

# **CHESHIRE EAST COUNCIL**

## **Minutes of a meeting of the Cabinet Member for Housing, Planning and Regeneration**

held on Monday, 18th December, 2017 at The Board Room, Town Hall,  
Macclesfield, SK10 1EA

### **PRESENT**

Councillor A Arnold

### **Officers in attendance:**

Tom Evans – Neighbourhood Planning Manager

Jeremy Owens – Development Planning Manager

Cherry Foreman – Democratic Services Officer

## **9 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **10 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **11 PUBLIC SPEAKING TIME/OPEN SESSION**

No members of the public were present.

## **12 BROWNFIELD LAND REGISTER**

It was reported that Earlier this year it became a legal requirement for local planning authorities to prepare, publish and update, at least once a year, a brownfield land register. This report seeks agreement to publish the council's first Brownfield Land Register by the statutory deadline of 31 December 2017. The purpose of brownfield land registers is to provide up-to-date, publicly available information on brownfield land that is suitable for housing. They are aimed at increasing the take up of suitable brownfield land for housing, providing greater certainty for developers and communities and encouraging investment in local areas.

The Register should have two parts. Part 1 includes all previously developed land in the local planning authority's area that meets the following four criteria - that the land has an area of at least 0.25 hectares or is capable of supporting at least 5 dwellings; is suitable for residential development; is available for residential development; and residential development of the land is achievable. The terms "suitable", "available" and "achievable" are defined in the Regulations. Such sites will include those with planning permission and allocated in a local or neighbourhood plan.

Part 2 comprises sites from Part 1 that have, in addition, been granted planning 'permission in principle' (PiP) by the local planning authority under the Order. For

inclusion in Part 2, sites must have been subject to certain consultation and publicity requirements, and other procedures set out in regulations.

The Regulations include exemptions for certain types of land where residential development of that land would be Schedule 1 or Schedule 2 development under the Environmental Impact Assessment Regulations 2011. When deciding which sites to enter on their register a local planning authority must have regard to the development plan, national policies and advice and any guidance issued by the Secretary of State. Additional sites can be added to the Register in subsequent years.

## **RESOLVED**

That the Cheshire East Brownfield Land Register comprising the Schedule of Sites (Appendix 1) and Map of Sites (Appendix 2) be approved and published by 31 December 2017.

### **13 WESTON AND BASFORD, BUERTON, WILLASTON AND WISTASTON NEIGHBOURHOOD DEVELOPMENT PLANS**

It was reported that a neighbourhood plan must meet a number of legal and procedural requirements and meet the 'Basic Conditions' (as prescribed in Schedule 10, paragraph 8 of the Localism Act). These Basic Conditions require neighbourhood plans to have appropriate regard to national policy; contribute to the achievement of sustainable development; be in general conformity with the strategic policies in the development plan for the local area; be compatible with EU obligations; be compatible with human rights requirements; and not be likely to have a significant effect on a European site or a European offshore marine site.

An independent examination of each neighbourhood plan was undertaken and, subject to modifications that have since been implemented, the plans were considered to meet the basic conditions. During December 2017 referendums have been held on each neighbourhood plan and in each case a positive vote returned.

At the meeting the Portfolio Holder was advised, and noted, that a correction needed to be made to the published Weston and Basford Neighbourhood Development Plan at paragraph 2 of policy H1 on P.14 and that published neighbourhood plan should be corrected to reflect the previously accepted examiners recommendations, to read:

'Infilling of a small gap within a settlement in an otherwise built up frontage of up to 2 dwellings in character and scale with adjoining development.'

## **RESOLVED**

1. That Policy H1 of the Weston and Basford Neighbourhood Plan (referendum Version) be corrected to comply with the recommendations made by the examiner and as reported above; and

2. That the Weston and Basford, Buerton, Willaston and Wistaston neighbourhood plans are made and form part of the Development Plan for Cheshire East Council.

