

## **PLANNING POLICY COMMENTS**

**Date:** 13 July 2022

**Application Number:** SMD/2021/0610

**Location:** Land East of Froghall Road, Cheadle

**Proposal:** Outline for up to 228 dwellings with access considered

**Background / History:** This is a greenfield site located outside the development boundary to the north east of Cheadle. The site is not allocated in the Local Plan.

### **Policy Considerations:**

#### **National Policy**

Para 2 NPPF 'Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.'

Para 11 NPPF 'Plans and decisions should apply a presumption in favour of sustainable development.....For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:
  - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>7</sup>; 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.'

<sup>7</sup> The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

<sup>8</sup> This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

Para 12 NPPF 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan .....permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-

date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Para 47 NPPF 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.'

Para 68 NPPF 'Planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period<sup>34</sup>; and
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.'

<sup>34</sup> With an appropriate buffer, as set out in paragraph 74. See Glossary for definitions of deliverable and developable.

Para 74 NPPF 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.....'

## **Staffordshire Moorlands Local Plan**

Policies of particular relevance include:

Policy SS2 Settlement Hierarchy – Spatial strategy seeks to focus future growth in the towns and to strengthen their role as service centres. Towns will be defined by a Development Boundary.

Policy SS3 Future Provision and Distribution of Development – Provision will be made for at least 6080 additional dwellings during the period 2014-2033, of this 25% will be located in Cheadle. Policy SS3 also sets out how the five year housing land supply will be maintained in accordance with the trajectory. 'The Council will closely monitor allocations, residential windfall sites and affordable housing to ensure that they are meeting expected delivery levels. The Council will review the Local Plan to assess whether it needs updating to bring forward additional sites for development no later than 5 years from its adoption.'

Policy SS4 Strategic Housing and Employment Land Supply – Net housing requirement for Cheadle is 1158 which will be met from new allocations (totalling 1026 dwellings) allocated in Policy H2 and a windfall allowance for small sites (10 per annum) that accords with the Spatial Strategy and Policy H1.

Policy SS7 Cheadle Area Strategy – Seeks to expand the role of Cheadle as a significant service centre and a market town. This will be achieved by increasing the range of available and affordable house types and higher market housing; and by the development of specific housing sites through new site allocations in the Local Plan. It also seeks to improve environmental quality and accessibility by addressing traffic related issues in the town centre and along the A521 and A522 by working with partners to develop and implement transport improvements.

Policy SS10 Other Rural Areas Strategy – The other rural areas comprise ‘the countryside and the green belt outside of the development boundaries of the towns and larger villages and the open countryside surrounding the smaller villages’ and will provide only for development which has an essential need to be located in the countryside.

Policy H1 New Housing Development :

- New housing development should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in Policy H3.
- Where demand exists for self-build / custom-build plots, residential developments of 10 or more will make a contribution towards this need in agreement with the Council.
- Housing for special groups, particularly for older people and others as identified in the SHMA ...should be of a scale and in a location which is appropriate to its needs.
- Housing proposals of 10 dwellings or more will be required to provide a mix of housing in terms of size, type and tenure...with the final mix negotiated with the developer based on housing needs as informed by the SHMA and other factors such as available supply and market demand.
- In the towns, in addition to the allocated sites in Policy H2, residential development and development on unidentified (windfall) sites within the development boundary will be permitted, subject to compliance with the Spatial Strategy and wider Local Plan policies.
- In the other rural areas in the open countryside (outside the development boundary) the only forms of housing development will be for: affordable housing which cannot be met elsewhere; new dwellings that meet an essential local need; replacement dwellings; conversions of rural buildings; proposals to develop previously developed land; or the subdivision of an existing residential dwelling.

Policy H2 Housing Allocations – The new local plan allocates sites across Cheadle totalling 1026 dwellings including Strategic Development Areas in Cheadle North, Cecilly Brook and Mobberley.

Policy H3 Affordable Housing – Residential developments of 10 dwellings or more shall provide 33% affordable housing.....60% social rented / 40% intermediate/starter homes.

Policy DC1 Design Considerations – All development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area. New developments designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.

Policy DC3 Landscape and Settlement Setting – The Council will protect and where possible enhance local landscape and the setting of settlements in the Staffordshire Moorlands.

Policy C1 Creating Sustainable Communities - Only permit new development where the utility, transport and community infrastructure necessary to serve it is either available or will be made available by the time it is needed....

Policy NE1 Biodiversity and Geological Resources – Expecting all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of development.....

Policy T1 – Development and Sustainable Transport- ensuring major development is located in areas that are accessible by sustainable travel modes or can be made accessible.....

Policy T2 – Other Sustainable Transport Measures- encourage and support better accessibility, safer roads, reduce the impact of traffic and facilitate highway improvements.

### Comments

- The Staffordshire Moorlands Local Plan was adopted on the 9<sup>th</sup> September 2020.
- The most recent published 5-year land supply statement (February 2022) confirms that the district has a supply of 4.21 years on 1<sup>st</sup> April 2021.
- Policy SS3 states that 25% of the overall housing requirement for the district will be located in Cheadle and clarifies how the five year housing supply will be maintained in accordance with the trajectory. Policies in the plan allocate specific, deliverable sites for years one to five of the plan period and specific, developable sites for growth, for years 6-10 of the plan and even further (years 11-13) which is consistent with the Framework. Policy SS4 clearly sets out how the housing requirement for Cheadle will be met by allocations totalling 1026 dwellings and a windfall allowance for small sites.
- As the site lies outside the Cheadle development boundary Policy SS10 ‘Other Rural Areas’ is more directly applicable. Policy H1 states that in addition to the allocated sites, unidentified residential windfall sites will be allowed within the development boundary (subject to wider Local Plan policies). Policy H1 does not provide flexibility for additional residential sites, such as this, on the edge of the towns outside the development boundary as the requirement is already met within the Cheadle development boundary. However as this part of policy H1 restricts the supply of housing, less weight can be given to the policy as specified in NPPF para 11d.
- In terms of housing mix, Policy SS7 seeks to increase the range of available and affordable house types and higher market housing, including for first time buyers and families. Policy SS10 states that the Other Rural Areas will provide only for development which has an essential need to be located in the countryside in accordance with Policy H1.
- Policy H1 states that the final mix should negotiated with the developer based on housing needs as informed by the SHMA and other factors such as available supply and market demand. Below is the ward based census data with a calculation of the percentages of dwellings for Cheadle NE and Churnet Wards (site covers both wards) and the property size and type recommended by the SHMA. The application should bring the housing stock closer to the SHMA recommendations. (The 2021 ward data is not yet available from ONS.)

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

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

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

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

Ruth Wooddisse  
 Planning Officer