

## **Submission to the Planning Inspectorate with regard to Appeal APP/A0665/W/18/3196169**

### **Executive Summary**

In presenting its submission as an 'Interested Party', Utkinton and Cotebrook Parish Council (UCPC) would wish to draw a number of factors to the attention of the Inspector on behalf of the residents of Utkinton.

This statement has been developed and agreed by UCPC along with the Neighbourhood Plan Steering Group as their response to the appeal against the refusal of application 17/01595/OUT for residential development of 7 affordable dwellings and 5 market dwellings. It is based on the application and appeal documents and the extensive knowledge of people who live and work in the area.

The Parish Council wants Utkinton and Cotebrook to develop and thrive as communities with a good quality of life. But the current proposal is from a developer who appears to be intent on making the **maximum profit** from a site outside the village settlement boundary that would have a **severe impact on the landscape**, deliver an **uncertain but probably excessive amount of affordable housing** and **prejudice the emerging Neighbourhood Plan**. Utkinton is **not currently designated as a local service centre** and the process to allocate the village as a **Local Service Centre** is at an early stage to which little weight should be given.

The submission will contain a number of sections relating to the following and these will be supported by evidence in a number of forms.

- Landscape and Employment:
  - Landscape and visual receptors
  - Landscape and its impact on employment
  - Land Utilisation Surveys
- Housing Need in relation to the landscape.
- This application in terms of the NPPF July 2018

UCPC will draw a number of conclusions from the detail within this submission:

- The residents of Utkinton value their landscape and environment highly
- The proposal will dominate a, hitherto, open space on the edge of the village and reduce the landscape distinctiveness of the village in terms of the ASCV
- UCPC and residents of Utkinton are not against development 'per se', although a large number have expressed opposition
- UCPC does not reject any true 'infill' development in the Parish
- There is the possibility of a diminution of business within the community due to potential harm to the revenues at Rose Farm Shop et al
- This could, in turn, lead to a reduction in employment opportunities as Rose Farm Shop et al are the key employer in the village
- Which could lead to a reduction in demand for affordable dwellings which may, in turn, lead to the village becoming less sustainable.

And, based on the submissions by the Appellant that

- The Planning Appeal Statement (GM/P17-2923/R001V2) provided by the Appellant has errors and omissions, including a wrong date (January 2017), irrelevant case studies, poor labelling of photos, incorrect description of bus services and doesn't refer to the latest NPPF or CWaC Local Plan 2 submissions.
- They also have a number of key statistics related to Utkinton (not the Parish) wrong – facts that could easily have been checked via CWaC and ONS – Utkinton has c. 220 houses (not 150) and a population of c.520 (not 700)
- The landscape evidence provided by the developer seriously undervalues elements of distinctiveness including features such as walls and hedges and the views into and out of Utkinton. It plays down the damage that will be done to them, overplays the potential for mitigation and does not contain any appreciation or acknowledgement of the feeling of the local community towards their landscape and have not consulted with either the Parish Council or the community at large.

**It should, therefore, be given little weight.**

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### **1.1. Overview of the submission:**

Residents appreciate the peace and tranquillity that exists in the village and, indeed, in the wider Parish and would not wish this to be compromised by a development of this type and size. There is a sense in the community that this development is less to do with the protection of a rural and distinctive landscape and more with a developer wishing to use a development to make a profit and that affordable housing is the lever by which they intend to achieve it.

Residents are not against development, but there may be more appropriate sites for affordable housing in the Parish. While these have their own planning issues, an objective housing needs survey and other evidence suggests the need for affordable housing is small (representing less than 1% of the existing housing stock), not urgent and that the best way to for the community collectively to agree the amount and location should be through the Neighbourhood Plan process that has been underway since late 2016.

For the residents of Utkinton this is a home truth, and yet, whilst they accept that there is a very small need for some affordable housing in the Parish over a long period, this was further underpinned by the CCA Housing Needs Survey (2018) that established that there is no current requirement.

This is the wrong development in the wrong place for all the wrong reasons and none of which will serve to enhance or protect the local landscape and its distinctiveness.

UCPC would ask the Inspector to dismiss this Appeal on the grounds that it will do irreparable damage to the long-term landscape distinctiveness of Utkinton and also that there is no expressed need for this development in its entirety and is made viable only by the inclusion of a larger than necessary element of Market Housing.

This submission will contain a number of documents:

- This Submission
- An independent Landscape Assessment by 'Blackfryers Landscape Consultants'
- Appendices
  - A. UCPC Notes relating to: R001v2 – Planning Appeal Statement
  - B. UCPC Notes relating to: 001kc – Hearing Statement, Landscape and Visual
  - C. UCPC Notes relating to: R002v1 – Statement of Common Ground
  - D. UCPC Draft Community Benefit List (Issued to CWaC in 2016)
  - E. UCPC Residents' Statements About Utkinton
  - F. UCPC Extracts from Neighbourhood Plan Surveys
  - G. UCPC Site Perspective showing lines of sight (PowerPoint)
  - H. Cheshire Community Action – 'Housing Need Report for Utkinton and Cotebrook'
  - I. Cheshire Wildlife Report 'Protecting and Enhancing Utkinton and Cotebrook's Natural Environment'

The Planning Appeal Statement (GM/P17-2923/R001V2) provided by the developer contains numerous errors and omissions, including a wrong date (January 2017), irrelevant case studies, poor labelling of photos, incorrect description of bus services and doesn't refer to the latest NPPF. It should, therefore, be given little weight.

Further, the landscape evidence provided by the developer (Landscape and Visual Statement - Pegasus Feb 18, and review of a Landscape Appraisal (Ryder Consulting 2014) - Chris Burnett Associates Sep 2017) seriously undervalues many elements of the landscape including local features such as walls and hedges and the glorious views into and out of Utkinton. It plays down the damage that will be done to them, overplays the potential for mitigation and does not contain any appreciation or acknowledgement of the feeling of the local community towards their landscape.

We also believe strongly that the 'Statement of Common Ground' is seriously deficient and there are areas where the effects of the proposals are not agreed.

This submission seeks to build on earlier representations to CWaC by residents, the Parish Council and other organisations at the various stages of the application process.

The key issue related to the refusal by CWaC of outline planning (17/01595/OUT) focuses on the probable loss of landscape amenity enjoyed by the residents of the village in specific regard to this field as well as its impact on overall Landscape Distinctiveness. This submission aims to set out some of the key evidence in relation to the field that is the subject of the planning application and information that relates to Landscape in support of CWaC's refusal.

It is, perhaps, worth setting out Utkinton and Cotebrook Parish Council's (UCPC) view (based on its understanding of the feelings of residents) in relation to the assertion by Pegasus Group and its landscape consultants on behalf of the Applicant. Put quite simply our views related to the landscape distinctiveness of Utkinton are diametrically opposed to those of the Appellant.

