

Marton Parish Council
Clerk Catherine Clowes
14, Downesway
Alderley Edge
Cheshire
SK9 7XB
2 Feb 2016

Cheshire East Council
Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe, CW1 9HP
FAO: Louise Whinnett

Dear Ms Whinnett

Re: Planning Application Number 15/5637M Land Off School Lane Marton

The Parish Council wishes to make you aware of our strong objection to this proposed development of 27 dwellings in respect of land off School Lane, which we feel is totally inappropriate in scale and sustainability. Our residents fear such a development would have a serious impact on the quality of life and enjoyment of the environment.

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Appendix 1: Letter from Chair of Governors to Cheshire East Planning dated 23/6/2015.

Appendix 2: Cheshire East SHLAA ref. 3333

Appendix 3: Letter of support from David Rutley

List of additional documents included:

- a. Draft Marton Neighbourhood Plan and appendices:
 - i. Landscape and Settlement Character Assessment
 - ii. Housing Needs Survey
 - iii. Transport Statement
 - iv. Key Documents: Village Plan, Statistics and Census, Meetings
- b. Technical Note Progress10 (October 2015)
- c. Risk Assessment Car Parking Marton School
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1 Background

This planning application is a resubmission of application 15/2274M which was refused by Cheshire East Council on 7th October 2015, a decision the Parish Council fully endorse. The applicant has now lodged an appeal (ref: 3138078) and the hearing is scheduled to take place in February 2016.

Specific objections to 15/2274M were as follows:

- 1 The development is not sustainable.
- 2 Highway safety, inadequate parking and access
3. Loss of green field and preference for brown field development
4. Overlooking surrounding properties, loss of privacy
5. Loss of trees and hedgerows
6. The proposed development is inappropriate for the area
7. Previous Planning decisions on this site
- 8 The Marton Residents Views
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Letters detailing these objections were lodged with Cheshire East Planning:

1. Letter and supporting documentation dated 20 June 2015
2. Letter dated 6 August 2015 relating to the new proposed access route to the
3. Letter dated 15 September 2015 commenting on items lodged on the Planning website by the applicant after the 6 August communication
4. Letter of 21 September 2015; the Parish Council expressing surprise to find that at this late stage that the applicant had submitted a further revised indicative layout

2 Development Plan: Macclesfield Borough Local Plan

The Development Plan for the parish of Marton within Cheshire East currently comprises the saved policies from the Macclesfield Local Plan (January 2004). The legislation provides that any planning application shall be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This status has been reaffirmed in the most recent national planning policy statement in the National Planning Policy Framework (paragraph 2 refers).

There are two policies in the Macclesfield Borough Local Plan which the Borough Council refers to in its decision notice. One policy concerns the site and the whole Marton area's inclusion within the area designated as Open Countryside (policy GC5), the other policy concerns development control matters (Policy DC16). The Marton Parish Council agrees that these two are the most important policies concerning the principle as to whether planning permission for residential use should be granted on the site.

The overall Local Plan Strategy sets out the main aims of each group of policies within the Plan (section 2 of the Plan refers). Of the six aims listed, four are directly relevant to this application (the other two are concerned with land within the Green Belt and conversions of existing buildings).

These aims are as follows:

- to protect unallocated land from development in the Green Belt and countryside
- to limit development to that which is broadly specified in national planning policy
- to meet the needs of rural communities
- to provide for the needs of agriculture and other activities appropriate to a rural area

The background explanation to policies for the countryside set out in the Local Plan make clear that the presumption is against new building subject to certain limited exceptions or as may be specially approved (paragraph 4.2 of the Plan refers).

Attention is also drawn to the importance of agricultural land within the Local Plan area which deserves to be protected for the longer term and some of which is of high quality (paragraph 4.5 refers). Map 6 of the Local Plan confirms that the Marton area lies within the countryside area beyond the Green Belt for the purposes of development planning and management. It is also important to note that the village of Marton is not identified separately from the parish and there are no policies in the Local Plan which treat the village differently than the rural areas which lie within and around it. Indeed, the close integration between the village and the rural area in which it lies is one of the principal characteristics of Marton. So planning policy for the countryside set out in the Local Plan applies to the whole parish including the proposed development site.

Policy GC5 of the Local Plan provides as follows:

Development in the open countryside beyond the Green Belt will not normally be permitted unless it is essential for agriculture, forestry, outdoor recreation or for other uses appropriate to a rural area.

The supporting reason for the policy makes it clear that it is in the interests of preserving the countryside for its landscape, ecological and recreational value as well as for agricultural reasons. It is to be noted that residential development, particularly of the size and scale proposed here, is not one of the exceptions which may be considered acceptable. The policy also states that development (other than the exceptions listed) would not "**normally**" be permitted. To comply with this requirement, it is suggested that for a proposed development to be acceptable there should be some special circumstances justifying the development on this site. The Parish Council has concluded that no such circumstances exist in respect of a large intrusive residential development on this site. The site has an existing use both in land use as agricultural land and in visual amenity terms as reflecting the character of the open countryside in which the site lies.

It is concluded that the development cannot satisfy policy GC5 of the Macclesfield Borough Local Plan and therefore the application should be determined having strong regard to this policy.

Policy DC16 of the Local Plan provides as follows:

Developments which are not capable of being serviced by existing infrastructure (such as highways, sewers etc) will not normally be permitted.

The background to the Development Control policies (within which DC16 is) refers on a number of occasions to the principles of sustainability. Section 6 of this submission concerns a detailed assessment of sustainability in its own right as the National Planning Policy Framework emphasises the need for all development to be sustainable and it is therefore appropriate to give full and detailed consideration to this matter. Policy DC16 provides existing Development Plan support for the principles of sustainability.

The Borough Council's refusal of planning permission for application 15/2274M referred in particular to the lack of public transport links, facilities and infrastructure to serve the proposed development. The Parish Council supports all these concerns and these are dealt with later in this statement.

