019] and the proposed off-site landscaping, as shown within drawing 508E-66A as "Area of off-site woodland planting". An updated Biodiversity Net Gain Report and Biodiversity Metric calculation shall be submitted based on the detailed design and landscape plan, and the accompanying GIS file shall be submitted **to support the report's findings**. The LEMP shall also include:
- a. Description and evaluation of features to be managed.
 - b. Ecological trends and constraints on site that might influence management.
 - c. Aims and objectives of management.
 - d. Appropriate management options for achieving aims and objectives.
 - e. Prescriptions for management actions for all habitats and species for a period of no less than 30 years.
 - f. Preparation of a work schedule and phasing details (including an annual work plan capable of being rolled forward over a five-year period).
 - g. Details of the body or organization responsible for implementation of the plan.
 - h. Ongoing monitoring and remedial measures.
- The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, approved and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved scheme shall be implemented in accordance with the approved details and retained thereafter.
30. Prior to the first occupation of each dwelling hereby permitted one Electric **Vehicle fused spur capable of powering 7kW 'fast charger' point shall be** installed for that dwelling.
31. The submission of reserved matter applications pursuant to this outline planning permission shall together provide for no more than 276 dwellings.

APPEAL B - REF APP/N4205/W/20/3266030 - SCHEDULE OF CONDITIONS:

1. **All applications for the approval of 'Reserved Matters' shall be made no later than the expiration of two years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.**
2. Details of the access (internal layout only), appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
3. Details of the Reserved Matters shall be in substantial compliance with the principles and parameters set out in the following plans:
 - P20-0622.003 Rev D - Illustrative Masterplan, 22 August 2020
 - P20-0622.004 Rev F - Landscape Masterplan, 23 September 2020
 - P20-0622.005 Rev D - Parameters Plan, 23 September 2020
4. Any relevant application for Reserved Matters shall be accompanied by the following information for approval in writing by the Local Planning Authority and shall be implemented in accordance with the details approved therein:
 - a. Details of materials and finishes for all external walls, roofs, windows and doors and other external building features for homes, apartments, garages and other built structures;
 - b. Elevation drawings for all building types erected;
 - c. Floorplans for each level of all building types including roof plans;
 - d. Cross-sections in a minimum of two planes across the development site;
 - e. Details of cut and fill across the site to form proposed ground levels, including details of relevant retaining structures;
 - f. Details of finished floor levels of each building or structure and associated ground levels;
 - g. Interval cross-sections and long-sections for internal roads; and
 - h. Details of bin storage/recycling for each unit.
5. Any relevant application for Reserved Matters shall be accompanied by details of the housing mix proposed which shall include details of the number, type and tenure of each unit identified on a layout plan for approval in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.
6. Any application for Reserved Matters for landscape shall be accompanied by a Landscape Strategy Plan for approval in writing by the Local Planning Authority. No development shall take place until the Landscape Strategy Plan has been approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Landscape Strategy Plan.

7. Any application for Reserved Matters shall be accompanied by a site-wide Landscape Delivery & Management Scheme. The Landscape Delivery & Management Scheme shall cover all proposed and retained landscaped areas, including future publicly accessible areas, and shall include the following information for approval in writing by the Local Planning Authority:
 - a. Details of materials and finishes to hard and soft surfaces in public and publicly accessible areas;
 - b. Details of trees and shrubs to be planted / green infrastructure;
 - c. Details of boundary walls, fence and boundary treatments;
 - d. Details of external lighting structures, including external security lighting adjacent to woodland edges;
 - e. Details of proposed seating, bollards, bins, cycle racks, grilles and other street furniture proposed in public or publicly accessible areas;
 - f. Details of any proposed play equipment;
 - g. Details of proposed on-site alternative habitats, including for bats and nesting birds;
 - h. Updated biodiversity net gain calculation using the appropriate metric;
 - i. Details of the proposals for the future maintenance of public and publicly accessible areas of landscape in the form of a Landscape Delivery & Management Plan; and
 - j. Details for the programme of the delivery.

The development shall be carried out and maintained thereafter only in accordance with the approved scheme and plan.

8. **Any application for reserved matters shall be accompanied by a 'Crime Impact Statement' for approval in writing by the Local Planning Authority.** The development shall be carried out in accordance with the approved security measures and shall be retained thereafter.
9. No development shall commence until details of compensation for the loss of valued habitats to maintain and enhance the habitat connectivity across the site and the overall biodiversity of the site, as detailed within the Recommendations section of the Environment Partnership (TEP) Horwich Ecology Report (dated August 2020). The development shall be carried out only in accordance with the approved details.
10. Any application for Reserved Matters that proposes the felling or removal of trees shall be accompanied by an updated Bat Survey, to include aerial and nocturnal surveys, to identify the potential for bat roosts on those trees proposed for removal and any compensation or mitigation measures necessary, for approval in writing by the Local Planning Authority. Any mitigation or compensation measures approved in the updated Bat Survey shall be carried out in accordance with the approved details and retained thereafter.
11. Details of the public art to be provided within the development shall be submitted with the application for the approval of any Reserved Matters for

appearance. The public art shall be installed in full accordance with the approved details and in accordance with a timeframe to be submitted to and approved in writing by the Local Planning Authority. The public art shall be retained thereafter.