It will rehearse and seek to rebut some of the arguments put forward by the Appellant in:

- Planning Appeal Statement
- 001kc Hearing Statement 19.02.18 v2 (Landscape and Visual Statement)
- R002v1 - Statement of Common Ground - including appendices

Each of the above has been previously submitted to the Inspector by way of other documents and this representation will refer to those by way of notes, appendices and original submissions.

## 1.2. Landscape

This section is informed by a Landscape Character Assessment, carried out by 'Blackfryers Planning Consultants' which has been submitted as a separate document.

There are instances where the Appellant has sought to use the issues related to affordable housing and development and where appropriate, UCPC has sought to respond but not in detail. We have attempted, wherever possible, to 'stick to our knitting' and argue the case from the perspective of landscape and the loss of distinctiveness, utility and amenity to the village as a whole.

We do not base our views on the narrow confines of the Village Settlement Boundary as described by the Appellant (Figure 5 [R001v2] - Cheshire West and Chester Council's Proposals Map) but rather see the landscape as an whole taking into account the original settlement of Utkinton from 'Utkinton Hall' to the 'High Billinge' and the narrow lanes on which can be found characteristic sandstone walling, the various quarries and ponds that are dotted about the landscape. It may be worthy of note that present day Utkinton is an amalgam of a number of smaller settlements centred on farming and joined together in 1866 as a single Civil Parish: Utkinton, Quarry Bank, Fishers Green, Rowley Bank, and Cotebrook. It is this amalgam that defines that character of the landscape we see today. The site under question is based in what was originally the centre of the hamlet of Quarry Bank.

The Appellant seems to infer that the 'vernacular' layout of the estate adjacent to this site represents the whole of Utkinton, when clearly it does not. What is seen as the centre of Utkinton, is in fact the older settlement of Quarry Bank and from the graphic below the relevance of the historic nature of the settlement can be seen in juxtaposition to the proposed development. Each of the properties highlighted has been in continuous occupation since at least, the 1830s (hence the Tithe Map).

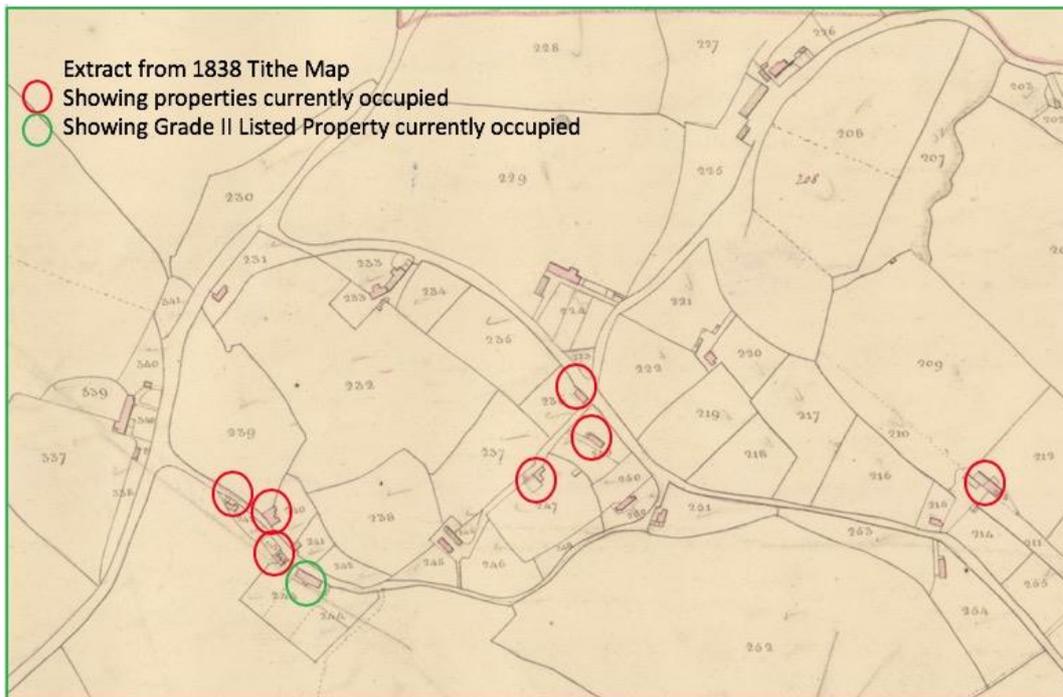


Figure 1 - Extract from 1838 Tithe Map showing location of historic properties

It should be noted that 'Bumblebee Hall' appears as an Historic Building, however RAMD have listed it as 'Grade II' in their Heritage Statement.

This submission will ignore, for the moment, the assertion that Utkinton is a 'Local Service Centre' as this is, as yet, a proposal by Cheshire West and Cheshire Council and is currently a part of inspection of Local Plan 2 and has not yet been decided. The methodology for selection is being questioned by the Inspector.

It will also seek to dispel the view that Utkinton is a 'sustainable community' as it does not have 'proper' timetabled public transport (limited only to community transport) and is 1.7m from the nearest service. Its amenities relate to a shop (albeit excellent), a primary school, (whose roll is virtually full) and a Village Hall that exists only for as long as the local WI continues.

Further, it would wish to dispel the notion that UCPC is against development and this can be seen from the results of the four Housing Needs Surveys that have been undertaken (2006, 2013, 2016 and 2018) and each of which demonstrates a very small need across the Parish.

**17/01595/OUT is, like the predecessors from the same developer simply the wrong development in the wrong place for the wrong reasons.**

UCPC will not focus on the arguments as to the numbers of dwellings in the proposed development rather how it might be seen from a visual receptor's perspective. However, given that the Appellant's submission uses the various HNA to underpin their case UCPC will do so as well.

The Parish Council would wish to demonstrate that the Appellant's assertions that this development would not cause irreparable harm to the environment is erroneous by including a number of sketches that show how the development would sit on the field and how it would block views into and out of the area. These are based on the plan as submitted in 17/01595/OUT rather than the Appendix 5 - P17-2923.001 Landscape Mitigation Plan.

It will introduce evidence in the following forms:

- Sketches from a number of viewpoints around the site (see attached PowerPoint slides)
- Reports commissioned to support the emergent Neighbourhood Plan and prior to the notification of the appeal in the form of:
  - A Landscape Survey commissioned from 'Blackfryers Landscape Consultants' prior to the visibility of the Appellant's Statements and supporting material (June/July 2018)
  - A study by Cheshire Wildlife Trust titled: 'Protecting and Enhancing Utkinton and Cotebrook's Natural Environment' (January – April 2018)
  - An independent 'Housing Needs Assessment' for Utkinton and Cotebrook Parish via 'Cheshire Community Action' supported by borough wide research for CWaC (January – July 2018).
- Extracts from the emergent 'Neighbourhood Development Plan' including the original surveys undertaken in April – June 2017.
- A survey undertaken by the Chair of the Parish Council to try and establish beliefs among residents of the Landscape Utility (March/April 2018)
- Comments from around the community that demonstrate the landscape distinctiveness and appeal of both the existing site and the village as a whole.