The overall strategy of the Local plan is to concentrate development in urban areas and to that extent the Local Plan predated national policy. In parallel with that, it also sought to protect the countryside from development and therefore policy DC16 as applied to the development site complements and supports the countryside policies as set out in DC5.

3 Submitted Cheshire East Local Plan Strategy: emerging policy

The Cheshire East Local Plan has been in its examination stage since September 2014. Since that time, the Borough Council has proposed some changes to the submitted version of the Plan. The Planning Inspector has also now given two sets of interim views on key policy aspects of the Local Plan, one in November 2014 and one in December 2015 which were received after the decision to refuse planning application 15/2274M. The decision notice refers to four policies in the submitted version which will be considered PG2, PG5, SD1 and SD2.

Policy PG2 Settlement hierarchy

Policy PG2 sets out the proposed settlement hierarchy for Cheshire East. This policy seeks to focus the supply of new housing to higher tier settlements where a greater degree of services and facilities are available. Policy PG2 includes the Marton area in the lowest tier where the intention of policy for rural areas and smaller villages like Marton is to confine development to small scale development, infill, conversion and affordable housing to meet a particular local need. The policy makes it clear that this policy is in support of sustainable development, and that any growth and investment in these types of lowest order settlements should be confined to small scale.

In the view of the Parish Council, the decision maker should have regard to Policy PG2. This is particularly so in the light of the Planning Inspector's comments in his further interim views of 11th December 2015, which post-date the reasons for refusal of application 15/2274M. In the further interim views, the Inspector supports the hierarchy of four tiers of development (principal towns, key service centres, local service centres and other areas including countryside) which had been set

out in his first set of interim views. The Inspector reached an initial conclusion that the proposed settlement hierarchy was justified, effective and soundly based. He has also now endorsed the principle that the majority of new development should be located in the 24 largest towns and settlements (which comprise the towns and centres). Marton is not one of the settlements identified.

It is concluded that the proposed development cannot comply with emerging Cheshire East Policy PG2.

Policy PG5 Open countryside

Policy PG5 defines the Open Countryside as the area outside of any settlement with a defined settlement boundary. This includes the whole of Marton village as there is no defined settlement boundary. The policy provides that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. A large housing estate of over 20 houses is clearly not one of the developments likely to be acceptable in principle.

The policy also provides for a number of exceptions to be made to the policy which may include:

- where there is the opportunity for the infilling of a small gap with one or two dwellings in an otherwise built up frontage or where the dwelling is exceptional in design and sustainable development terms;
- for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension;
- for the replacement of an existing dwelling by a new dwelling not materially larger than the dwelling it replaces;
- for extensions to existing dwellings where the extension is not disproportionate to the original dwelling;
- for development that is essential for the expansion or redevelopment of an existing business.

None of these exceptions are applicable to the development proposed.

The policy also refers to the retention of gaps between settlements being important, in order to maintain the definition and separation of existing communities and the individual characters of such settlements. Such areas would be protected from inappropriate development. In the case of Marton, the gap in the middle of the village is part of the character of the village and the parish as it gives the area a distinctive rural feel although there are some local facilities normally found at the heart of a Cheshire village.

The policy also provides that the acceptability of such development will be subject to compliance with all other relevant policies in the Local Plan. In this regard, particular attention should be paid to design and landscape character so the appearance and distinctiveness of the Cheshire East countryside is preserved and enhanced. In the case of the development site, it is the openness,

appearance and distinctiveness of the agricultural area at the heart of the village which is a strong matter of concern.

It is concluded the proposed development fails to comply with all the criteria of policy PG5 and satisfies none of the proposed exceptions to the policy.

Policy SD1 Sustainable development in Cheshire East

This policy sets out a series of planning considerations which development should wherever possible comply with. A total of sixteen considerations are listed which are based on the Borough Council's interpretation of the principles of sustainable development as applied to the mixed urban and rural area which is Cheshire East. It is the Borough Council's case, supported and fully endorsed by the Parish Council that this proposed development does not meet the majority of these considerations due to the site's location within a rural area and with a very limited range of local services and facilities. A more detailed account of the sustainability of the site is provided in section 6 of this statement. It is concluded that the development cannot comply with the majority of planning considerations set out in policy SD1 of the submitted version of the Local Plan.

Policy SD2 Sustainable development principles

This policy sets out four criteria which developments are required to comply with in respect of sustainable development principles. Criterion 1 applies to all types of development and criterion 2 only to residential developments. Criteria 3 and 4 do not apply to a residential development. In respect of residential development, sites will be expected to:

- Provide open space, of an extent, quality, design and location appropriate to the development and the local community;
- Provide access to a range of forms of public transport, open space and key services and amenities; and
- Incorporate measures to encourage travel by sustainable modes of transport such as walking, cycling and public transport.

Section 6 of this statement is concerned with an assessment as to how the proposed development satisfies these requirements.

Allied to policy SD2, Table 9.1 of the submitted version of the Local Plan sets out a proposed guide to the appropriate distances for access to services and amenities. The methodology for the assessment of walking distances was informed by that of the North West Sustainability Checklist which has been supported by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). These distances are actual distances using public highways and footpaths. The distances are considered appropriate for the North West region and have been used for the purposes of informing the Sustainability Appraisal and the accessibility of proposed developments. Again, section 6 of this statement is concerned with an assessment as to how the proposed development satisfies the requirements of Table 9.1.

4 National Planning Policy Framework and Planning Practice guidance

The National Planning Policy Framework (NPPF) replaced earlier national guidance in March 2012 and this was followed in March 2014 by some National Planning Practice Guidance. Both of these are applicable to this proposed development.

