

# ALSAGER APPEAL PRESENTATION

Friday 9<sup>th</sup> August 2013

Good Morning Sir,

My name is Derek Bould and I am an Honorary Alderman of Cheshire, having spent sixteen years as a Cheshire County Councillor representing Alsager, Church Lawton, Hassall and Betchton; in addition to twenty years as an Alsager Town Councillor. My County Councillor duties involved representing Alsager and Church Lawton Urban Areas plus representation of the large Rural Areas of Hassall and Betchton, so I am fortunate to have extensive experience of both communities.

I am an active member of Alsager Residents Action Group (ARAG), indeed I am its President. It is a non-political campaigning organisation that has been in existence for more than 25 years and represents the whole of our Town, rather than specific individual site applications, although we support all groups and communities in challenging inappropriate and speculative development proposals on Greenfield sites.

You will appreciate that I am not attending this Appeal because I am directly affected, by this specific Planning Application, but rather because of the much wider, Borough wide, **issues relating to Community Involvement, Localism, Adopted Town Strategies and of course the critical issue of a 5 year Supply of Available House Building Land.**

**Alsager, and indeed all of the Key Service Centres within Cheshire East, have gone through the process of producing their Town Strategies** but I will refer to the example of the Alsager Town Strategy process because I know of that in detail.

I believe that all of the numerous Draft Town Strategy documents were produced by Stakeholder Panels, in the case of Alsager its members were selected by the Local Partnership (an unelected body) with the help of the Town Council.

Certainly, in the case of Alsager, consultation with the wider community (a completely new experience for many people) got off to a fairly slow start but the community quickly became very vocal and made their wishes abundantly clear.

The resultant Adopted Town Strategy identifies very clearly the outcome of this community involvement and places on record their carefully considered requirements for the future of the Town.

To demonstrate that we are sensible enough to accept that we could not ignore the unwanted Greenfield development to the South of Crewe Road (H3); which had been objected too by residents and the Town Council but approved because, at that time, Cheshire East could not demonstrate a 5 year supply of available housing land.

So we recognised reality and included the site in the Adopted Town Strategy which forms an essential part of the Cheshire East Development Strategy.

This site was not put in the Plan and then an application made, quite the opposite, a speculative development was successful simply because of a technicality introduced by the Secretary of State and recognised in our Plan because it was already there.

A site was allowed to proceed outside of the Settlement Zone Line simply because of this loophole in the planning system which sets the profit of developers above the wishes of local people.

***We did not want it – but we are wise enough to know that you can't put toothpaste back in the tube.***

**The towns across Cheshire East have completed exactly the same processes and the combined result has produced unquestionable evidence of those community's aims.**

**Equally important is the fact that the Localism Act and the National Planning Policy Framework (NPPF) clearly indicate the principle that *'local communities should play a major role in shaping their futures.'***

**In our view; this is precisely what the Town Strategy Preparations have achieved and therefore the Adopted Town Strategies clearly demonstrate the aspirations of our various communities within the emerging Cheshire East Local Plan.**

It is perhaps of interest that, on Wednesday 17<sup>th</sup> July 2013, a debate took place in the 'House of Commons' on "Localism in Planning".

The debate was initiated by Nick Herbert (Conservative MP for Arundel and South Downs) and he opened by saying *...(there is)... "evidence of the growing concern in our constituencies about planning matters and the need to ensure that we strike the right balance between providing housing and ensuring that the countryside can be protected and that we keep our promises that we made to local people."*

**I couldn't have put it better myself.**

**We look to our Elected Representatives to keep their promises and, in association with the Planning Inspectorate, to protect our communities.**

It is worthy of note that the debate was highly critical of the current planning position and specifically the situation that many Councils find themselves in of not yet having a Local Plan. With the exception of two speakers all of the members participating in the debate were members of the governing Coalition Parties.

It is of some consequence that much of the Commons debate mirrored many of the very real concerns of our local communities and the lack of trust that many have in the Planning Process.