### 1.2.1. Local Landscape Policies

The relevant local landscape policies are the Cheshire West and Chester Local Plan (Part One) Strategic Policies adopted in 2015 which incorporates a landscape strategy. Its aims include *'taking account of the different roles and character of different areas and recognising the intrinsic character and beauty of the countryside'* and *'identifying opportunities for protecting and enhancing the intrinsic character of the landscapes of Cheshire West and Chester'*.

The site is in character area LC2c: Eddisbury which is included within the LCT2 landscape Character Type Sandstone Ridge. The landscape elements have been listed elsewhere and are not repeated here.

### 1.2.2. Landscape – “We get very precious about it”<sup>1</sup>

Utkinton is a village with a long history with character buildings, hedges, sandstone walls, trees and woods. It is set on the Sandstone Ridge and there are magnificent views into and out of the village towards the Clwydian range across the Cheshire plain. The character is overwhelmingly tranquil and rural; this is fiercely defended by proud residents.

From the outset the Parish Council would like to stress that the comments and notes that follow are not specifically related to the numbers, layout or tenure of the development and more about the views of receptors into and through the proposed development rather than the views that potential residents might get. It believes that the development is flawed in concept and that with consultation at the outset, the outcomes may have been different. There is a groundswell of opinion against this development across the community as evidenced by objections from 68 residents across the community to this specific application (17/01595/OUT).

It isn't just what can be seen from the site but the views into and out of the field from various vantage points around the village. The presentation attached to this submission represents these views.

The Appellant makes a number of inaccurate statements with regard to the numbers of houses that sit within the village (not necessarily the Village Settlement Boundary) and it worth focusing on the numbers of 'affordable/social units versus those that could be defined as 'market'.

There are c.220 housing units in the village of Utkinton of which some 10% (22) could be described as affordable and under the aegis of 'Weaver Vale Housing Trust', the corollary to this is that, therefore, the balance (90%) are likely to be classed as Market housing. The table below (from [www.rightmove.co.uk](http://www.rightmove.co.uk)) shows the numbers of properties sold in Utkinton since 1995. From this it is possible to conclude that the average pricing for Market Housing in Utkinton over the past 3 calendar years (2015 – 2017) lies at £436,372.

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<sup>1</sup> Quote from Chair of Utkinton and Cotebrook Parish Council.

| Row Labels         | Average of Value | Number of sales | Max of Value            | Min of Value    |
|--------------------|------------------|-----------------|-------------------------|-----------------|
| 2015               | £508,938         | 8               | £1,225,000 <sup>2</sup> | £249,500        |
| 2016               | £344,250         | 7               | £595,000                | £230,250        |
| 2017               | £455,929         | 7               | £675,000                | £225,000        |
| <b>Grand Total</b> | <b>£436,372</b>  | <b>22</b>       | <b>£635,000</b>         | <b>£234,917</b> |

Table 1- Data regarding house prices in Utkinton 2015 - 2017 (Source: 'RightMove.com')

This submission from the Parish Council will seek to address some of the aspects of the refusal and to add new evidence gleaned as part of the planned Neighbourhood Development Plan for Utkinton and Cotebrook. It will also address landscape and land usage from the perspective of 'housing need'.

The NPPF, updated in July 2018, offers three key objectives in relation to development and the landscape:

*a) **An Economic Objective:** to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- Whilst this land (the site) is available, it could support growth of population. However, neither productivity nor infrastructure will be supported or improved if it is developed.

*b) **A Social Objective:** to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

- In reality, there are few easily accessible services within the overall hinterland of this settlement – the only cultural venue being a village hall that is limited to 70 people and a small (junior) sized tennis court. The site in question is one of the only open spaces in close proximity to the village and it will be endangered by this development.

*c) **An Environmental Objective:** to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimizing waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- Of the three key objectives within the NPPF as set out in July 2018, it is the **Environmental Objective** that could have the single largest impact on the village from this development. It (the development) will not:
  - enhance the natural, built and historic environment
  - make effective use of land
  - improve biodiversity
  - use natural resources prudently

<sup>2</sup> This is for a single executive style property

### **1.2.3. Landscape and Employment:**

#### **1.2.3.1. Openness/density of village**

The village is nestled in the folds of the countryside and many of the streets are enclosed by sandstone walls and hedges endowing a very intimate feel to the village overall. Plot sizes are generally relatively large which gives each dwelling a more open feel.

The appeal statement contains a misleading plan which suggests that the site is surrounded by urban development. This is not the case.

Northgate forms a natural boundary to the village (which is why it is part of the defined settlement boundary) and is south of the 'scattered buildings'. These include the five dwellings on Northgate (lower) that form the historic centre of the hamlet of Quarry Bank - Beam End Cottage (no. 7), Nos. 12 and 14, No. 16 (Grade II listed thatched cottage) and finally Bumblebee Hall. The buildings at Rose Farm retain an agricultural feel. The appeal site feels part of the countryside. This can only be properly appreciated through a site visit.

#### **1.2.3.2. Landscape and visual receptors**

Our first point relates to an existing and 'non-designated historic asset' in the form of a sandstone wall stretching from the perimeter of Bumblebee Hall on Northgate to the junction of Northgate and John Street and beyond to the entrance of Rose Farm Shop. This is topped by a mature hedgerow of native bushes and emerging trees. The outline application is contingent on this wall and hedgerow being demolished and moved 2m to the south to enable a footpath to be constructed. It should be noted that, should the wall not be demolished, as described in the Application, then there would be no pedestrian access from or to the site and this is in contravention of planning policies. Despite there being mention of it being rebuilt and the hedgerow being replanted it is deemed unlikely that it will return to its current state for many years into the future. This would apply equally to flora and fauna that inhabit the area.

The Officer's Report suggests that only a part of the wall will require to be demolished when, clearly, this is not the case. In fact, it is entirely possible that when the wall is, eventually, rebuilt that this will allow even more visibility of the site from the perspective of residents living along John Street and Northbrook Road. This will not enhance landscape amenity - it will decrease it substantially.

Similarly, any resident who currently has visibility of the field from Northgate, North Brook Road, John Street, Rowlands View and the upper reaches of Quarry Bank and other areas will lose any possibility of enjoying it due to the character of the site being completely changed from an open field to a housing estate.

The applicant has conceded that the proposed development would have a 'moderate adverse effect' upon five views, and a 'moderate/minor adverse effect' on the remaining four views. Our Landscape Character Assessment discusses the general subjectivity of landscape assessment and the genuine differences in opinion between consultants who are paid by a developer to support a development and residents who are fiercely protective of their environment. While consultants try to retain objectivity, a consultant who held a negative view of a development project would not remain working on that project for long! In terms of the visibility of the site and its environs, there are also public footpaths (ROW) to the East (Utkinton FP15) and North East (Utkinton FP17) both of which have good visibility

of the site in question. Any vista to the west and north west from these ROW would be significantly curtailed if the appeal is upheld and this development is allowed.