Para 6 of the NPPF states that *“The purpose of the planning system is to contribute to the achievement of sustainable development”* Marton Parish Council support and fully endorse this principle. Furthermore, Cheshire East Council has sought to fully integrate this principle in its emerging Local Plan as is evidenced by policies SD1 and SD2 which lie with that section of the Local Plan entitled Planning for the Sustainable Development. As we have shown and will demonstrate in section 6, the proposed development significantly fails to satisfy any reasonable test of sustainable development.

Para 14 states that at the heart of the NPPF *“...is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”*

For decision-taking this means

“...approving development proposals that accord with the development plan without delay...and where the development plan is absent, silent or relevant policies are out-of-date, granting permission 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; or*
- *specific policies in the Framework indicate development should be restricted”.*

As we have shown, the Development Plan (in the case of the particular Countryside and Development Control policies of the Macclesfield Borough Local Plan) is aligned with the emerging submitted version of the Cheshire East Local Plan on many matters. These would include the preferred location for new development being within towns and large villages in Cheshire East, the protection of the countryside for its own sake and the need for sites to be in sustainable locations.

The adverse impacts of this scheme are firstly, the unsustainable location in a rural and countryside area with a limited range of services and facilities. Secondly, there is the adverse visual harm to the open landscape character of the site. The longstanding and positive use of the site for agricultural purposes must also be considered as an adverse impact, particularly given the site’s location within the heart of Cheshire as a major contributor to UK food production. The vast majority of land in Marton is farmed, and Marton has a far higher proportion of agricultural workers (20%) than the national rural average ((3%) as revealed by the census information (ref: Marton Neighbourhood Plan appendix on Census data). Finally, there are adverse impacts on local residents arising from the additional traffic, intensification of residential activities in a rural area and loss of visual amenities.

The NPPF also sets out some core planning principles in paragraph 17. One of these (bullet point 5 refers) requires that planning should take account of the different roles of different areas including a recognition of the intrinsic character and beauty of the countryside and the need to support thriving rural communities. The characteristics of local landscapes are recognised as important features and the Cheshire Plain is a distinctive character area in its own right being an area of low level gently rolling countryside. The unique character of Marton parish is described in detail in the report of the Landscape Character and Settlement Assessment conducted on behalf of the Parish Council and appended here.

Paragraph 47 of the NPPF states that Local Planning Authorities should “...boost significantly the supply of housing...” Furthermore, Paragraph 49 states that “Housing applications should be considered in the context of the presumption in favour of sustainable development. 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”.

The development site does not lie within a sustainable location as evidenced by the priority being given to locations within 24 other more sustainable settlements in Cheshire East than Marton and by the failure of the site to meet basic sustainability criteria in terms of services and facilities.

Best and most versatile agricultural land

The Parish Council are concerned about the lack of consideration given in application 2274M by both the applicant and the Borough Council to the existing use and benefits of the site in agricultural terms. The proposal would result in the loss of an area of grade 2 agricultural land.

The NPPF at paragraph 112 requires local planning authorities to take into account the economic and other benefits of the best and most versatile agricultural land (which includes grade 2 land). The Planning Officer’s report to the Northern Planning Committee in October 2015 sets out some relevant paragraphs of the NPPF pertinent to this application. However, there is no reference to paragraph 112 in the list of relevant paragraphs. Neither does the officer report undertake the assessment required on the economic and other benefits of the land in agricultural use. Rather the report makes the general point that Planning Inspectors have “attached very limited weight to this issue in the overall planning balance”. The report goes on to say that due to its relatively small area, shape and enclosed nature the site does not offer significant opportunities for agricultural production. This site is part of a large rural estate which is managed locally. The Parish Council confirm it has been in continued agricultural use for many decades. If the land is no longer required for agricultural use by the estate, it is the Parish Council’s view that there are other agricultural uses which could be accommodated, could be viable (perhaps in association with other holdings) and still retain the character of the village.

5 Marton Neighbourhood Plan

Marton Parish Council has published the draft Neighbourhood Plan with the consultation period under Regulation 14 ending on the 1st February 2016. The purpose of this consultation was to seek representations from statutory consultees, residents and other parties whose interests may be affected by the draft proposals made.

The Parish Council has considered the comments made. No problems have been expressed by the statutory bodies, and all comments from the residents are supportive of the plan. The landowner supports many of the policies, but predictably, together with the applicant, does not support any policies that conflict with this application for a housing estate. Subject to very minor amendments, the plan will shortly be submitted for further Statutory consultation (Regulation 15) which will be conducted by Cheshire East Council in their role of the Local Planning Authority. It will subsequently be subject to an independent examination.

Accordingly, the draft plan must be considered as part of the decision making process in accordance with paragraph 216 of the NPPF which provides as follows:

- that decision makers may give weight to relevant policies in emerging plans
- that the stage of preparation is relevant (the more advanced the plan, the greater the weight to be given)
- that unresolved objections should be accorded greater weight
- that consistency between the emerging plan policies and the NPPF would be accorded more weight.

In respect of policies in the draft Marton Neighbourhood Plan, the Parish Council would comment that the proposed development is contrary to most policies of the plan.

It is important to note that the Neighbourhood Plan has been prepared with full consultation with officers of Cheshire East Council and of Cheshire Community Action who have both actively supported the Parish Council in its plan preparation including policy development.

Set out below is a detailed assessment as to how the planning proposal would not comply with the relevant policies of the draft Neighbourhood Plan.

Residential and commercial development

The objective for this part of the Plan is for Marton to have a slightly larger population due to carefully planned and proportionate increases in housing preferably created through brownfield development, conversions of existing buildings or through infill development of an appropriate density, scale and size.

Supporting this objective, the draft Plan sets out a series of proposed policies aimed at meeting this overarching objective. One policy confirms Marton as a rural settlement and that no strategic need has been identified to deliver housing beyond local needs in either the existing Macclesfield Borough Local Plan or the emerging Cheshire East Local Plan. This neighbourhood plan proposes to meet local needs arising from the existing population.

