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EP ref: 19-429

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Dear Ms Simpkin

Re: HPK/2020/0301 – Taxal Edge, Macclesfield Road, Whaley Bridge

We respond to your e-mail of 24<sup>th</sup> February 2021 which stated that officers are now considering adding housing mix to the recommended reasons for refusal following a recent decision regarding an appeal made by Alliance Living Limited against the failure of the Council to determine a planning application within the prescribed period for the demolition of the existing buildings and erection of 14 dwellings at land off Bingswood Road, Whaley Bridge (LPA ref: HPK/2017/0254, PINS ref: 3244957).

Firstly, we have contacted the agent for the appeal (Iceni) who have confirmed that they did not submit any substantial evidence in relation to housing mix in Whaley Bridge for the appeal. Indeed, we understand that the scheme which was originally submitted at that site was for 14 no. 3-bed units but following the receipt of the Council's Appeal Statement the housing mix was changed to be in line with the SHMA requirements to a scheme for 10 no. 3-bed units and 3 no. 2-bed units. However, as confirmed in paragraph 5 of the appeal decision, the Inspector did not consider the revised scheme.

Secondly, at paragraph 12 of the appeal decision the Inspector notes that the SHMA was published in 2014 (7 years ago), has not been updated and does not in any event indicate that its requirements should be rigidly applied. The Inspector also accepts in this paragraph that housing requirements may have altered since 2014. However, there was no firm evidence before the Inspector to support a housing mix which excludes 2-bedroom units in line with the identified need.



This contrasts to the evidence we have submitted for the application at HPK/2020/0301, which is in summary:

1 – Our e-mail of 1<sup>st</sup> October 2020, which for ease of reference stated the following:

*“Firstly, we ask whether this policy applies in this case given that it asks for all residential development to provide a range of market and affordable housing types and sizes but in this case there is no requirement for any affordable housing due to the fact it is for only 6 dwellings (net). Clearly the policy is relevant to much larger sites where affordable housing is to be provided. If the preferred housing mix of 1 and 2 bed terraced houses is pursued (we have deduced this from the documents as the committee report has neither narrative nor analysis of what would be an appropriate mix), that would also result in demolition of the existing buildings and a property type which is out of character with its surroundings, both of which are something the Council is seeking to resist as part of this proposal.*

*Secondly, whilst we note the comments made in the Officer's Report, the Council is aware that we provided a statement on housing mix on behalf of Barratt Homes for their site off Macclesfield Road / Linglongs Road in close proximity to the application site (LPA ref: HPK/2017/0247). Our report, which was accepted by the Council concludes the following, which are equally relevant to the application site:*

- Whilst the policy advice set out in the SHMA proposed a mix of 10% 1-bedrooms, 45% 2-bedrooms, 25% 3-bedrooms and 10% 4-bedrooms, this is based on a housing needs survey which is over 10 years old and does not take into account up to date evidence on people's aspirations;*
- Nevertheless, the policy advice in the SHMA is to be applied flexibly and the Council has clearly done this elsewhere in the Borough, including where permission has been granted since the HPLP has been adopted;*
- The policy advice in the SHMA also stated that the mix set out should be subject to viability testing. However, the viability study did not test the proposed mix in the SHMA. It tested the mix based on existing permissions, which resulted in a higher proportion of 3 and 4 bedroom properties than the SHMA proposes;*
- The Viability Study however did look at the context of the Borough and assessed each area. Following interviews with local estate agents in summer 2013, the Viability Study concluded that there was a demand for 2 and 3 bedroom properties in Whaley Bridge. However, up to date information from the two estate agents based in Whaley Bridge is that there is a high level of demand for 3 and 4 bedroom detached family homes in Whaley Bridge;*
- We have looked at the existing housing stock and note that there is a higher proportion of larger properties (i.e. 4 and 5 bedroom properties) in Whaley Bridge than in the rest of High Peak. Taking into account the completions and commitments since 2011 and applying the proposed mix of the application site, there would be no material difference between the make-up of the housing stock in 2011 and now; and*
- Whilst on the one hand policy H3 seeks to secure a range of housing based on the policy advice set out in the SHMA (criterion b) on the other hand, it seeks to*

