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## Appeal Decision

Site visit made on 26 September 2016

**by Helen Hockenhull BA(Hons) B.PI MRTPI**

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

**Decision date: 19 October 2016**

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**Appeal Ref: APP/R0660/W/16/3153812**

**Land to rear of New House Farm, Clay Lane, Haslington, Crewe CW1 5SQ**

- 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 HIMOR(Land) Ltd and Lorne Waldermar, Conrad Pilip and Diane Lorraine Pilip against the decision of Cheshire East Council.
  - The application Ref 15/2391N, dated 21 May 2015, was refused by notice dated 6 January 2016.
  - The development proposed is the erection of up to 10 dwellings with detached garage buildings, landscaping and associated access.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The appeal was submitted in outline with access only to be determined at this stage. I have considered the appeal on this basis with the sketch layout of the proposed development being for indicative purposes only, with the exception of the access details.

### Main Issue

3. The main issue in this case is the effect of the development on the rural economy and supply of employment land.

### Reasons

4. The appeal site forms an existing employment site located to the rear of New House Farm, Haslington. The site is located within the open countryside and accommodates a number of small businesses including a road surfacing business, car body repairs, paint spraying, storage and distribution and a haulage contractor. Approximately 40% of the site comprises buildings, the remaining forming hard standing for storage and parking. I am advised by the appellant that there are 11 occupiers on the site providing 60 jobs.
  5. Saved Policy E7 of the Borough of Crewe and Nantwich Replacement Local Plan 2011(CNLP) states that proposals resulting in the loss of employment sites will only be permitted where it can be demonstrated that the present use harms the character or amenities of the surrounding adjacent area; the site is not capable of satisfactory use for employment and overriding benefits would come
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- from the proposed development or it can be demonstrated that there would be no detrimental impact on the supply of employment land or premises.
6. Policy EG3 of the emerging Cheshire East Local Plan Strategy Submission Version (CELPSSV) very much reflects Saved Policy E7 and advises that employment sites will be protected for employment use unless the premises are causing a significant nuisance or environmental problems that could not be mitigated or the site is no longer suitable or viable for employment use. In addition the policy states that there should be no potential for modernisation or alternate employment uses and no other occupiers can be found. The Cheshire East Local Plan is currently the subject of Examination with unresolved objections which may result in changes to the final version of the document. Accordingly I attach limited weight to this policy.
  7. With regard to the criteria of Policy E7, the site is located in the open countryside set back from the road. I noted on my site visit that the site is typical of many industrial sites, with a range of small buildings, some of substantial construction others pre-fabricated, a number of metal containers, vehicles and other equipment. The site is not attractive but this is not really appreciated until entering the site itself as it is largely screened by existing vegetation to field boundaries to the north and south as well as along Clay Lane. Whilst the development of the site for housing would be aesthetically pleasing, I consider that as a result of existing screening, the current use does not significantly harm the character and appearance of the area.
  8. I note the appellant's evidence that there are around 20 HGV movements from the site each day as well vehicles from up to 60 employees. In addition the sites operating hours are unrestricted. Existing residential properties lie close to the site access and further afield to the north and south. Vehicles clearly have the potential to create noise and air pollution and impact on residential amenity. However I have no evidence before me from the Council of a statutory nuisance or complaints in this regard.
  9. The appellant has argued that the removal of HGV vehicles from the local road network and an overall reduction in the traffic from the site would have environmental benefits on the local highway. I accept that there would be some improvements in this regard if the site were to be redeveloped.
  10. In terms of the sites suitability as an employment site, it is currently providing up to 60 jobs. I accept that the location of the site in the open countryside limits the opportunities for the expansion of the existing businesses on the site. However that does not mean that the site cannot provide for other small rural businesses and continue to make a positive contribute to the rural economy. The appellant advises that many of the smaller occupiers on the site are 'hobbyists'. Whilst that may be the case, there are still a number of other businesses operating from the site.
  11. I have had regard to the appellant's analysis of alternative options for the site including office uses, general industrial, warehouse and distribution uses and his conclusion that such uses would not be appropriate or viable for a range of reasons. I accept that the buildings on the site may not meet modern requirements for many businesses but the site is clearly providing important employment opportunities for local people. The units appear to be mostly occupied indicating a demand for this type of unit in the rural area. I am also

mindful that the site has not been marketed so that there is no evidence of a lack of interest for employment use or other complementary uses.