It is clear that the development proposal is designed to meet some wider strategic housing need identified at a Borough wide level. In particular, an estate type development in the manner likely to be proposed (at the reserved matters stage) would be contrary to many of the provisions within this part of the draft Neighbourhood Plan.

Transport, school and parking

The objective for this section of the draft Plan is to reduce the problems of congestion outside school and improve safety. The accompanying policy states that proposals to improve the parking provision within the curtilage of the school will be supported as this would improve the safety of the children and of parents bringing their children to school.

The housing development proposed can only make the current parking situation around the village at school times less safe for children and parents. More traffic will be generated from the new houses including at school times. Furthermore, the significant increase in new houses proposed on the north side of Congleton (many already with the benefit of planning permission) will create further risks to highway and personal safety.

It can be concluded that in terms of this objective and policy, the development proposal cannot comply and runs completely counter to the provisions of the draft Plan.

Protecting our environment: landscape character, green spaces and local wildlife

This section of the draft Plan seeks to maintain and enhance the rural environment of Marton and to protect it from inappropriate development encroaching on the village from the north of Congleton and the south of Macclesfield. There are more than ten accompanying policies designed to provide policy guidance to achieve this objective. The policy provisions are derived in part from a Landscape Character Assessment undertaken for the Neighbourhood Plan as supporting evidence.

The proposed development would be contrary to many of the provisions of these policies due to the loss of the open landscape to enable houses to be built, the loss of the amenity afforded by the green spaces used for agricultural use and the loss of local wildlife which will follow from the change of use of the land to built development.

Traffic and safety

The objective for this Plan section is that Marton will have calmer, slower traffic through the village on the A34. This recognises the existing issues in the village arising from the presence in the heart of the village of this major arterial road running north-south through the heart of England from Manchester to Hampshire. In particular, the road serves as a north-south alternative to the M6 motorway so is used when the motorway is closed or congested or by those driving long distances wishing not to drive on the motorway. The addition of this housing development in the position proposed can only exacerbate existing traffic conditions. In respect of draft policies, it is the Parish Council's view that the development cannot as submitted comply with the four policies proposed in the draft Plan.

It can be concluded that this development proposal runs counter to the main objectives of the draft Neighbourhood Plan. More than this, given its size, scale and impact on the village, the development of the site in the manner proposed would be contrary to the plan-led provisions of spatial planning set out in the NPPF. A decision to allow this development at this stage of the plan making process

would also prejudice the community's ability to support locally generated needs in the manner envisaged by the strategic policies of both the existing Development Plan and emerging Local Plan.

6 Sustainability

The NPPF sets out at paragraph 7 the three dimensions to sustainable development, each of which gives rise to the need for the planning system to perform a number of roles. These are the economic, social and environmental roles. In making its decision to refuse planning application 15/2274M, the Borough Council has balanced these different roles and concluded that the determination should be in accordance with the Development Plan for the area.

Marton is a small rural village with very limited infrastructure or facilities. A development of this size would more than double the number of residents within the core of the village.

Marton lacks some basic facilities such as mains gas, any public transport services including no bus stop, post office or petrol station. The village shops do not serve many everyday needs. There are two shops, a gift shop and a farm shop which only have a very limited range of products and serve passing traffic on the main A34 road which passes through the middle of the village. Being located within a rural countryside area, there are few opportunities for full time employment. The nearest supermarket is 3.6 miles away in Congleton town to the south requiring private travel by taxi or private car for everyday needs. Congleton station is sited to the south of the town and therefore on the opposite side to Marton village. When residents require essential medical treatment (such as doctor, dentists, chemist, or hospital treatment) they must travel to either Macclesfield or Congleton, again primarily by private car. Existing broadband service for the local area is extremely slow with no programmed date for any upgrade.

To secure employment, residents of the new homes would probably have to commute by car to the towns to the north (such as Macclesfield, Wilmslow and Knutsford) or south (such as Congleton, Sandbach, Middlewich or Crewe) or the larger conurbations such as Greater Manchester, Warrington, Merseyside or the Potteries, all of which are accessible via the A34 either north or south onto the regional motorway network. Each of these locations could be reached within an hour's commuting time from Marton. It is estimated that such a development could add 40 to 50 car journeys twice daily.

An assessment has been carried out by the Parish Council of the sustainability criteria set out in policies SD1 and SD2 of the submission version of the Cheshire East Local Plan. The criteria are set out in emerging CEC Local Plan Section 9 Planning for Sustainable Development.

The application fails to achieve the objectives set out in Policy SD1, specifically sections 1,2,3,4,5,6,7,8,9,10,11,13,14,15,&16. It also does not comply with many of the Sustainable Development Principles set out in Policy SD2, specifically sections 1i,1ii,1iii,1iv,1v,1vi,2i,2ii,&2iii.

Table 9.1 of the submission version of the Local Plan sets out guideline distances for access to local services and amenities. These are as follows:

Public transport

Bus stop: distance 500m - development site does not comply

Public right of way: distance 500m – development site complies

Railway station: distance 2km where possible: development site does not comply

Open space

Amenity open space: distance of 500m - development site does not comply

Children's playground: distance of 500m - development site does not comply

Outdoor sports: distance of 1 km: development site complies (golf)

Public park and village green: distance 1Km - development site does not comply

Services and amenities

Convenience store: distance 500m – development site does not comply

Supermarket: distance 6km – development site does not comply

Post box: distance 500m - development complies

Post office: distance 1 km - development site does not comply

Bank or cash machine: distance 1km - development site does not comply

Pharmacy: distance of 1 km – development site does not comply

Primary school: distance 1 km – development site complies

Secondary school: distance 2 km – development site does not comply

Medical centre: distance 1 km: development site does not comply

Leisure facilities: distance 1 km – development site does not comply

Local meeting place/community centre: distance of 1 km – development site does not comply

Public house; distance of 1 km – development site complies

Child care (nursery or crèche) – distance of 1 km - development site complies

It is concluded that the development site fails to meet the criteria set out in the submission version of the Local Plan to a significant degree. The development site is in an unsustainable location based on the criteria set by the Borough Council.