12. Any relevant application for reserved matters shall be accompanied by:
- a. An Arboricultural Impact Assessment, including topographical information to prevent alterations within root protection zones of retained trees, woodland and hedgerows;
 - b. A Tree Protection Plan;
 - c. A Tree Removals Plan; and,
 - d. Service plans and specifications (where services fall within root protection zones of retained trees, woodland or hedgerows).

The development shall only be undertaken in accordance with the approved details.

13. No development shall commence until details of a Bluebell Management Plan to include measures for the safeguarding of existing bluebells within the woodland areas within the site has been submitted to and approved in writing by the Local Planning Authority. The submitted Plan shall include a programme for its implementation. The development shall be carried out only in accordance with the approved Plan.

14. No development shall commence until the following information has been submitted in writing and written permission at each of staged a – e below has been granted by the Local Planning Authority.

- a. The requirements as part of this condition shall have regard to the preliminary risk assessment that has been submitted to and approved by the Local Planning Authority, dated September 2020 (ref: LKC 20 1655) by LK Consultant Limited. Namely the requirement to carry out a site investigation.
- b. Prior to commencement of a Phase 2 intrusive survey, its scope shall have been submitted to and approved in writing by the Local Planning Authority. The intrusive survey shall include provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment. The survey shall be carried out in accordance with the approved scope and its findings presented and approved in writing by the Local Planning Authority.
- c. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved in writing by the Local Planning Authority prior to implementation.
- d. Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this shall be approved in writing by the Local Planning Authority.
- e. Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been

appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

15. No development shall commence until details of the implementation, adoption, maintenance and management of surface water, foul water and land drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework (or any subsequent amendment or replacement thereof), and the results of the assessment provided to the Local Planning Authority. The submitted details shall:
- a. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. Include a timetable for its implementation; and,
 - c. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out and maintained thereafter only in accordance with the approved details.

16. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The CEMP shall provide for:
- a. Hours of demolition, construction and deliveries;
 - b. Details of precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles shall have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances and the sheeting over of construction vehicles hauling materials prior to entering the public highway;
 - c. Dust suppression measures;
 - d. Noise emission suppression measures;
 - e. Measures for the recycling / disposal of waste arising from demolition and site construction works;
 - f. Construction routes in and around the site;
 - g. Compound location(s) together with details of the storage facilities for any plant and materials including off-site consolidation if appropriate, the siting of any site huts and temporary structures, including site hoardings and details of the proposed security arrangements for the site;
 - h. Parking of vehicles associated with construction, deliveries, site personnel, operatives and visitors; and
 - i. Measures to protect trees during construction.

Construction of the development shall be carried out only in accordance with the approved CEMP.

17. No development shall commence until a method statement addressing how the development will avoid the risk of killing or injuring any reptiles or amphibians which may be present on site shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full and retained in accordance with the approved details.
18. No development shall commence until a site survey for badgers has been undertaken, submitted to and approved in writing by the Local Planning Authority, to ensure that badgers have not moved into the site prior to works commencing. If badgers are found during the survey any recommendations for mitigation shall be fully accounted for during the construction of the development and within the design of the development.
19. No development shall commence until a Non-Native Invasive Species Management Plan, including a scheme for the eradication of Japanese Knotweed and a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. Should there be a delay of more than one year between the approval of the scheme for the eradication of Japanese Knotweed and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority. The scheme shall be carried out as approved and retained thereafter.
20. No lighting shall be installed in public areas until a lighting scheme, to include details where necessary of measures to minimise and mitigate any impact from lighting on foraging and commuting bats along woodland edges, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved lighting scheme and the approved mitigation measures shall be retained thereafter.
21. No dwellings shall be occupied until details of the provision of five Schwegler 2B bat boxes to be installed on retained trees, including a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved details and retained thereafter.
22. No demolition of the club house building (Building 1 within paragraph 5.9 of the Environment Partnership (TEP) Horwich Ecological Assessment, dated November 2017) shall commence until a Reasonable Avoidance Measures Method Statement (RAMMS) has been submitted to and approved in writing by the Local Planning Authority. The RAMMS shall include the following measures, which shall be implemented in full:
 - a. The demolition to be undertaken outside the bat activity season (April to October) or a pre-commencement bat check to be completed by a licensed bat ecologist.
 - b. Bat roost features such as roof tiles, lead flashing and soffits to be removed by hand.

