



Appeal Decision

Site visit made on 20 April 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2021

Appeal Ref: APP/R0660/W/20/3261133

Coppice Lodge, Knutsford Road, Cranage CW4 8EF

- 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 Mr Steve Leyland against the decision of Cheshire East Council.
 - The application Ref 20/2363C, dated 9 June 2020, was refused by notice dated 15 September 2020.
 - The development proposed is a new self-build sustainable detached house on land adjacent to Coppice Lodge and sited on the previously developed land of the lodge and main entrance to the former Cranage Hall Hospital.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved and I have determined the appeal on that basis. I have, however, had regard to the plans showing an indicative access point, layout and design of a residential development.
3. The main parties have referred to the emerging Cranage Neighbourhood Plan. This remains at an early stage in its preparation and there is no dispute between the parties that it is therefore a matter of limited weight in the determination of the appeal. The appellant also refers to the Council's 2019 Publication Draft Site Allocations and Development Policies Document. This plan is yet to be submitted for independent examination following public consultation. It has yet to be found sound and this limits the weight which can be afforded to this emerging policy.

Main Issues

4. The main issues are whether or not the location provides a suitable location for housing.

Reasons

5. The site is a detached residential property fronting on to the western side of Knutsford Road (A50). The existing detached dwelling and detached double garage are bordered by gardens in a large plot substantially enclosed by mature vegetated boundaries and a walled entrance.
6. The indicative plans show a subdivision of the garden area to accommodate a new two-storey residential dwelling to the northern extent of the site. This would adjoin the existing double garage building which would be converted to

- provide a home office for the proposal. A further single storey double garage and link to the proposed dwelling are also shown close to the front boundary.
7. The site lies in an area defined as Open Countryside in the Cheshire East Local Plan Strategy 2010-2030 [2017] (CELPS). In the interests of protecting the open countryside Policy PG6 of the CELPS and saved Policy PS8 of the Congleton Borough Local Plan [2005] (BLP) restrict development in these areas to a number of defined uses dependent on rural locations. Additionally, they list the circumstances where development, including new homes, might be supported. Amongst other things, this includes limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built up frontage elsewhere; and, the re-use of some existing rural buildings.
 8. The area of Cranage primarily consists of a large housing estate on former hospital grounds close to Cranage Hall and a number of dispersed pockets of individual or grouped properties. In conjunction with Holmes Chapel - a consolidated settlement some distance to the south, the large housing estate forms part of an area defined as a Local Service Centre in the CELPS. However, the appeal site lies outside of this identified village envelope and does not therefore form part of the village area where infill development would be permitted.
 9. This is consistent with my findings on the ground. I observed that development along the A50 is sporadic and interspersed with hedged fields and woodlands in an area characterised by rolling countryside. The dispersed properties along the main road have little group identity and are distinct from the formal arrangement and higher density development within the estate. A woodland strip along the eastern edge of the estate provides a continuous and well-defined edge to the developed area which, when taken with the visual containment of the appeal site, ensures that there is little visual connection between the two. Accordingly, I find the property appears distinct and divorced from the main housing area.
 10. I note that the site had historic association with the hospital as the main entrance and gate house. This resulted in it formerly being included in the area for planned redevelopment of the wider hospital site and as a built-up area in assessments by DEFRA and other organisations. However, since then the site has been individually redeveloped. Like the former gate house, it stands isolated and outside of a built-up area. This is consistent with the appellant's finding.
 11. I acknowledge the appellant's references in relation to the Council's emerging Site Allocations and Development Policies Document and that the Council may seek to amend or provide greater definition of an area where infill development might be considered. However, it is in a draft form and remains to be considered at examination such that it attracts limited weight in the determination of the appeal. Furthermore, there is little before me to indicate that any review might include the appeal site as an identified area for the purposes of providing infill. For those reasons, I find that it would not constitute an infill development within an existing village.
 12. The site is bordered to the north by a woodland copse and an open field. To the south is an area of public open space bordering the entrance to the housing estate. The nearest residential property on the western side of the main road is some distance to the north, beyond the treed area. Accordingly, the proposed

location of the dwelling would not be within a built-up frontage or constitute the infilling of a small gap between existing development.