Economic role

It is evident that the proposed development would provide short term employment opportunities for the house construction industry, although it is noted that the application has not been submitted by a house building company. There is no evidence this would create employment for local people. Any housing development requires builders and other allied skills and should not, be regarded in any way as justification for this particular scheme. It is also unlikely that the type of businesses in Marton would benefit from the custom of construction workers. House building companies work across a much wider region through contractors and subcontractors. Furthermore, the residents of Marton would be subjected to noise and dust during the construction phase and the traffic associated with the building site would impact on the school traffic and parking problems.

In many areas an increase in population arising from the construction of new houses can result in benefits to the local shops and businesses but this is not the case in Marton. All of the businesses listed by the applicant owe their success to visitors who are attracted to the rural setting in the Cheshire countryside which is accessible from adjoining conurbations and towns via the A34. It can be argued that should a new housing estate be built, Marton would become another urban suburb resulting in a reduction in visitor numbers and a resulting downturn in business. It is worth noting that not one single business supported this planning application.

The applicant describes the loss of agricultural land as minimal. Whilst this may be correct when viewed in the context of Cheshire East (which itself covers a large mainly rural authority) as a whole, it is significant within the Parish of Marton. The field has been continuously used for the grazing of farm animals for generations. Not only has it contributed to the local rural economy, the animals are providing an attractive feature within the core of the village adding to the overall rural character. Once farmland has been built on for housing purposes, that is the end of the farming use and it cannot be reinstated. An increase in population combined with a loss of farming land would create pressure on the limited employment opportunities resulting in fewer jobs per person.

Social Role

There is an acknowledged housing shortfall within Cheshire East Borough Council which is currently being addressed in the emerging Local Plan. However this does not reflect the situation in Marton where it is not the case. Houses that have come on to the market have proved slow to sell with two recently withdrawn due to lack of interest, hardly a situation that would arise if there was a shortfall. In the Housing Needs Survey section of the Neighbourhood Plan only one person confirmed they may need and could afford the type of private housing proposed.

Furthermore there is no acknowledged shortfall of affordable housing in Marton. The applicants base their case on one undated letter from Peaks and Plains Housing Trust who have seven properties but are not the only provider of social housing within the village. Approximately 50% of the properties at the core of the village can be classified as affordable. Regenda Homes is a housing trust with a wider range of properties throughout the North West region. They have a further eight 2/3 bedroom affordable houses and seven other cottages are available for rent privately. The ratio of affordable housing in Marton is far higher than the national average.

At the time of writing there are three vacant rental properties in the village: Peaks and Plains have one empty bungalow, the owner of the applicants site have had a two bedroom house empty for a year, and one private two bedroom house has been available to rent for several months. The applicant quotes the CEC Housing Officer's response to the application in which they state there are 19 active applicants on the waiting list with Cheshire HomeChoice who have selected Gawsforth and Marton as their first choice for affordable housing. On a pro-rata basis by population (Gawsforth 1673, Marton 245) Marton would provide 3 affordable rental properties, which as mentioned previously are available at the moment. The Parish Council's Housing Needs Survey identifies only two people whose preference is for affordable rented accommodation.

There is no evidence to support the statement that an increase in residents would enhance local services, the opposite would probably be the case. The local sewage works cannot cope and can only function with tankers emptying the pump chamber on a daily basis, at present it cannot be regarded

as efficient or sustainable. Unless a completely new sewage works was to be built any additional demand would have to result in more tankers on an already congested single track road. United Utilities give a generic view of how the waste water & sewage is to be dealt with but to date no one has specifically addressed this problem. An already poor broadband service would become worse creating further problems for home workers, both full and part time.

The high quality open space is an undulating area under a tree which could not be developed for housing. The area is of little use and is not suitable for children to play ball games. There are no other play facilities in the village, a situation which would worsen with the influx of an additional 11 children (HSL's calculation) from this proposed development.

The Parish Council would question the capacity of the school to cater for the needs of the new families, if it has spare capacity why was an application for additional classrooms submitted to the diocese. The school also has major problems with lack of parking for existing pupils, a dangerous situation which would be made worse by the additional traffic generated by this proposal. The applicant cites the Head Teacher's letter of support but omits to mention this has been superseded by a letter from the Chairman of Governors dated 23/6/2015 which supports the Parish Council's policy of brown field and infill development (see Appendix 1).

The problems with the proposed footways are fully addressed in the Technical Note Addendum prepared by Progress 10 Design. Suffice to say they are unlikely to be of any use to the residents and have the potential to be dangerous to all pedestrians.

Environmental Role

The Parish Council fails to see how the removal of trees, ancient hedgerows and grassland and replacing these features with houses roads and private drives could possibly enhance biodiversity. The additional light, noise and traffic are much more likely to damage the biodiversity.

Neither does the Parish Council agree that the proposal is acceptable in heritage terms. The Neighbourhood Plan Landscape & Settlement Character Assessment (LSCA) states, that the village built form has evolved gradually over centuries, and the heritage is of mixed age character. Adding a modern housing estate would neither conform nor be acceptable. For further information please refer to the recommendations contained in our LSCA.

Neither the removal of trees/hedgerows nor the impact on the character of Marton is acceptable.

Although the Borough Council Conservation Officer did not object to the proposals we cannot see how the new entrance which is immediately opposite a listed building can be anything but detrimental. The National Planning Policy Framework at paragraph 128 sets out the requirement that in considering planning applications local councils should describe the significance of any heritage assets including any contributions made by their setting. The setting of this listed building will be completely compromised by the construction of an estate road in such close proximity.