Nick Herbert MP said *“The dangers of returning to planning by appeal are multiple. First, such a return is founded on the mistaken belief that the way to get house building moving is to send some kind of signal through the system and the Planning Inspectorate that such speculative applications are to be rewarded.”*

**This is very much what worries so many of our local people who have reached the conclusion that the Localism Policy counts for nothing and the interests of developers are put before the genuine concerns of our communities.**

**I would appeal to you Sir - to give significant weight to the expressed wishes of our local communities, through their Adopted Town Strategies, and afford us the level of protection that we so urgently need.**

Moving on to the subject of Housing Demand, which centres heavily on the need for Affordable Housing, we are of the view that while this shortfall is clearly apparent in the South East it is not at all clear that a significant shortfall exists in the West of Cheshire East where Developers are clamouring to grab greenfield sites.

Indeed in Alsager, and similarly Sandbach, Middlewich and Crewe, there were a large number of Council Houses which were bought under ‘The Right to Buy’ scheme. Significant numbers of these properties are now available for purchase and by their very nature fall into the category of ‘Affordable Houses’.

This situation should be a factor when considering the developers arguments, that they are simply attempting to satisfy the demand for Affordable Housing.

In practice, our communities find that they cannot rely on developers to deliver on their promises to providing these Affordable homes.

One developer was given an outline approval for a large site of about 400 dwellings, adjacent to the ‘Cross Keys’ on Remer Street in Crewe, which included 35% Affordable Housing. Once this had been achieved they returned to Cheshire East Planners and re-negotiated this proportion down to 10% on the basis of economic viability.

It seems incomprehensible that a ‘nationally recognised’ Housing Developer would not be aware that they were agreeing to something which was not financially viable, until after the Outline Approval had been given.

The fact remains that the payment made to Cheshire East, as part of this deal, is an irrelevance but the 25% reduction in the final approval means that about 100 less Affordable Homes will be built in Crewe.

**How can our communities possibly give any credence to the NPPF and other planning guidance when this is the final outcome?**

## **They see this as clearly putting profit before people.**

The one important issue that has received little comment during this Appeal Process is the question of employment growth – providing jobs for those families who will occupy the 27,000 houses identified in the Cheshire East Draft Development Strategy, let alone the thousands of additional homes that will be built if these appeals for speculative development sites are approved.

*Rather than seeing growth in jobs for the area, we have only seen a haemorrhaging of jobs from Cheshire East as the situation at Astra Zenica demonstrates.*

Sadly we could even be faced with a developer wanting to cover the Astra Zenica Brownfield site with houses because of its proximity to Alderly Edge.

**Common sense and our residents tell us that jobs attract families who then need homes; it seems utterly ludicrous (to them) to suggest that building thousands of homes first, attracts jobs.**

In addition, looking at the issue of the requirement to provide a 5 year supply of available housing land; much of this has already been achieved in our Towns with the planned and speculative Greenfield developments which already have Outline Permissions.

Here in Alsager, one planned brownfield site and one speculative Greenfield site have received Outline Approvals totalling 400 dwellings out of the Alsager Adopted Town Strategy allocation of 1000 over the Plan period - which in our case equates to a 7 year supply of available housing land.

The problem facing our community in Alsager is that we have Appeals in Progress which account for another 435 houses on Greenfield sites, 170 Refused Applications which have not yet been Appealed and Pre-application consultations for a further 1500 of which 300 (on the MMU Brownfield site) are in the Adopted Town Strategy.

**The staggering possibility is that Alsager could be faced with 2,200 extra dwelling approvals in the first few years of the Plan period and this figure excludes the proposed New Village of more than 2,700 houses at Barthomley which is right on our doorstep.**

**In total an 80% increase in the effective size of our Town.**

To demonstrate that this problem is becoming commonplace across Cheshire East, it is worth noting that the situation in Sandbach is even graver - with the possibility of approvals for more than 7,000 dwellings, representing a doubling of the size of their Town.

**The character of our local communities, throughout this**

**Western part of Cheshire East, would be changed for ever – and certainly not in the manner that we would want.**

**There could not be a stronger case for you to protect our communities from this onslaught of speculative development.**

This incredible growth in housing, if these appeals are upheld, will almost certainly cause crippling failures of our town's infrastructures. The increase in traffic volumes together with unsatisfied demands on our schools, medical services, town centre parking, sewerage and other statutory undertaker services will make life extremely difficult for our existing and new communities. It is even possible that our District Hospital, at Leighton, will be unable to accommodate the vast growth in demand for its services.