#### **14 STAPELEY AND BATHERTON NEIGHBOURHOOD DEVELOPMENT PLAN - DECISION TO PROCEED TO REFERENDUM**

It was reported that the Stapeley and Batherton Neighbourhood Development Plan was submitted to the Council in June 2017 and, following a statutory publicity period, proceeded to Independent Examination. The Examiner's report has now been received and recommends that subject to some modifications it should proceed to referendum. The Council must now consider the recommendations of the Examiner and decide how to proceed.

The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.

The Council accepts the examiner's recommendations and subject to the modifications set out in the Examiner's Report, the Stapeley and Batherton Neighbourhood Development Plan is considered to meet the statutory basic conditions and procedural requirements set out in Schedule 10, paragraph 8, of the Localism Act and as such it can now proceed to referendum.

#### **RESOLVED**

That the Examiner's recommendations to make modifications to the Stapeley Batherton Neighbourhood Development Plan, as set out in the Examiner's report, be approved and it be confirmed that it will now proceed to referendum in the Stapeley and Batherton Neighbourhood Plan area on 15 February 2018.

#### **15 HULME WALFIELD AND SOMERFORD BOOTHS NEIGHBOURHOOD DEVELOPMENT PLAN - DECISION TO PROCEED TO REFERENDUM**

The Hulme Walfield and Somerford Booths Neighbourhood Development Plan was submitted to the Council in July 2017 and, following a statutory publicity period, proceeded to Independent Examination. The Examiner's report has now been received and recommends that subject to some modifications the Plan should proceed to referendum. The Council must now consider the recommendations of the Examiner and decide how to proceed.

The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.

The Council accepts the examiner's recommendations and subject to the modifications set out in the Examiner's Report, the Hulme Walfield and

Somerford Booths Neighbourhood Development Plan is considered to meet the statutory basic conditions and procedural requirements set out in Schedule 10, paragraph 8, of the Localism Act and as such it can now proceed to referendum.

## **RESOLVED**

That the Examiner's recommendations to make modifications to the Hulme Walfield and Somerford Booths Neighbourhood Development Plan as set out in the Examiner's report be accepted, and it be confirmed that the it will now proceed to referendum in the Hulme Walfield and Somerford Booths Neighbourhood Plan area 15 February 2018.

## **16 SOMERFORD NEIGHBOURHOOD DEVELOPMENT PLAN - DECISION TO PROCEED TO REFERENDUM**

The Plan had been submitted to the Council in July 2017 and, following a statutory publicity period, proceeded to Independent Examination. The Examiner's report has now been received and recommends that subject to some modifications it should proceed to referendum. The Council must now consider the recommendations of the Examiner and decide how to proceed.

The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.

The Council accepts the examiner's recommendations and subject to the modifications set out in the Examiner's Report, the Somerford Neighbourhood Development Plan is considered to meet the statutory basic conditions and procedural requirements set out in Schedule 10, paragraph 8, of the Localism Act and as such it can now proceed to referendum.

At the meeting additional amendments to Plan were reported as follows:

- Page 27, bullet point 1: remove the words: 'between Somerford and'
- Page 28, paragraph 2 – amend to: The Cheshire East Local Plan Strategy also identifies that Local Green Space designations made by Neighbourhood Plans can be considered in the site allocations and development policies document.
- Page 32, paragraph 4 – insert: 'are summarised in the Section headed "Community and Stakeholder Engagement p22-26"

## **RESOLVED**

1. That in addition to those modifications recommended by the Examiner the following additional corrections to the proposed Somerford Neighbourhood Development Plan be approved:

- Page 27, bullet point 1: remove the words: 'between Somerford and'

- Page 28, paragraph 2 – amend to: The Cheshire East Local Plan Strategy also identifies that Local Green Space designations made by Neighbourhood Plans can be considered in the site allocations and development policies document.
  - Page 32, paragraph 4 – insert: ‘are summarised in the Section headed “Community and Stakeholder Engagement p22-26”
2. It be confirmed that the proposed Somerford Neighbourhood Plan will now proceed to referendum in the Somerford Neighbourhood Plan area 15 February 2018.

The meeting commenced at 9.30 am and concluded at 9.40 am