That the village (all of it) sits within the Delamere/Utkinton 'Area of Special County Value' (ASCV) as designated in the CWaC Local Plan 2, this suggests that the countryside surrounding Utkinton is, indeed, special and that any proposals to develop inside the ASCV would require detailed scrutiny as to the impact of these proposals in terms of the protecting landscape distinctiveness.

### **1.2.3.3. Landscape and its impact on employment**

As a Parish Council we have a serious concern as to the effect of this proposal on the levels of business enjoyed by Rose Farm Shop, Rose Farm Café, Gift Shop and Flower Centre.

It is likely that the future residents of the estate, if built, would quite naturally wish to have a degree of privacy and that close-boarded fences will be erected adjacent to Rose Farm complex and along the road boundary with John Street to supplement the hedging and planting proposed by the Applicant in the 'Mitigation Plan'. These additional privacy measures are understandable (but likely to be approximately 1.8m – 2m in height and not requiring planning permission) and the construction of two-storey dwellings on the site immediately adjacent to the café, will all but obliterate the views enjoyed from the café to the North West toward the Sandstone Ridge and west towards the Clwydian range across the Cheshire plain.

Rear boundaries of housing are always problematic with sheds and other garden structures and fencing often made of poorer quality and cheaper materials. It would be impossible to control this in the long term. Landscaping conditions are often ignored and are difficult to enforce anyway. Permitted development could produce 2m high fencing and inappropriate materials or suburban planting such as Cherry Laurel that would reduce the countryside feel of the area. Removal of permitted development rights would be problematic and probably unenforceable.

Rose Farm is a vital village facility (shops, post office and café) for residents and a stopping-off point for many walkers using local footpaths and locally promoted routes. Currently the Rose Farm site is attractive and open, with low-key buildings surrounding a car park/courtyard on two sides, with the appeal site providing a tranquil, rural backdrop on the third side.

The development would completely urbanise the third side, with houses backing onto the site. It would obliterate the views enjoyed to the North West toward the Sandstone Ridge and Trail and west towards the Clwydian range across the Cheshire plain.

At this stage it is worth noting the numbers of visitors to Rose Farm that might be considered as specific potential key receptors of landscape and visual impact, as well as residents, visitors, travellers through the area and other groups of viewers should also be noted.

This extract taken from the 2017 comments related to 17/01595/OUT is still appropriate although the numbers may have changed since the survey was taken.

*'Rose Farm Shop has been open for almost 20 years and has an average footfall of 240 per day and regularly has up to 215 cars and other vehicles coming and going. It also requires regular deliveries from suppliers of livestock, feed, retail produce, post office and delivery vehicles. It also hosts the mobile library. Despite this commercial environment the site does*

not result in an ‘urban effect’ on the village use of the site it has continued to contribute to an air of tranquillity in the village.

The site includes five other small operations: a thriving café (popular with locals, rambles, cyclists and touring parties) that has cooking facilities six days a week and air-conditioning equipment functioning seven days a week over a 24-hour period. There is also a gift shop, a small garden centre, a woodworking yard and a car wash/valeting service. Were the development to proceed there could be a consequent diminution of traffic leading to impacts on employment.

The estimated ‘footfalls’ for Rose Farm Shop and Rose farm Café on an average week are shown below (Source: Rose Farm Management transaction data).

Of these, approximately 90% arrive by car or ‘community transport’ (there are no timetabled public transport services available), and the management estimate that of those travelling by car, approximately 30% are local to the Parish. It excludes traffic for the car wash, garden centre and gift shop. The addition of 12 properties and an average of 2.2 individuals per household is not likely to add significantly to the footfall and, even if the whole of the proposed development shopped at Rose Farm, it is unlikely to add more than 5% to the average. If, as experienced currently, around 30% of local residents use the shop et al, then it is likely to be just above 1.5%. (5% of 30%)’

| Shop (based on w/c 3 April 2017) | Total transactions | By Car (90%) | Parish Based custom |
|----------------------------------|--------------------|--------------|---------------------|
| Monday                           | 160                | 144          | 48                  |
| Tuesday                          | 224                | 202          | 67                  |
| Wednesday                        | 200                | 180          | 60                  |
| Thursday                         | 242                | 218          | 73                  |
| Friday                           | 295                | 266          | 89                  |
| Saturday                         | 337                | 303          | 101                 |
| Sunday                           | 214                | 193          | 64                  |
| <b>Total</b>                     | <b>1672</b>        | <b>1505</b>  | <b>502</b>          |
| <b>Average Daily</b>             | <b>239</b>         | <b>215</b>   | <b>7722</b>         |

**Table 9 - Showing vehicular traffic at Rose Farm (w/c 3 April 2017)**

To these figures can be added estimates of transactions (not the numbers of people) who utilise Rose farm Café. The estimates are c.50 per day (Tue – Fri) and 60 per day Sa & Su. It is estimated that the major point is the impact of the development and loss of landscape as an amenity could make the shop much less attractive to visit that trade would be detrimentally affected and this may result in not only future employment opportunities but may well result in redundancies.

These views are particularly relevant as the café attracts large number of customers - walkers, cyclists and those travelling by car. If these views of the landscape are obscured then it is likely that the levels of custom enjoyed by these businesses would diminish which could, in turn, lead to a diminution of employment across the whole complex.

Indeed, it has been mooted that, should this be the case, then the viability of the Rose Farm shop and its activities may come into question – this could, in turn, lead to the possibility of

larger scale development (bearing in mind that the shop complex is in open countryside, some distance from the Village Settlement Boundary) and the loss of the only shop for a radius of 2 - 2.5 miles. It should be noted that the shop is a lifeline for a number of residents (many of whom are elderly) and who don't have access to a private car.

#### **1.2.4. Effect on local heritage assets**

Sandstone walls and hedges are intrinsic to the character of Utkinton and the wall and hedge from Bumblebee Hall on Northgate to the junction of Northgate and John Street is a fine and prominent example. The hedge is exceptionally thick, and it has emergent trees. Maps suggest that as Northgate and John Street are ancient (they are certainly shown on the 1838 Tithe map) that this wall and hedge are probably on the course of a medieval field boundary. Using 'Hooper's Law'<sup>3</sup>, the four tree/shrub species in a 30m stretch suggests the hedge is at least 400 years old. Hooper's Law is only a rule of thumb and can be off by a couple of centuries; but given that the hedge fronts an old road and the map evidence of old field boundaries it is reasonable to infer that the current hedge dates from at least 1550-1650 and could be classed as 'ancient'<sup>4</sup>.