Marton has 105 dwellings of which 54 are within the core of the village and a population of 245. The proposed development would have a significant impact on the village, increasing the village core by 50%.

The lack of sustainable infrastructure and transport is addressed in the Technical Note Addendum prepared by progress 10 Design and other areas of our objection documents. For the avoidance of doubt, we can confirm that Marton does not have the following facilities: mains gas, any public transport, post office, petrol station, supermarket, few employment prospects, medical /dental care, hospital, adequate broadband, bank building society or cash point, library, pharmacy, there are no play areas for children nor clubs for teenagers.

7 Traffic and highways matters

Concern about the traffic and highways impact of the proposed development has been a major concern for the Parish Council and continues to be so. The Parish Council has therefore commissioned its own independent reports on transport and highways matters from Progress 10 Design. A further report has been prepared following the refusal of planning permission identified as Technical Note addendum and dated October 2015. This report is appended to this statement. The Parish Council has also conducted its own Risk Assessment; see list of additional documents included section c.

The Technical Note identifies a number of concerns regarding the site access junction, sustainability from a highway and transport perspective, inaccuracies in the supporting transport material accompanying the planning application and a lack of information regarding the potential highway impacts and proposed solutions, particularly given the site's proximity between the A34 principal road to the west of the development site and the primary school to the east. Local residents experience the traffic situation on a continuous basis and have expressed their concerns about the road and highways safety issues, particularly for children and parents attending the school, arising from this proposed development.

The Parish Council has also expressed concerns about the increased traffic flow on the A34 resulting from the number of additional houses for which planning permission has been granted in the Congleton area. Many future residents of those homes will travel through Marton along the A34 as the most direct and convenient means of access to the wider conurbations. Currently, during the morning rush hour, it can be difficult to get out of School Lane on to the A34, particularly if there are congestion problems along the M6 motorway between Stoke on Trent and Knutsford which commonly occurs. The additional traffic from the proposed development will only compound these problems particularly at the peak hours.

8 Post planning decision changes to policy

The Parish Council would draw attention to some developments in the planning policy context for the application given the passage of time since the decision to refuse planning permission for application 15/2274M was made in early October. The Council considers that each of these is a material planning consideration and should be considered as part of the decision-making.

8.1 Draft Marton Neighbourhood Plan

The Parish Council would refer to the most recent guidance in respect of the weight to be given to the draft Marton Neighbourhood Plan published on 10 December 2015 and included with this statement.

8.2 Cheshire East Local Plan: Planning Inspector's further interim views

The Planning Inspector appointed to examine the Cheshire East Local Plan published his further (second) interim views on 11 December 2015 following the holding of a further set of examination hearings in Macclesfield during October. A copy of his findings can be found on the Cheshire East website document number REA021.

Insofar as this development is concerned, the Inspector is supportive in principle of the increase in the dwelling requirement to 36,000 units across the whole of Cheshire East Borough in the period 2010 to 2030. The accompanying report to the Borough Council's Cabinet recommending the dwelling increase set out the potential impact on the spatial distribution of this development. The report also took into account the number of dwellings completed in the period 1 April 2010 to 31 March 2015. This was subsequently presented to the examination. The total requirement for the lowest tier within which Marton village sits (the rural areas) is estimated at a total of 570 dwellings. As there are more than 50 villages and small settlements within the defined rural areas, this would give a notional average requirement of around 10 dwellings per village over the 15 years of the plan period remaining. Development in accordance with existing Development Plan and emerging Local Plan and Neighbourhood Plan policies would achieve that figure for Marton through small scale organic growth by way of a plan-led approach (Borough and Neighbourhood scale) to the development needs of the Borough's rural needs, rather than an inappropriate large scale housing development.

8.3 Examiner's report into Brereton Neighbourhood Plan

The first Neighbourhood Plan within Cheshire East Council to be subject to an examination and a subsequent report has occurred since the planning decision for the first planning application 15/2274M was made. The report was published on 1 December 2015. The parish of Brereton lies to the south west of Marton at a distance of less than 10 miles. Although its existing Development Plan is the Congleton Borough Local Plan, the policies for its rural areas are very similar to those for the rural area in the Macclesfield Borough Local Plan as both plans were originally prepared under the strategic policies as set out in the Cheshire County Structure Plan. The Examiner found the Brereton

Plan met the basic conditions for a neighbourhood plan including that of general conformity with the strategic policies of the Development Plan for the area. Furthermore, the Cheshire East Council officers and those of Cheshire Community Action have supported both Brereton and Marton, and indeed many other parish and town councils within Cheshire East. Whilst it is accepted that every neighbourhood plan will have different issues, compliance with the strategic component of the Development Plan in the absence of an up to date Local Plan has a challenge for all neighbourhood plans in Cheshire (of which there are more than thirty in preparation). A second Neighbourhood Plan in Cheshire East, for Bunbury parish lying within the former Crewe and Nantwich Borough, has more recently been successful through examination.

From these reports, it is evident that neighbourhood plans are being prepared, challenged at examination and supported by examiners as reflecting not only current national guidance as set out in the NPPF, but also aligning with both existing Development Plan policy and emerging Cheshire East policy guidance.

9 Comments on the Planning Statement

1 Introduction

1.3 The applicant's Planning Statement does not provide information sufficient to overcome the previous reason for refusal. The Parish Council presents a far more compelling case to uphold the decision.

1.4 The benefits described are not factual and would not outweigh the adverse impacts.

1.5 The development is not sustainable, and for that, and many other reasons, it should be refused.

2. The Application Site and its Setting

2.1 The derelict building was a pig sty, not a smithy.

2.2,2.3 The statement that the site is very well contained on all sides by urban development with no clear view across the fields to open country side beyond could not be further from the truth. See document "The Application Site's Historic Use for Agriculture and its Setting in Open Countryside".

