

REPORT TO PLANNING AND LICENSING COMMITTEE

LAND EAST OF LONGRIDGE APPEAL

Report Reference PL-24-02
Meeting Date 2nd September 2024
Agenda Item 8
Prepared by Planning and Facilities Officer



1.0 BACKGROUND

1.1 INTRODUCTION

In June 2021, an application was submitted for outline planning permission with some matters reserved for a residential development of up to 225 dwellings, a community building, and with access considered. The proposal includes the removal of a significant volume of vegetation and to meet Biodiversity Net Gain requirements there would be an off-site commitment. There were several revisions to the original proposal, including the illustrative masterplan which reduced the developable area resulting in increased density for the proposed 225 dwellings. The application was refused by Cheshire East Council in January 2024 and subsequently an appeal was filed.

1.2 TOWN COUNCIL COMMENTS

During the course of the application the council maintained an objection citing the following reasons:

- A failure to comply with the Cheshire East Design Guide and fully integrate as part of the existing neighbourhood and community, noting the covenant will act as a barrier for future connections.
- The increase in housing density in the developable area is higher than the anticipated range and a reduced number of target dwellings should be considered
- The application is unable to sufficiently demonstrate exceptional circumstances for development within the Green Belt.
- Due a miscalculation of the site and subsequent reclassification by Cheshire Wildlife Trust, the full weight of environmental policies should be applied due to the site holding significant biodiversity value.
- Concerns that the current infrastructure and road network will fail to meet demands in this area.

1.3 REASONS FOR REFUSAL

The application was refused on the following grounds:

1. The proposed development would represent inappropriate development in the Green Belt as a result of the impact of the access arrangements upon its openness, also resulting in encroachment. The development would also result in additional harm with regards to ecology, particularly as a result of the impact upon the Longridge Local Wildlife Site as well as resulting

in a loss of Protected Open Space. It is not deemed that Very Special Circumstances clearly outweigh the identified harm.

2. The proposed development would fail to deliver an effective integrated scheme due to the lack of visual and physical connections and accessibility with the existing development on Longridge.

1.4 COMMON GROUND

Within the appeal documentation is a draft copy of what is agreed, or common ground, between the appellant and Cheshire East Council. The draft statement of common ground identifies the following matters are not agreed / in dispute between parties:

- Whether the proposed access comprises an inappropriate form of development in the Green Belt. The development proposed to take place within the Green Belt relates to the delivery of the proposed site access and in accordance with paragraph 155c of the Framework is not inappropriate.
- Whether very special circumstances exist which outweigh the harm by reason of inappropriateness and any other harm.
- Whether the proposal would deliver an effective integrated scheme in terms of visual and physical connections and accessibility with the existing development on Longridge.

2.0 DRAFT RESPONSE

Knutsford Town Council maintains a **STRONG OBJECTION** to application 21/3100M – Land east of Longridge, Knutsford: Outline planning permission with some matters reserved – Residential development of up to 225 dwellings and a building for Class F2 use (with access considered), and would like to expand on its previous objection:

Design and Integration

The proposal fails to comply with the Cheshire East Design Guide and the Knutsford Design Guide as it fails to fully integrate as part of the existing neighbourhood and community. The proposed development layout would not be outward looking or welcoming and it cannot connect fully to adjoining areas or offer potential future connections due to the covenant which creates a barrier that increases the segregation and isolates the development from the existing Longridge residential area.

Upon confirming LPS38 as a strategic site allocation, there should have been satisfactory knowledge of access; the use of the adjacent public open space was not provided for in the local plan. The Town Council restates that further exploration of the discharge of the covenant should take place to enable any development to be delivered in accordance with the local plan and integrating into the existing residential area.

Inappropriate Development in the Green Belt

The proposed access encroaches upon the Green Belt and a designated Local Green Space. The proposal does not demonstrate exceptional circumstances. The justification of it being required to circumnavigate a covenant is not considered exceptional circumstances and harms the special value and purpose of the Local Green Space designation of LGS-32 identified in policy E4 of the Knutsford Neighbourhood Plan and will detrimentally impact how this space serves the local community.

Ecology

Biodiversity net gain is an approach to development that aims to leave the natural environment in a

measurably better state than it was beforehand. This proposal may meet the base requirement, but it will detrimentally affect the surrounding area, connected wildlife corridors, and leave the site in an immeasurably worse state than it is currently. The Department for Environment, Food and Rural Affairs identifies a large portion of the site as Deciduous Woodland Priority Habitat. Priority Habitats are those which have been deemed to be of principal importance for the purpose of conserving biodiversity, being listed in the UK Biodiversity Action Plan, and with maintenance and restoration of these habitats being promoted. Habitats for a considerable variety of species, including some recorded as European Protected Species, an excessive volume of Category A, B and C trees, an area of priority and irreplaceable fen, and sections of important and historic hedgerows are identified for removal.

The application fails to consider the high distinctiveness classification afforded to the site or present a positive contribution to the conservation of biodiversity and the proposal has the potential to detrimentally harm corridors C-011 and C-019 with no considered buffer zone, the access road directly impacts the secondary wildlife corridor C-004, and all three corridors are identified in Appendix 1 of the Knutsford Neighbourhood Plan for green and blue corridors; it therefore fails to meet the requirements of Local Plan Strategic Priority 3 and Policy SE 3, Site Allocations Development Policies Document Policy ENV1, and Knutsford Neighbourhood Plan policy E3, and the proposal does not establish a maintenance plan or improvement strategies for the green corridor network as required by policy E2 of the Knutsford Neighbourhood Plan.

The application is contrary to Local Plan Policies SE3 and ENV1 and Knutsford Neighbourhood Plan policy E3 and their full weight should be applied. 9.12 of the explanatory notes for policy E3 of the Knutsford Neighbourhood Plan reads “Cheshire Wildlife Trust produced a report on ‘Protecting and Enhancing Knutsford’s Natural Environment’ to accompany the Neighbourhood Plan. It should be used as a primary reference source when considering ecological aspects of development in Knutsford.”

The Trust’s 2017 report notes that areas of medium distinctiveness habitat provide important wildlife habitats in their own right as well as acting as ecological stepping stones and corridors, and stated that the methodologies used were desk-based rather than field-survey-based leading to a possibility that some of the medium distinctiveness areas were undervalued.

Knutsford Neighbourhood Plan 9.13 explanatory notes for policy E3 state that The Cheshire Wildlife Trust report highlights areas of ‘high’ and ‘medium’ distinctiveness, based upon a biodiversity assessment. Those areas deemed to have high distinctiveness are protected from development by this policy. Other areas deemed to have medium distinctiveness would require the most thorough ecological evaluation and proposals for effective mitigation and enhancement before they may be considered suitable for development. Development adjacent to high distinctiveness areas should include a natural buffer zone, recommended to be at least 15 metres to prevent light, noise and water pollution to which wildlife is especially sensitive.

The site holds significant biodiversity value, meets the criteria for Local Wildlife Site selection and following a field survey in December 2022 was reclassified as an area of High Habitat Distinctiveness by Cheshire Wildlife Trust, and as such is considered a ‘non-designated asset’ and the proposal should not be considered acceptable in line with Knutsford Neighbourhood Plan Policy E3.

3.0 DECISION REQUIRED

The committee should agree a response to submit for the application appeal.