The development would seriously damage a large and significant section of both the wall and hedge and possibly the root system of the trees along John Street – most of which are under TPO. A conservative estimate would be about 40m – which is most of the existing wall/hedge. This would be both for the actual entrance and for a visibility splay and pavement, and would extend to the prominent junction with John St. The Officer's Report suggests that only a part of the wall will require to be demolished when, clearly, this is not the case.

Any new wall and hedge would be in a different position and this would destroy the material, species, ecosystems and historical meaning of both the wall and hedge. Any new hedgerow plants would take decades to take on any character and it would take a century for the new wall/hedge to resemble the existing one, if it survived.

The Mitigation Plan provided by the developer requires the sandstone wall just above the entrance to Rose Farm to be breached to provide for a playground. This also raises issues related to parking and road safety as there is no paved footpath in this area except on the opposite side of the road.

There would be cost-pressure on the developer to use poorer species, materials and other specifications (such as width of hedge), the establishment of new hedges is often difficult, and local authorities have few resources to enforce conditions such as maintenance of new landscaping. This means that even if a landscaping condition is imposed, then this may not be enforced. Unenforceable conditions should not be imposed, and if a condition is necessary, but unenforceable, then the development should be refused.

Residents who currently can see the wall/hedge from Northgate, North Brook Road, John Street, Rowlands View and the upper reaches of Quarry Bank and other areas will lose any possibility of enjoying it.

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<sup>3</sup> The usual method of calculating the age is approx. the number of species of tree or shrub found in a 100 ft (30.5 meters) length of hedge x 100. One derivative of the formula is to multiply the number of species by 99 years and then deduct sixteen, but this may give a spurious level of accuracy.

<sup>4</sup> 'Ancient' woodland is defined as an area that has had continuous tree cover since 1600.

#### 1.2.4.1. Land Utilisation Survey

A short email survey (via 'Survey Monkey') was posted (April 2018) to households known to live in Utkinton and who have previously communicated with the UCPC Website, these were the responses. The survey was based on households expressing a 1<sup>st</sup> preference for what they believed would be the best use and provide the highest utility (amenity) value for the village.

| I would prefer that the Northgate field was ... Score – please enter 5 for 1st preference through to 1 for 5th preference                  | 1st pref. by % |
|--|----------------|
| a) Left as agricultural land to enable residents and visitors to enjoy the landscape, vistas and amenities                                 | 60%            |
| b) Developed as a recreational space for the village   | 10%            |
| c) Split between recreational space and agricultural land  | 14%            |
| d) Partially developed with a split of recreational space and affordable housing units   | 6%             |
| e) Developed to include affordable properties that would offer all parts of the community and opportunity to stay and live in the village. | 16%            |

So, it can be seen that this sample demonstrates around 74% in favour of retaining the land as an amenity for the village.

#### 1.2.4.2. Utkinton Green Space Action Group – Survey and Petition

There was also a Survey conducted by the 'Utkinton Green Space Action Group' during June and July amongst visitors to the Rose Farm shops and Café etc. The question was:

*"We the undersigned strongly object to the Outline Planning Application (17/01595/OUT) for a Residential Development of 7 Affordable Dwellings and 5 Market Dwellings on the land adjacent to Rose Farm Shop at John Street, Utkinton and Request that Cheshire West and Chester Council Refuse the Application."*

This petition returned a total of 219 respondents split as follows

- Utkinton - 54 (25%)
- Cotebrook - 8 (4%)
- Outside Parish - 157 (71%)

What this demonstrates is the level to which those who visit Rose Farm enjoy it and the views it offers.

### 1.2.4.3. Housing Need in relation to the landscape.

While affordable housing was not a reason for refusal, we believe that the proposal is seriously deficient and does not meet the terms of local policy. The developer is trying to promote a market development by using the offer of affordable housing when there is no evidence of a genuine desire to provide affordable housing.

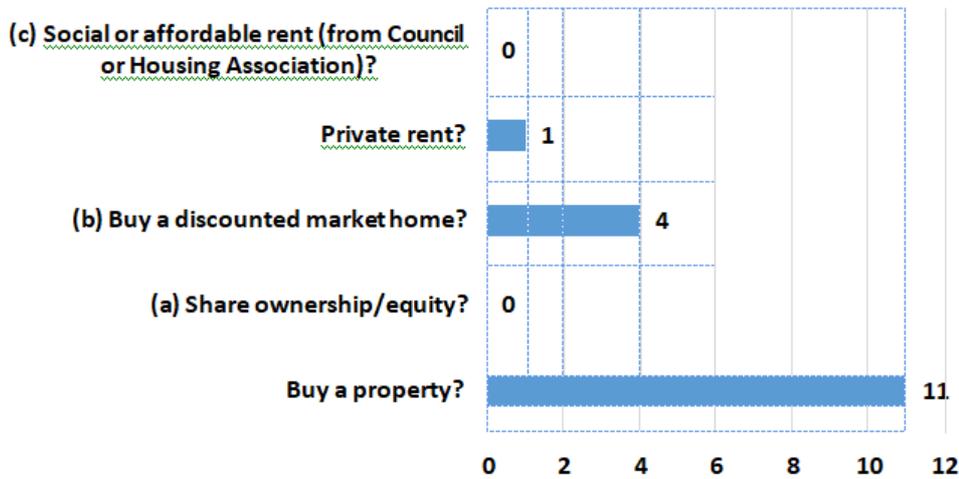
There is no evidence of demand for affordable housing on the scale proposed, and the proposal fails to meet most of the terms of SOC2 including domination by the market housing element, and failure to genuinely consult the local community. The community is not opposed to affordable housing in principle and would support a lower, phased provision if a genuine need for affordable housing is identified in the future, on a site identified in the Neighbourhood Plan, potentially on an alternative site in the adjacent village (Cotebrook) that is a part of the Parish as a whole which will reflect the wishes of the community for the location of development within the community.

Over a number of years Utkinton and Cotebrook Parish Council have conducted, or commissioned, a number of Housing Needs Surveys (2006, 2013, 2016 and 2018), the latter of these was commissioned via CWaC and undertaken by Cheshire Community Action (CCA) in Quarter one, 2018. Its remit was to find a definitive answer to the need for 'affordable housing' in the Parish and its results are summarised below:

- A total of 10 households or individuals responded as having interest in Affordable Housing (See below)
- Of those 10 three households were deemed to be applicable
- However, none of the three households would qualify under the current 'Rule **2.6 Customers with sufficient resources**' for adding to the CWaC 'West Cheshire Homes' housing list
- Of those three, all would be seeking to move within twelve months

The table below is the response to Q11 of the CCA study.

## Q11. What tenure would the new household hope to stay in?



| Answer Choices   | Responses       |            |
|--|-----------------|------------|
| Buy a property?  | 73%             | 11         |
| Share ownership/equity?  | 0%              | 0          |
| Buy a discounted market home?                                    | 27%             | 4          |
| Private rent?  | 7%              | 1          |
| Social or affordable rent (from Council or Housing Association)? | 0%              | 0          |
|  | <b>Answered</b> | <b>15</b>  |
|  | <b>Skipped</b>  | <b>128</b> |

Most respondents in need (11 or 73%) would prefer to buy a property on the market. 4 or 27% selected discounted market home, 1 person selected private rent and no respondents selected shared ownership or social / affordable rent.