2.4 The majority of the residents do not benefit from the primary school as twice a day they have to endure the traffic and parking problems associated with the school traffic. (The numbers of children that attend the school from the Parish of Marton is in single figures).

3 Relevant Town Planning History

3.1 The applicant fails to mention the other previous applications made for this site. W.A. Bromley Davenport (for Capesthorpe Estate, the present land owner) applied for 9 dwellings

in 1988/89 LPA ref. no. 5/49464P and later for 20 dwellings, LPA ref. no 5/59234P. Planning permission was refused by Macclesfield Borough Council and also dismissed on appeal.

4. Planning Policies

4.2-4.14,4.17 These topics are addressed in the following sections of this statement:

- 2. The development Plan: Macclesfield Borough Local Plan Saved Policies
- 3. Submitted Cheshire East Local Plan Strategy: emerging policy
- 4. National Planning Policy Framework and Planning Practice guidance
- 5. Marton Neighbourhood Plan

4.15 Strategic Housing Market Assessment 2013 Update

The update is based on 2011 census which shows Marton well above the average for affordable housing for both Cheshire and England (see p12 Marton Neighbourhood Plan – Further Appendices). The Housing Needs Survey carried out as part of our Neighbourhood Plan showed no pent-up demand.

4.16 Strategic Housing Land Availability Assessment (Ref 3333)

The report states on sustainability: Site is within walking distance of bus stops. This information is out of date as there is no public transport serving Marton.

The report also states on suitability: Not Suitable; and on achievability: Not Achievable (see Appendix 2 Cheshire East SHLAA ref. 3333).

5 Consultation

5.1 This section refers to the previous application 15/2274M; there has been no consultation on this application. The support from the school has been withdrawn, as stated elsewhere. Not one resident or local business supported the application 15/2274M.

5.3 Ecological Survey and Assessment

It is difficult to see how the proposed development will have no adverse effect on nature conservation and ecology or how it would provide a net gain for biodiversity. Apart from covering the field with 27 houses and the supporting road structure, 5 of the 19 trees identified on the site will be lost along with a 60m hedgerow which meets the criteria for an 'important hedgerow' which contains a protected species of native bluebell.

5.6 Heritage Statement

We have addressed the issues raised here in the Environmental Role section under Sustainability. We would like to add two further comments regarding the applicants separate heritage statement. Regard should be given to our Neighbourhood Plan Landscape Character Assessment. In p28 the applicant seeks to dissociate the site with any of the nearby listed structures. This is not true. Pump Cottage is a tied cottage to Holly Bank Farm who have used the field for grazing animals for generations. The cottage was the home of the farm's 'cow man'.

Transport Statement

5.7 The traffic generated from the site will have a severe effect on school traffic and the access road will deprive parents of 6-8 vital parking spaces (see Risk Assessment Car Parking Marton School).

5.8 The shortcomings of the Transport Statement were set out in the Parish Council's response to application 15/2274M dated 20/6/15 Technical Note produced by Progress10 Design Report No: P10-0027-NPC. The statement that there is 'a demand responsive bus route to meet the travel needs of Marton residents' is repeated throughout the developer's application. There is no bus now serving Marton, and when it was running it could only be used by the disabled and by those over the age of 80.

5.9 No practical measures have been put forward for the residents of the site to carry out their day to day activities, e.g. travelling to work, shopping, medical needs etc. without using a car.

Utilities Statement

5.12 There is no mains gas available in Marton. To heat the houses, oil or LPG will have to be trucked to the site.

Community Consultation

5.13, 5.15 and 5.16 The April consultation was for application 15/2274M, which resulted in not one resident or business supporting the proposal. A further statement which is repeated throughout the developer's application is the support from Marton Primary School. This support was withdrawn, the school giving backing to the Parish Council's approach of using brownfield sites and infilling for future housing development. See Appendix 1 Letter from Chair of Governors to Cheshire East Planning dated 23/6/2015.

Jodrell Bank Radio Telescope

6.23 There is a longstanding national planning policy concerning Jodrell Bank radio telescope. This takes the form of a Government direction made in 1973 which sets out the types of local development which the local planning authority (now Cheshire East) must consult the University of Manchester on. The purpose continues to be the same: the telescopes should retain their ability to receive radio emissions from space with minimum interference from electrical equipment. The current Development Plan policy supporting this direction is policy GC 14 of the Macclesfield Borough Local Plan which provides that "...no development will be permitted which would impair the efficiency of the radio telescopes". In the submission version of the Cheshire East Local Plan Strategy, Cheshire East Borough Council proposes to replace this policy with its own version which is set out as policy SE 14 Jodrell Bank. The policy continues to provide that development will not be permitted which would impair the efficiency of the telescopes. In addition, however, the proposed new policy would also provide that no development would be permitted if it "has an adverse impact on the historic environment and visual setting of the Jodrell Bank Radio Telescope". This additional part of the presumption against development is at least in part a reflection of the

inclusion of Jodrell Bank on a UK national shortlist for World Heritage status. The policy has yet to be examined by the Local Plan Inspector.

In terms of this planning application, there is a continuity of Development Plan policy between the existing Macclesfield Borough Local Plan and the submitted Cheshire East Local Plan. Both provide for no development to be permitted which would impair the efficiency of the telescopes. The status of Marton village and of the appeal sites remains the same: it is within the Jodrell Bank consultation zone set by the 1973 Government direction and therefore the planning policy of a presumption against development applies.