Additionally, this stampede of speculative development is entirely contrary to Alsager's position as an 'Area of Restraint' because of its proximity to the North Staffordshire Conurbation of Stoke on Trent and Newcastle under Lyme with their Regeneration requirements. The Area of Restraint policy has applied to Alsager in successive Congleton Borough Local Plans over many decades. It is a readily recognised policy which covers the whole of the area within the town boundary and has never identified individual site locations.

However, White Moss is outside the Alsager town boundary and is a possible development of between 800 and 1000 dwellings. It is therefore appropriate that Stoke on Trent and Newcastle' should comment on this site as part of the normal consultation process.

May I now comment briefly on the subject of 'perceived' poor construction delivery on sites with outline approvals?

At a Public Inquiry into the Manchester Metropolitan University (MMU) site, which took place ten years ago, although an outline approval was being sought, the MMU management were apparently nowhere near identifying a developer or a date for vacating the site. Indeed, vacating the site has only been achieved within the last few months.

Our understanding is that if construction does not commence on a site, within 3 years of an outline approval, the permission lapses. So in the case of the MMU site, where it has only recently been vacated by students, the site has not had an approval for many years and therefore delivery could not possibly be expected.

The use of this (and similar examples) as a criticism of Cheshire East's delivery performance, would be totally unwarranted because it is site owners/developers who determine when to start building, and they naturally respond to what the market dictates. It would be utterly ridiculous to hold Local Authorities responsible for the Speculative Developer's practice of LAND BANKING while they wait for an upturn in the housing market.

However, we are conscious that at the original appeal Congleton Borough Council lost its

argument to restrict housing development to 80 dwellings, because of severe infrastructure problems, and the Inspector determined that the correct number of dwellings for the MMU site was 150; based on not increasing the traffic flows to and from the campus site.

Most importantly, this demonstrates the severe infrastructure problems which we experience in Alsager on a day-to-day basis and the Sandbach Road North site suffers from exactly the same issues.

The site access is onto a notoriously bad bend and opposite the exit from the Wilbraham Arms Public House; it is at the bottom of a fairly steep decline where traffic accelerates from the 30 MPH area into the 40 MPH zone. To the South; this road passes through a narrow cutting, which the Council have not succeeded in widening and which has no footpath for pedestrians.

A developer contribution towards improvements to the Sandbach Road North, Crewe Road and Lawton Road junction in the centre of the town, will not resolve the dangers which are present at the site access.

Just up the road from the Appeal Site is the Salt Line, being almost certainly the best countryside amenity in Alsager. When our residents are enjoying this excellent facility and look out towards the town, the existing housing stock is in the middle distance, and separated from them by open fields, such that the open countryside visual aspect is not spoiled. The proposed new housing development would be in the foreground of the view from the Salt Line and would significantly impair the visual enjoyment of this valuable amenity.

In addition, the proposed development would render the Public Footpaths (Alsager 1 and Alsager 2) to nothing more than urban walkways and the normally, and expected, open countryside attraction of these footpaths would be lost forever.

Finally, I could not help but be aware of the attention that is often drawn to the subject of various Appeal Determinations.

This causes me concern that, on the one hand, we are constantly told that each Planning Application/Appeal must be considered on its individual merits; on the other hand, we are told that determinations relating to other sites must influence the decision for this appeal. If this is the case, and I bow to expert opinion; surely if extending the Settlement Zone Line of Alsager is allowed in this instance it will effectively become a precedent for any future Applications/Appeals of this nature.

This represents a very significant step and introduces subsequent risk to the defined boundaries of our communities.

No such extension of Settlement Zone Lines was indicated in the Adopted Town Strategy and clearly not wanted by our community.

**May I now summarise the main points of my statement:**

- **We expect government, and therefore the Planning Inspectorate, to implement stated policies on Community Involvement and Localism.**
- **We therefore ask you to give appropriate significant weight to our local communities stated objectives, as clearly defined in their Adopted Town Strategies.**
- **We also ask you to consider our comments on the Affordable Housing Stock which is already available within our Towns and the failure of many developers to deliver the 30% target.**
- **Further, we ask you to take into consideration the need to achieve a balance between house building and job creation.**
- **We ask you to consider very carefully the on-going effect that your strategic decision, on the 5 year supply of Available House Building Land, will have on Alsager in particular and Cheshire East as a whole, on the future character of our local communities.**
- **Finally we ask you to consider the risk to our settlements of establishing, what appears to be a form of precedent, for allowing the extension of Settlement Zone Lines without the clear knowledge and support of the local community.**