There is an existing affordable and social housing provider (Weaver Vale Housing Trust) with 32 dwellings across the parish (22 of which are within the Utkinton Village Settlement Boundary) and this organisation experiences a 'churn' of between 1 and 2 dwellings a year across its estate.

The conclusion that Utkinton and Cotebrook Parish Council draws from this is that the existing supply base in Utkinton, Cotebrook and Tarporley Ward would be sufficient to satisfy the need for a small level of affordable housing need should it arise in the future as determined in the CCA HNA. Its contention, vis-à-vis new development, can be stated succinctly; there is insufficient evidence for 7 affordable/intermediate homes to suggest that the proposed development site is the correct one and there is no current evidence to suggest that there is any need for any of the proposed affordable houses, and **hence the Appeal should be refused.**

Importantly, from the perspective of the Parish Council and various other community groups, it is believed that any development of this site will have a detrimental impact on the landscape and possibly employment in the village of Utkinton.

### **1.3. Intention of developer**

This developer has made multiple applications for market housing on this site. These have included five separate layouts, of which three were submitted as formal planning applications. This suggests that they want to develop the site for profit, and the market housing element is a lever to create a development profit and not to make affordable housing possible.

The appellants suggest (Planning Statement 5.8) that *'it is considered that the applicant's willingness to provide affordable housing should be a key material consideration'*.

In fact, it should be no consideration at all, as without affordable housing, the application would have been refused under SOC2, and in any case, the applicant's track record of applying for market housing suggests that profit is their main motivator.

The developer (Marcol Homes) is an established market housing provider with no mention of affordable housing on their website (accessed 24 August 2018 where it says; *'Marcol ... have established a strong reputation as a niche house building company ...'*). That the developer makes no mention of affordable housing on their website or in any discernible literature would suggest that there is no intention of delivering something that they are not known for building. We are not suggesting duplicity on their behalf, but it does provide some food for thought as to their real intent and whether 'affordable homes' are the lever to build more market homes on this site.

The applicant does not have a registered housing provider on board and as far as we are aware has not contacted any to discuss viability or demand. In fact, the provider of the current social and affordable housing estate (Weaver Vale Housing Trust) were unaware of the application or the developer's plans (letter from WVHT CEO to Chair UCPC, 22 August 2018). The Planning Officer's report suggests that the applicant is aware that the affordable houses must remain so in perpetuity, so the failure to partner with a registered provider or to explain how the houses would remain affordable is curious.

SOC2 makes it clear that under this policy housing should be delivered through a Neighbourhood Plan, and if not, it is essential that it should be after formal consultation with the local community. The community, through the Parish Council are adamant that this level of consultation has not taken place despite its emergent NDP being registered with CWaC in 2016/7 and that consultation with the community is a planning policy requirement.

### **1.4. Demand**

Before the initial applications by Marcol et al, two housing associations (Muir Housing and Plus Dane) consulted with the Parish Council and some residents about the need for affordable housing but withdrew as they considered that insufficient demand for AH made these applications unviable.

Over several years Utkinton and Cotebrook Parish Council have conducted or commissioned several Housing Needs Surveys (2006, 2013, 2016 and 2018), the last commissioned through CWaC and undertaken by Cheshire Community Action in quarter 1 2018. Its remit was to find a definitive answer to Parish 'affordable housing' need – its conclusion was that any need was small and not a prima facie case for development.

The existing affordable and social housing provider (Weaver Vale Housing Trust) has 32 dwellings across the parish and this organisation experiences a 'churn' of between 1 and 2 dwellings a year. The conclusion is that the existing supply base in Utkinton and Tarpoley

Ward would be enough to satisfy the need as determined in the CCA HNS and there is insufficient evidence that there is demand for that seven affordable/intermediate homes. If all seven were occupied, they would probably attract residents from outside the area. However, but applicants would not qualify for such affordable houses under the new, tighter rules about restricting affordable houses to people with a local connection. Given the limited employment available in the immediate area, these people would either commute by car or would have difficulty finding employment. – in fact, the only employer of note is Rose Farm shop et al.

#### **1.4.1. Policy SOC2 - Rural exception sites**

All parties are agreed that residential development on the site would not normally be allowed, and that this can only be possible if it falls within the strict criteria in Policy SOC2 of the Cheshire West and Chester Local Plan (Part One). This envisages schemes for 100% affordable housing, potentially funded by a small, subsidiary element of market housing. This was originally defined as less than 30% but this limit was deleted from the final policy. The current proposal is for 6 affordable and one intermediate house, and five market dwellings. The total floor area market dwellings are twice the size of the affordable ones. This means that over 65% of the residential accommodation proposed on the site will be market housing.

It is hard to see how an element that was greater – and in fact double - could be defined as either 'small' or 'subsidiary'.

The local authority suggests that as five is a 'relatively small number' then the policy is met. But this is surely a mistake. The test should be in proportion to the number of dwellings, rather than an absolute number and it is clear that, from the Application, we believe that CWaC said it should be based on the total floor area, not the number of houses, since, as can be clearly seen in this case, one 85sq.m. house does not equate to a 250sq.m. house. Schemes are encouraged to come forward through the neighbourhood planning process. Para 7.16 suggests that *'Where neighbourhood plans are not in place, developers are advised that the identification of appropriate sites and design principles will be best achieved through an appraisal of the whole settlements concerned and must include engagement with the relevant communities/parishes.'*

In this case that has, clearly, not taken place.

| <b>Summary of SOC2 criteria</b>  | <b>Comment</b>  | <b>Is the criterion met?</b>   |
|--|---|--|
| <b>necessary to meet local affordable housing needs</b>  | CCA AH needs survey suggests none required  | No   |
| <b>schemes for 100% affordable housing</b>   | Scheme is for 35% AH based on floor area  | No   |
| <b>Where it is essential to enable the delivery of affordable housing to meet local needs, a small, subsidiary element of market housing</b>                           | 65% market housing based on floor area – this cannot be considered as small or subsidiary   | No   |
| <b>Adjacent to local service centres</b>   | Utkinton not currently designated as LSC  | No/potentially after local plan part 2 adopted   |
| <b>Schemes will only be permitted where it can be demonstrated that the properties will remain affordable in perpetuity</b>  | Developer 'aware' of requirement, but no demonstration of mechanism to ensure they remain affordable in perpetuity                                      | No Registered Housing Provider (RHP) has been proposed or, to our knowledge, contacted |
| <b>Occupancy will generally be restricted to persons with a local connection ...</b>   | No indication that this is proposed or will be a condition.   | No   |
| <b>The locality to which this (local connection) applies will be agreed with the Council when a planning application is submitted</b>                                  | Not evidence of agreement.  | No   |
| <b>Schemes will be encouraged to come forward through the neighbourhood planning process</b>   | Developer has not engaged with the emergent UCPC NP process   | No   |
| <b>Where neighbourhood plans are not in place ... ID of appropriate sites and design principles ... must include engagement with the relevant communities/parishes</b> | Parish and community consider that engagement was superficial, and the Developer has not consulted formally with the PC despite opportunities to do so. | No   |

This table demonstrates that the current proposal meets none of the criteria in SOC2.