Appendix 1: Letter from Chair of Governors to Cheshire East Planning dated 23/6/2015

To: CE - PLANNING APP COMMENTS[Planappcomments@cheshireeast.gov.uk];
Subject: Comment on a Planning Application
Sent: Tue 6/23/2015 9:34:12 PM
From: CENTRE, Call

Timestamp 23/06/2015 22:34:12
Source 10.33.243.129

FORMID Comment On a Planning Application
EmailTo planappcomments@cheshireeast.gov.uk
EmailFrom noreply@cheshireeast.gov.uk
EmailSubject Comment on a Planning Application

Application_details -
Application_reference 15/2274M
Application_site_address Land Off

SCHOOL LANE
MARTON

Purpose No Selection

Interest Other

Interest_if_other Chair of School Governors

Comments

Further to an earlier response having now had time to have had more detailed discussions with Marton Parish Council I now wish to submit the following comments on behalf of the school - Having gained a greater insight through the Parish Council into the potential brown field development sites in Marton , the school are happy to support the Parish Council's preferred brown field sites.

Interested_partys_details -

Title Mrs

Forename Sue

Surname Furness

Address Chair of Governors

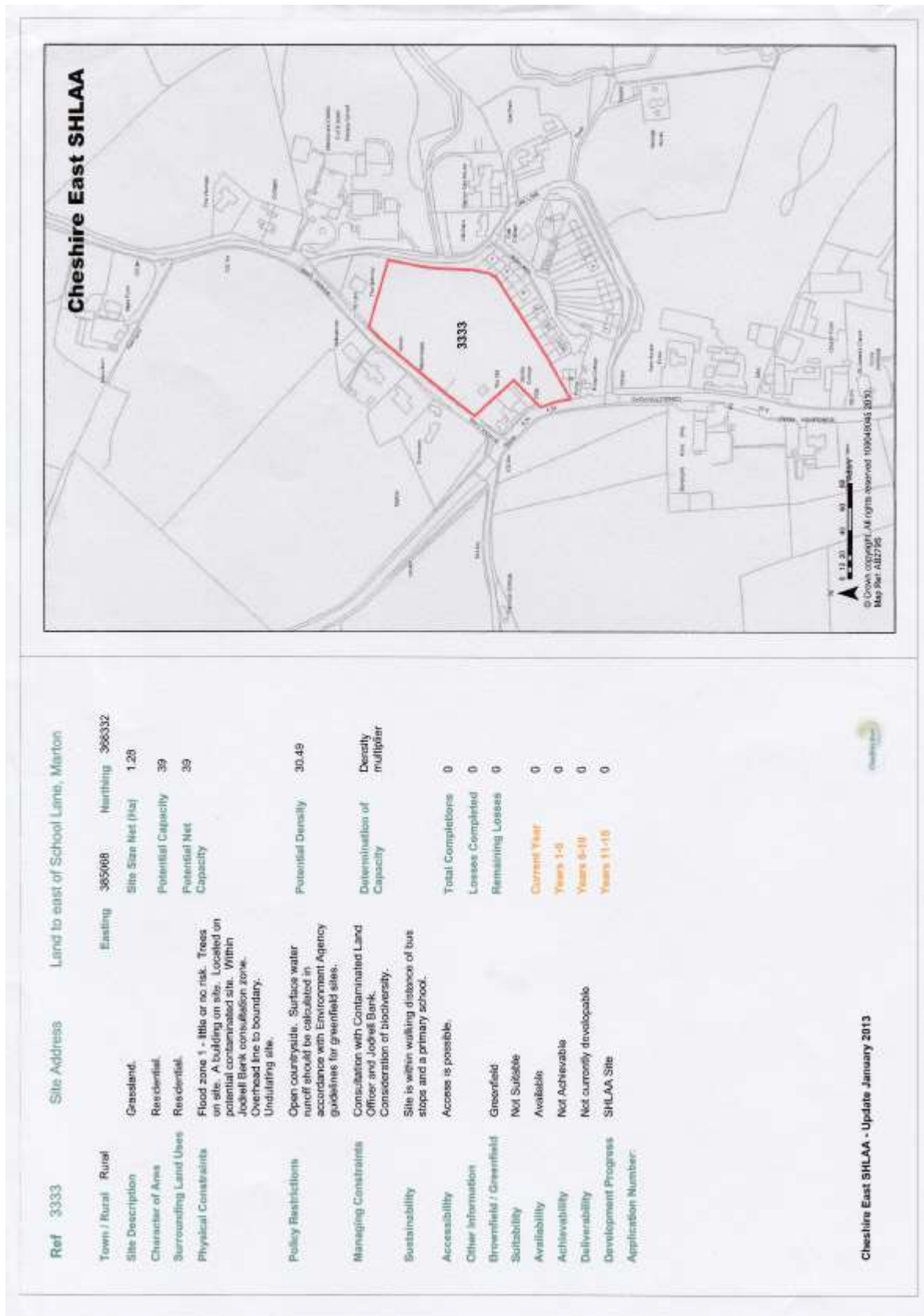
Marton & District C of E Aided Primary School

School Lane Marton SK11 9HD

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Appendix 2: Cheshire East SHLAA ref. 3333



Appendix 2: Cheshire East SHLAA ref. 3333

DAVID RUTLEY MP



HOUSE OF COMMONS
LONDON SW1A 0AA

Mr John Rylands
Chairman
Marton Parish Council
Oak Farm
Oak Lane
Marton
Cheshire SK11 9HE

22nd December 2015

Dear Mr Rylands,

Re: Planning Application 15/2274

Thank you for contacting me about the appeal which has been submitted relating to the above planning application.

I continue to oppose the application and have forwarded your email to Mike Suarez, Chief Executive of Cheshire East Council, to ensure you receive the most comprehensive response. I have also reiterated my own concerns about the scale of the proposed development. I shall, of course, be in touch again with his reply.

In the meantime, please let me know if I can be of any further assistance with this or any other matters in the future.

With best wishes,

Yours sincerely
David Rutley
David Rutley MP

Member of Parliament for Macclesfield
Private Office: 020 7219 7106 Email: david.rutley.mp@parliament.uk
Website: www.davidrutley.org.uk