

# Hearing Statement to Examination of Cheshire East Local Plan Site Allocations and Development Policies Document

- Matters, Issues and Questions Part 2
- Matter 11

Hearing Statement on behalf of Ken Gates,  
Matthew Taylor, Darragh Lenihan and Patricia  
Ikin

Job No: 20/L/117

Version: 1

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# Hearing Statement

1.1 This Hearing Statement is submitted on behalf of local residents who are seeking the removal of an open space designation from the rear gardens of their properties on Mobberley Road, Knutsford. The Statement relates to Part 2 of the Examination Hearings of the Cheshire East Local Plan, and provides our response to Matter 11 - Recreation and Community Facilities.

1.2 The Statement relates to paragraph 172 of the Matter, Issues and Questions (MIQ) document:

*Is Policy REC 1 justified, effective and consistent with the LPS and national policy in protecting open space in Cheshire East of recreational or amenity value? In particular:*

- a) Is the inclusion of the term 'green space' clear and unambiguous, is it clearly defined in the SADPD and is it consistent with national policy for the protection of open space?*
- b) Is the methodology used to define open spaces for protection robust and are the areas of land identified on the Policies Map as protected open space justified, based on proportionate evidence?*
- c) Is the identification of the following areas of land as protected open space justified based on their current status?*
  - *Land bound by Brook Street, Hollow Lane and Mobberley Road, Knutsford*

1.3 The inclusion of the term green space is not well defined and not consistent with the NPPF. The NPPF is clear that green space should be demonstrably special to a local community and holds a particular significance. In the case of the above site, the recently adopted Neighbourhood Plan does not designate the site, so it cannot therefore be said to be important local green space.

1.4 The methodology used to define open spaces in Policy REC1 does not include areas such as the one at Mobberley Road above and it is therefore incorrectly designated under this policy and should be removed and instead form part of the general residential area, reflecting its current use as residential garden.

1.5 The land mentioned above is formed by the rear gardens of our client's properties that front Mobberley Road. As detailed in our previous representation, there is no public access or viewpoints into this site from the roads around the site and the boundary is drawn to exclude the well-established row of trees to the west, immediately adjacent to Brook Street (A537), which provides a further barrier to any views into the site. The site clearly serves no function as open space and is privately owned and in residential garden use to the rear of existing properties.

1.6 We have provided below photographic evidence of the area, which clearly shows the land as the rear gardens of our clients properties and not open space. We understand that the rear of the gardens are bordered by an extensive strip of trees that fronts onto Brook Street, but these are within Council ownership, protected by TPO and the Conservation Area. There is no need for an additional level of protection on these and certainly no justification for designating our clients residential curtilage as open space in the Local Plan.





1.7 The available evidence, outlined in our Hearing Statement and above, demonstrates that this particular site does not meet the definition of green/open space and that the most recent local assessment of open space, in the adopted Neighbourhood Plan, does not designate the site as such. Policy REC1 is not therefore a justified designation on the Land bound by Brook Street, Hollow Lane and Mobberley Road, Knutstford. We wish to respond to any Hearing Statement made by the Council in response to the MIQ, during the examination hearing and will be in attendance.



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