### 1.4.2. Viability

The Viability Assessment provided by the developer has not been made public, in contravention of new national guidance and the intention of local policy SOC2. Without this, it is impossible for the local community to gauge if market housing is genuinely necessary to subsidise the affordable housing. The intention of SOC2 is to bring forward 100% affordable sites with market housing solely to subsidise affordable housing, not to allow a developer to make a profit ergo; if there is no profit there is no incentive to provide affordable housing. It is also not possible to see if the developer has factored in other required contributions for open space and education.

Viability Assessments are notorious for their abuse by developers who once the principle of development has been granted often provide additional evidence to ‘demonstrate’ that the affordable element of their development is not viable unless benefits to the community (in this case affordable housing) are reduced. The new national guidance recognises this widespread abuse and emphasises that VAs should be publicly available other than in exceptional circumstances<sup>5</sup>.

At the point of writing, UCPC and its Landscape Consultants have requested a copy of the Viability Assessment – even if elements are withheld due to commercial confidentiality but as of the point of submission a VA had not been made available in contravention of the latest NPPF (July 2018).

### 1.4.3. Alternative sites for affordable housing

There are several potential alternative sites for Affordable Housing within the Parish – identified during CWaC Local Plan (SHLAA) and Local Plan 2 (HELAA). While these have not been assessed in detail, our Landscape Assessment suggests that some of them could have a lower landscape impact, including a site in Cotebrook. The proper place for these to be considered is the forthcoming Neighbourhood Plan process, as suggested by SOC2. The potential sites are summarised below. The number of units that can be accommodated will be lower than the figures given once site constraints are taken in to account.

| Site                                     | Units | Comments   |
|--|-------|--|
| <b>John Street (behind Village Hall)</b> | 8     | Some landscape impacts but less prominent and lower than the appeal site and less impact on walls and hedges   |
| <b>(War Memorial)</b>                    | 22    |  |
| <b>Quarry Bank</b>                       | 67    | Not suitable for this number of houses, but a smaller area could be developed.   |
| <b>Cotebrook</b>                         | ???   | 2km from appeal site. Could provide AH for the Utkinton/Cotebrook NP area. The most recent withdrawn application [15/03621/OUT - Affordable housing at The Old School, Cotebrook) had 3 AH and 2 MH. |

<sup>5</sup> ‘Any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances an executive summary should be made publicly available.’ NPPF 24 July 2018

#### **1.4.4. The emergent UCPC Neighbourhood Plan**

It is appreciated that preparation of a Neighbourhood Plan for Utkinton and Cotebrook is probably at its mid-point and this affects the weight given to it, but for a small parish, the process can be quick. The Steering Group are coming to the final stages of local consultation in preparation for the submission of 'Vision and Objectives' to CWaC.

The next stage is a Parish wide survey looking at six key areas that have come from consultation with various groups across the community and is driven by some of the key issues identified by residents during initial consultations:

##### **a) Homes to meet the needs of local people**

- No major developments in the Parish.
- Small scale housing development.
- Need for sustainable housing development
- Better mix of housing (size, tenure and price)
- Need for affordable homes

##### **b) Protecting the built environment**

- No major developments in the Parish.
- Any development must be phased over a number of years
- Development to favour brownfield sites or infill first.
- New building must reflect the character of the Parish
- Better mix of size, tenure and price of housing

##### **c) Better facilities for local people**

- Maintain and, wherever possible, extend community and social facilities.
- Encourage clubs, societies and other recreational facilities
- Provide better facilities for young people
- Support elderly residents in the community

##### **d) Supporting the local economy**

- Improve local employment opportunities
- Provide more jobs for young people
- Support for those working from home

##### **e) Transport, communication and infrastructure**

- Need for more footways
- Traffic issues, i.e. speeding
- Availability of public transport
- Need for better Broadband

##### **f) Encouraging and supporting local distinctiveness**

- Retain the "village feel" and the sense of place.
- Maintain views and vistas across open countryside
- Retain natural and distinctive features.

As might be gleaned from this list the Neighbourhood Plan is well under way and the regret is that it was not commissioned earlier as many of the issues raised in this Appeal would have been answered and, hopefully, the reason for it would have not come about.

One of the key attributes here is that, had the emergent Neighbourhood Plan been in place, whereas it is likely to be adopted in mid-2019, then the series of applications, objections, refusal and appeal might never had arisen.

If only desire and effort could be accorded 'weight'.

## 2. Local Service Centre

The appellant's statement (4.20) incorrectly suggests that Utkinton has been recognised as a local service centre. It is not currently designated. The emerging local plan suggests designation, but this is at an early stage, is opposed by the Parish Council on the grounds of sustainability and a lack of access for the community as a whole to Public Transport 'in close proximity, this has not been subject to any public examination. While Utkinton does have a primary school, café, shop/post office and very limited leisure facilities, there are good reasons to suggest that designation as an LSC would not be supported by public examination:

- **Bus services.** The appellant implies that the village enjoys a reasonable bus service through the Tarporley Shuttle 'Bus Service' (Appeal statement para 2.7). This must be booked ahead and uses volunteer drivers and has been changed to a 'Community Car Scheme' (operating 9.30-14.30 M, W, F only). This is supplemented with a 'Community Bus scheme' to Cheshire Oaks on Tue and Thu. Neither of these services the wider needs of the community for work, health, retail or education. These changes were introduced in April 2018 by CWaC (without consultation until challenged by UCPC, the Ward Councillor and the Constituency MP) and the developers were probably unaware of them, but this does mean their statements on bus services were inaccurate. They show that reducing local authority budgets means that public transport provision is still declining and of limited use for work, health or education outside the parish – this will lead to less, rather than greater, sustainability.
- **Local Road network.** This exclusively consists of minor roads, some with proposed 20mph limits (recently proposed by CWaC), with limited width and visibility. They are currently able to cope with the limited traffic generated by the small village and visitors and any daily agricultural traffic. However, it is unlikely that these could easily absorb any additional traffic that would be generated by the additional housing generated by designation of an LSC. This aspect would also impact upon the environment, the landscape and require more paved footways.
- **Education.** We understand from the local primary school (email 15 August 2018) that from September 2018 "*Most year groups are full, although there is limited space in three of the year groups*". This means that it is highly likely that children from the new development will have to travel outside Utkinton to attend school or that they will displace others who attend. There is no bus for primary school children, so this will increase car traffic. Congestion along Quarry Bank is severe at the beginning and close of each school day, with parents dropping off and collecting children – parked cars sometimes almost fill all available space between Northbrook Road and up to the flashing school sign.