23. No development shall take place until a scheme for the provision of the proposed vehicular access point at Victoria Road (in accordance with the approved plans listed at condition 26) has been submitted to and approved in writing by the Local Planning Authority. The scheme to be approved shall include details of the detailed construction specification and timing of implementation. The vehicular access point shall be provided in accordance with the approved scheme and retained thereafter.
24. Within 3 months of the occupation of the 100th dwelling hereby approved a survey shall be undertaken of resident travel patterns and a Detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Detailed Travel Plan shall set out measures to encourage sustainable travel, appropriate targets and regular monitoring to take place following occupation of the 100th dwelling, and appointment of a Travel Plan Coordinator in accordance with the recommendations in Sections 4.0 and 5.0 of the Framework Travel Plan prepared by TTHC (M16068-03 FTP, dated August 2020). The Detailed Travel Plan, its measures, targets and monitoring, shall be carried out as approved and retained thereafter.
25. Upon approval of the landscape details under condition 6 of this permission, the new planting shall be carried out during the planting season October / March inclusive, in accordance with the appropriate British Standard BS4428: 1989, (as amended, revoked or re-enacted), in accordance with the timescales set out within the programme of delivery to be approved under condition 7, unless otherwise approved in writing by the Local Planning Authority. Any plants or trees found damaged, dead or dying in the first five years are to be fully replaced and the scheme thereafter retained.
26. The development hereby permitted shall be carried out in complete accordance with the following approved plans:
 - P20-0622.001 Rev A - Site Location Plan, 17 September 2020
 - M16068-A-016 - Figure 7: Proposed Access Visibility Splays, 18 September 2020.
27. A landscape and ecological management plan (LEMP) (or equivalent) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwelling houses hereby approved. The content of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in the Biodiversity Net Gain Assessment [TEP Report 5719.04.003 dated August 2020] and shall include biodiversity net gain areas as set out in the Ecological Enhancement and Habitat Management Strategy [TEP Report 5719.04.004 dated August 2020]. An updated Biodiversity Net Gain Report and Biodiversity Metric calculation shall be submitted based on the detailed design and landscape plan, and the accompanying GIS file shall **be submitted to support the report's findings**. The LEMP shall also include:
 - a. Description and evaluation of features to be managed.
 - b. Ecological trends and constraints on site that might influence management.
 - c. Aims and objectives of management.

- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions for all habitats and species for a period of no less than 30 years.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, approved and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved scheme shall be implemented in accordance with the approved details and retained thereafter.

- 28. Prior to the first occupation of each dwelling hereby permitted one Electric **Vehicle fused spur capable of powering 7kW 'fast charger' point shall be** installed for that dwelling.
- 29. The submission of reserved matter applications pursuant to this outline planning permission shall together provide for no more than 150 dwellings.

EP2

WITHOUT PREJUDICE AND SUBJECT TO CONTRACT

BLOOR HOMES (NW)

Draft S106 HEADS OF TERMS

- 1.1 Proposed Planning Obligation Agreement under Section 106 of the Town and Country Planning Act 1990 ("the 1990 Act").
- 1.2 Bloor Homes (NW) is willing to enter into a Section 106 agreement in respect of a legal agreement to provide appropriate planning obligations.
- 1.3 The applicant agrees to enter into a planning obligation with Staffordshire Moorlands District Council on the basis that any obligations or covenants comply with policy tests set out through the National Planning Policy Framework (the Framework), and the statutory tests set out through the Community Infrastructure Levy Regulations (2010).
- 1.4 Details required for the drafting of the Section 106 agreement are as follows:
 - Applicant details – See application form.
 - Owner – See application form.
 - Owner's registered address – See application form.
 - Mortgagee – To be confirmed.
 - Mortgagee address – To be confirmed.
 - Legal representative – To be confirmed.
- 1.5 The applicant will seek to agree a Section 106 agreement with the Council to secure provision of:

Affordable housing - 33% affordable housing. The tenure split will be discussed as part of the S106 negotiations.

Self-build and customs homes – delivery of 10 no. custom / self-build units

Off-site education contribution - subject to negotiation during the planning application determination process.

Open space – delivery of open space and children's play space on site and the extension and upgrading of the existing area or open space located to the north of Hammersley Hayes Road.

EP3

Housing Calculator Local Authority

Local Planning Authority

Current

Extra

To find estimates of the economic and social benefits of house building that are being felt in a particular community, please select an area from the drop-down list

Staffordshire Moorlands

| | | |
|--|------------|------------|
| 2017 Starts | 94 | 228 |
| Total Jobs | 291 | 706 |
| Affordable Homes | 21 | 52 |
| Affordable housing value (homes+£) | £2,608,902 | £6,327,975 |
| Apprentices, graduates, trainees | 3 | 7 |
| Education (£) | £75,782 | £183,813 |
| Open space, community sport, leisure (£) | £27,952 | £67,800 |
| Spending in local shops (£) | £2,475,884 | £6,005,337 |
| Direct Employment | 100 | 243 |
| Indirect | 76 | 184 |
| Induced | 79 | 193 |
| Tax | £1,132,982 | £2,748,084 |
| Council Tax | £106,169 | £257,516 |

If house building increased in the area

228