12. In terms of other overriding benefits, the proposed development would provide 10 dwellings which would contribute to the supply of housing in the Borough. It is accepted by all parties that Cheshire East has a demonstrable shortfall in housing provision. The benefit in providing additional housing must therefore be weighed in the planning balance. There would also be economic benefits during the construction of the dwellings and future occupiers would support local shops and services in Haslington and Crewe. However I consider that the resultant economic benefits from a scheme of 10 dwellings would be limited when compared to the economic benefits of the 60 job that the site currently provides.
13. In the context of the need for housing, the suitability of the site for residential use is an important consideration. The appeal site is located about 1.6 km from Haslington. There are no shops or facilities in walking distance and access to public transport is limited. The Council considers that Haslington is accessible by cycle however this form of transport would not be appropriate for all future residents. Most residents would be car dependant. I therefore consider that the appeal site would not be in an accessible and sustainable location.
14. The Council has commented that that the Inspector examining the Local Plan has indicated a need to be more ambitious in terms of jobs growth so that there would be a need for further employment land in the Borough over the period of the Local Plan. I note that the Council's Hearing Statement for the reopened Examination on Planning for Growth – Overall Development Strategy sets out that the emerging Local Plan proposes to deliver 380 hectares of employment land which includes an allowance for land losses and flexibility. Whilst I note that the appeal site is unallocated and I am advised by the appellant that it has not been identified as contributing to the supply of employment land, I am mindful that the redevelopment of the site would nevertheless result in a net loss of employment land in a rural area.
15. The emerging Local Plan directs employment uses to the main centres in the Borough, such as Crewe, sustainable locations which have the infrastructure to support such uses. However this is not to the exclusion of employment development elsewhere, such as in the rural area. The National Planning Policy Framework in paragraph 28 aims to support economic growth in rural areas in order to create jobs and prosperity. The appeal site has a role in contributing to prosperous rural economy.
16. The appellant has brought my attention to two other rural employment sites, Smallwood Storage and Paradise Lane, where the Council has granted planning permission for residential development. In the case of Smallwood Storage it appears to me from the details provided that the existing use involved a significant number of HGV movements on a narrow single track road outside the small settlement of Arclid. Clay Lane, the access to the appeal site appears to me to be a much wider road. In the Paradise Lane proposal, the scheme was considered to provide visual improvements to the area and the reduction in traffic from the redevelopment of the site was quantified. The development also provided 4 units of affordable housing

contributing to an identified local need. I therefore consider that in both cases, the developments were not directly comparable to the appeal case before me. Accordingly I have determined this appeal on its individual merits.

17. I have had regard to the appellant's intention to secure replacement employment floorspace in the Borough allowing the existing businesses on the site to relocate. Appendix 6 of the appellant's statement indicates possible alternative employment premises on the market. However whilst relocation to one of these sites would maintain the jobs currently provided at New House Farm, I have no evidence with regard the availability of appropriate unallocated sites which would provide replacement employment floorspace offsetting the loss of the appeal site. Furthermore the sites highlighted in the appellant's evidence are mainly located within the urban area. Relocation to one of these would result in employment opportunities in the rural area being lost. This would not contribute to a prosperous rural economy, a key objective of the Framework.
18. In summary, the appeal site currently accommodates 11 businesses and the current level of occupation on the site suggests there is a demand for the floorspace it provides. I accept that the site may no longer meet the needs of the appellant, but it does meet a need providing accommodation for small businesses in the rural area. The redevelopment of the site for housing would make a contribution to the housing supply and would bring other environmental, social and economic benefits. However this needs to be balanced against the sites poor accessibility with future residents being dependant on the car to access local shops and services. The redevelopment of the site would result in the loss of employment floorspace in the rural area and whilst the appellant intends to relocate, from the evidence before me it appears likely this would be to the urban area.
19. In conclusion I am not satisfied by the evidence before me that the redevelopment of the appeal site for residential use would not cause harm to the rural economy and the supply of employment land in the rural area. The proposal therefore conflicts with Policy E7 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and paragraph 28 of the Framework which aims to support economic growth in rural areas.

### **Other Matters**

20. I have had regard to the representation from an existing business on the site that has expressed concerns that relocation could affect their viability. Whilst these concerns are legitimate it may be the case that they are unfounded depending on the suitability of any replacement site.

### **Conclusion**

21. For the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

*Helen Hockenhull*

INSPECTOR