### 3. Statement of Common Ground

While this document is normally agreed between the appellant and the local authority and does not include consultation with ‘interested parties’ such as UCPC, we think that it has serious deficiencies and that a number of these issues that it is suggested are agreed are in fact not so by all parties. Whilst these were explored further in the sections above they are summarised below.

This table shows where the Developer and the Parish Council differ in terms of specific areas.

| <b>Matters asserted by Marcol to be ‘agreed’</b>  | <b>Utkinton and Cotebrook Parish Council view</b>  |
|---|--|
| <b>Whether Utkinton is a Local Service Centre</b>   | Utkinton has been proposed as an LSC by CWaC in a draft Local Plan 2 that hasn’t been examined in public. Little weight can be given to this provisional designation.  |
| <b>Whether (sic) a small, subsidiary element of market housing</b>  | Market Housing is 35% by number of dwellings and 65% by footprint in the current appeal – this cannot possibly be considered as ‘small’ or ‘subsidiary’.   |
| <b>Whether the tenure split, and housing mix is reflective of the most up to date housing needs information and supported by an up to date housing needs survey</b> | The Arc4 survey was undertaken in May 2016 and there is a later one by UCPC undertaken by Cheshire Community Action between January and April 2018. Therefore, the application does not reflect the ‘most up to date’ housing needs. The application ignored evidence from their own HNA as to the requirement for smaller units in favour of 3 – 4 bed dwellings. |
| <b>Schemes will only be permitted where it can be demonstrated that the properties will remain affordable in perpetuity</b>   | The application or appeal provides no evidence in the of either the cost of affordable housing or how it will be managed. Local registered housing providers have not been contacted to discuss the proposals. CWaC suggests the applicant is ‘aware of the need’, but clearly no steps have been taken to see if this is feasible.                                |
| <b>Conserving and enhancing the historic environment</b>  | The Parish Council contends that this development neither conserves nor enhances the historic environment. The CWaC officer report suggests that there is likely to be damage, although it concludes it is ‘not significant’. This is far from conserving and enhancing.   |
| <b>Safeguarding Residential Amenity</b>   | We do not understand this assertion, which is a matter of opinion. In any case, landscape affects residential amenity, and this was a ground for refusal.  |

Therefore, we think that these matters are not agreed, and the Statement of Common Ground is seriously deficient.

#### 4. Case studies

The applicant puts forward two case studies in support of their appeal. These are very different in character to the current proposals. Both were for market housing and brought forward in the context of a lack of a five-year supply of housing land (Moulton appeal 2198931) or affordable housing completions (Rudheath Appeal 3140241), which then engages the NPPF 'tilted balance' and sets any landscape issues against the need for housing land.

No such considerations apply in this case. Both the appeals put forward as examples involve much larger settlements with better transport connections and proximity to infrastructure. There is no suggestion that the housing in these two is essential to contribute towards a five-year housing supply.

Similarly, the Appellant claims that the development is on a 'strategic site' and applies for affordable housing even though the evidence suggests that the development would be dominated by the market housing element. This is true when the proportions are considered as well as the numbers. By footprint market makes up 65% of the development, by dwellings 35%.

#### **'Strategic' (OED):**

*Relating to the identification of long-term or overall aims and interests and the means of achieving them.*

*Designed or planned to serve a particular purpose.*

So, 'Strategic' can be described as a way of evaluating how important a particular place is as part of an overall plan – in this case delivering CWaC's 5-Year Housing targets within LP2. Given that this particular location is one of the smallest in CWaC's SHLAA and HELAA towards LP2 and the other three in Utkinton were rejected as untenable. It is difficult to envisage that this small site, sitting as it does on the edge of a village, can be described as 'strategic'

Of greater relevance is the application 16/00611 (and the subsequent appeal 3163763) sitting adjacent to the current application site in Utkinton for a single property development immediately to the west of 'The Steps' and opposite to 16 Northgate (which is Grade II listed) and owned by the family that own the field in question for this development.

The Appeal Inspector in this case suggested:

*'Although views into the site are localised, limited to views from Northgate and from the rear of the dwellings to the north, and include views of other dwellings, the site provides a link between the field and trees to the west adjacent to the built edge of the village and the trees to the east which give way into the more open countryside beyond. Consequently, the degree of separation and the surrounding topography and vegetation give it a distinctly rural character and appearance which differs from the more built up nature of the village and which contributes to the character and appearance of the wider landscape.'*

*'Although the proposal is for one dwelling only, the immediate surrounding landscape is small in scale and the proposed development of a two-storey detached dwelling would diminish the predominantly open rural character of the site and would not be well related to nearby development. It would break up the swathe of mostly undeveloped land in the small valley in which the site is located. I conclude, therefore, that the proposal would cause significant harm to the character and appearance of the area, contrary to policies VRBLP GS5 and NE11 and CWCLP policies STRAT2, STRAT8 and STRAT9 and to the Framework.'*

This shows that in the context of Utkinton, even if views are localised and the development is for one house, that development outside the defined village boundary can cause significant harm to the character and appearance of the area.

This case is far more relevant than the appeal cases suggested by the Appellant.

## **Conclusions:**

Utkinton and Cotebrook Parish Council is submitting this to the Inspector as its representation on behalf of the residents of Utkinton and wishes to make it clear that:

- The residents of Utkinton value their landscape and environment highly and do not wish to see it harmed by development of more 'market houses'.
- The proposal as framed (even in the 'Mitigation Plan') will dominate a, hitherto, open space adjacent to, but outside the settlement boundary, and will significantly reduce the landscape distinctiveness of the area.
- The development will do irreparable damage to the landscape distinctiveness of the village, its surrounding landscape and possibly the ASCV in which it sits.
- The PC and residents are not against development 'per se', but any development has to be the right one in the right place for the right reasons. This is evidenced by its continued monitoring of affordable housing requirements through the acceptance of the HNS completed by its residents in 2006, 2013, 2016 and 2018, and the rejection and questioning of the Arc4 HNS submitted, rejected and then resubmitted by the applicant at a much lower level.
- The site cannot be described as 'strategic'.
- UCPC does not reject true 'infill' development within the village boundary.
- Due to the significant changes in the landscape immediately opposite to Rose Farm Shop, there is the real possibility of the only business in the village (Rose Farm Shop et al) suffering a serious diminution of business, leading to a reduction in employment and possible redundancies being made, leading to a consequent reduction in demand for affordable dwellings.

**For the many reasons used within this submission UCPC would, respectfully, ask the Inspector to refuse this appeal.**

Francis Tunney  
Chair – Utkinton and Cotebrook Parish Council  
12 September 2018