13. The appellant identifies the site as previously developed land as defined in the National Planning Policy Framework (the Framework) and superseded PPS3. This is on account of both its association with the former lodge which marked the main entrance to the hospital site and as a residential garden outside of a built-up area.
14. The Framework encourages the effective use of land and the use of previously developed land. However, this is not without regard to the requirements to safeguard and improve the environment, which includes recognition of the intrinsic character and beauty of the countryside. For housing purposes, as distinct from development directly supporting the rural economy, the Framework also restricts new housing in rural areas to that to serve an identified local need or to the exceptions listed in Paragraph 79.
15. The new-build would not align with those exceptions or meet an identified need that could not be met through the Council's housing land supply strategy. Although the proposal would utilise an existing building on the site, I find this provides little justification for a new independent dwelling in an area identified for housing constraint.
16. The appellant refers me to policies relating to the redevelopment of previously developed land in the Green Belt. However, the site is not within a Green Belt and I am not directed to any equivalent policies relating to Open Countryside areas. In any case, save for the conversion of the garage, the proposal would not constitute the 'redevelopment' of any existing development on the site.
17. I am also directed to development plan policies which allow the extension of homes in the countryside as a comparable form of development. The proposal would not be an extension. Although the scheme would add some additional floorspace to the existing site, it would create a new independent residential unit with attendant requirements for travel. This could not be achieved through permitted development rights or under current policies restricting the scale of extensions to the existing dwelling. It is not, therefore, a fallback position in favour of the development.
18. In support of the appeal the appellant has also referred me to a number of appeal decisions elsewhere. However, in the absence of the full details of those cases within the evidence, I am unable to draw firm comparisons, or otherwise, to the case before me, a case I have considered on its own merits.
19. The appellant indicates that the proposal would be a self-build project and would contribute to the Council's anticipation of windfall sites. However, there is no substantive information submitted to demonstrate that the appellant as the intended occupier, is on the Council's register of individuals and associations seeking to acquire serviced plots under the terms of the Self-build and Custom Housebuilding Act 2015 (as amended) (the Act). Whilst the Act seeks to encourage contribution to housing supply from self-build and custom housebuilding sectors, such provision is not without due regard to the local development plan. Although the appellant indicates that the Council is not currently meeting the registered demand for such plots, I am not persuaded that this or the minor contribution to housing delivery provides justification for new dwellings in an area identified for housing constraint.

20. I acknowledge that the proposal would contribute, in a small way, to the diversity of housing in the locality and could make a more efficient use of the site. It could offer a future alternative to the family in old age and facilitate home working to reduce the need to travel. Nevertheless, in the face of the Council's healthy housing land supply, I do not consider that these benefits would outweigh the harm arising from the conflict with the Council's spatial strategy for housing.
21. For the above reasons, I find that the proposal would not constitute any of the listed exceptions to housing development in the countryside. It would thereby conflict with Policy PG6 of the CELPS and saved Policy PS8 of the BLP as they seek to restrict housing development in the interests of the protection of the countryside.

Other Matters

22. Detailed policies in respect to the arrangement of tandem or backland development and design criteria do not outweigh the requirements of strategic policies for the spatial distribution of housing or those seeking to protect environmental assets. Although a dwelling with a high standard of design and elevated environmental performance could be built, this has not been demonstrated in the evidence and are therefore matters of limited weight.
23. The absence of objections from consultees or third parties and the potential compliance with policy requirements in regard to flood risk, ecology, trees and the effects on neighbouring land uses are not benefits in support of the development.

Conclusion

24. For the above reasons, I conclude that the proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. The appeal should be dismissed.

R Hitchcock

INSPECTOR