*ensure that the mix of housing takes account of the characteristics of the existing housing stock in the surrounding locality (criterion c). In this case, whilst there are smaller terraced and semi-detached along both sides of Macclesfield Road, the characteristics of the existing development behind Macclesfield Road are predominantly detached 3, 4 and 5 bedroom properties and consequently the proposed housing at the application site would be fully in accordance with this."*

2 – The report that we prepared for Barratt Homes, which for ease of reference is enclosed with this letter, is dated October 2017 and is therefore more recent than the 2014 SHMA. Our report was accepted by the Council in its consideration of the Barratt Homes' application.

3 – An e-mail from the Branch Manager (Lorraine Batty) at Gascoigne Halman (the only Estate Agents in Whaley Bridge) dated 13<sup>th</sup> November 2020, states the following:

*"Thank you for asking me to look at your potential development site and give advice on the current market conditions in the Whaley Bridge area. As discussed with you, the market, and certainly the last 6 months has been exceptionally buoyant with increased buyer demand which has resulted in gazumping and multiple offers on family homes. To date this continues and I can confirm we do not have sufficient family homes to offer our potential buyers. There are currently local buyers looking for larger properties due to the fact that they are now working from home and need more family space and also The High Peak has become one of the most popular places to live in the countryside and in particular Whaley Bridge, as it has regular train links and not too far from the new A555 road which links to the airport. I have no doubt that should larger family homes be built there would be plenty of interest which would result in sales."*

Indeed, we note that the 2 no. 4-bedroom detached homes on the Shallcross / Foundry Lane Development (LPA ref: HPK/2017/0654) which were put on the market in January 2021 and are not even built yet have already been sold / reserved.

In addition to the above, we note that the approvals that were granted on Reservoir Road for 6 dwellings, did not include a mix of dwellings and singularly delivered family housing on what was a small windfall site in the same context as our client's site. Similarly, although the nature of housing differed, the Peaks and Plains scheme currently under construction at Bridgemont also did not include mix of housing in accordance with what have been required by the SHMA. This clearly indicates that the policy is more correctly addressed to larger scale housing sites and cannot be applied logically to smaller scale sites where the Council demands a mutually exclusive approach to ensuring developments reflect the character of the surrounding area – in this case, family housing largely in the form of detached dwellings in individual plots. That is the approach taken on Reservoir Road and in our view would be the correct and consistent approach to take at Taxal Edge. There is no sustainable reason for refusal based on housing mix and the circumstances of the Bingswood appeal – where there was no substantive evidence on the point – are completely different.

Consequently, we maintain that a recommended reason for refusal in relation to housing mix is unjustified.

Turning to other matters, we would re-iterate that the proposals are completely in character with the surrounding area and constitute an appropriate form of development. The size of the amenity space related to the dwellings reflects that which can be found in the surrounding area and which was deemed acceptable at Reservoir Road. Notwithstanding that point, the location gives immediate access to the surrounding countryside and there would be no adverse consequence of approving the development as currently set out. Our client's experience as a local developer shows that there is a demand for this size of dwelling with the amount of amenity space as shown and not every homeowner wants the responsibility of maintaining large amenity areas simply because they may have a larger house. The form and size of the plots does not give rise to any adverse relationship with

neighbours and has been shown to be an improvement over the extant scheme and commensurate with the existing relationships surrounding the site. With regards landscape matters, we consider that the aerial imagery enclosed with our submissions in January clearly demonstrates that this site's context is that of the built up area of Whaley Bridge and there cannot be any sustainable landscape objections to the proposals, especially when regard is had to the fall back position.

We will not be withdrawing the planning application and therefore we look forward to the application being on the agenda for the meeting of the Planning Committee on 22<sup>nd</sup> March 2021.

Yours sincerely  
Emery Planning

*Rawdon Gascoigne*

**Rawdon Gascoigne BA (Hons), MRTPI**  
**Director**

**Enc**