

Strategic Planning Board

Agenda

Date:	Wednesday, 24th October, 2012
Time:	10.30 am
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 1 - 6)

To approve the minutes as a correct record.

4. **Public Speaking**

Please Contact: Sarah Baxter on 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

A total period of 5 minutes is allocated for each of the planning applications for the Ward Councillors who are not members of the Strategic Planning Board.

A period of 3 minutes is allocated for each of the planning applications for the following individual/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **12/1578M-Outline Application for a Continuing Care Retirement Community (Care Village) Comprising 58 Bedroom Care Home, 47 Close Care Cottages and 15 Shared Ownership Affordable Dwellings, Together with Access Roads, Public Open Space, Landscaping, Car Parking and Ancillary Development, Land adjacent to Coppice Way, Handforth for Mr Pasquale Nicosia, Greystone (UK) Ltd (Pages 7 - 28)**

To consider the above application.

6. **12/1627M-Outline Application for New Vehicular Access with Means of Access, Layout and Associated Engineering Works for Consideration (with Landscaping Reserved for Subsequent Approval), Land adjacent to Coppice Way, Handforth for Mr Pasquale Nicosia, Greystone (UK) Ltd (Pages 29 - 34)**

To consider the above application.

7. **12/0831N-Outline planning permission for the erection of 165 dwellings on land to the north and south of Maw Green Road, Crewe. Access is proposed via a new roundabout off Maw Green Road, Land to the North and South of Maw Green Road, Coppenhall, Crewe for Richborough Estates (Pages 35 - 44)**

To consider an amendment to the trigger of Condition 48 and Section 106 payments from 50 dwellings to 72 dwellings.

8. **Erection Of 43 Dwelling Houses (Including 5 Affordable Dwellings), Creation Of New Access To Sheppenhall Lane, Aston as enabling development to secure the restoration of Combermere Abbey (Pages 45 - 50)**

To consider the above report.

9. **12/1670C-Erection of 30 Dwellings (Including 10 Affordable Dwellings), Vehicular Access and Associated Landscaping, Land on Hassall Road, Alsager for Seddon Homes Ltd (Pages 51 - 76)**

To consider the above application.

10. **12/1998C-Erection of 39no. Dwellings and Associated Works including Foul Water Pumping Station, Land off Hassall Road, Sandbach for Mr D Major, Stewart Milne Homes/ Muller Property Group (Pages 77 - 98)**

To consider the above application.

11. **Revised Interim Planning Policy on Release of Housing Land (Pages 99 - 272)**

To consider the above report.

12. **Exclusion of the Public and Press**

RESOLVED - That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PRESS AND PUBLIC PRESENT

13. **Proposed alteration to the committee resolution as part of determination of planning application 12/2685C and the resolution on how the Strategic Planning Board would have determined application 12/0883C (Pages 273 - 278)**

To consider the above report.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 3rd October, 2012 at Crewe Alexandra Football Club,
Gresty Road, Crewe

PRESENT

Councillor H Davenport (Chairman)
Councillor D Hough (Vice-Chairman)

Councillors C G Thorley, J Hammond, Rachel Bailey, D Brown, P Hoyland,
J Jackson, B Murphy, S Wilkinson and J Wray

OFFICERS PRESENT

Ms S Dillon (Senior Lawyer), Mr D Evans (Principal Planning Officer), Mr A Fisher (Strategic Planning and Housing Manager), Mr B Haywood (Principal Planning Officer), Mr S Irvine (Development Management and Building Control Officer), Mrs D Kirk (Principal Planning Officer (Enforcement) Mr G Mckinney (Interim Highways Development Support) and Mr N Jones (Principal Development Officer)

60 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Edwards, P Mason and G Walton.

61 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in relation to application 12/3106N, Councillor D Hough declared he knew the applicant.

Councillor Mrs R Bailey declared a non pecuniary interest in application 12/3323N as she was the Heritage Champion for Cheshire East. In addition she had attended meetings of the Parish Council when the application had been discussed and had meetings with the Leader of the Council and the applicant in the presence of an Officer.

In the interest of openness in relation to agenda item 10-Woodford Aerodrome Supplementary Planning Document, all Members of the Board declared that they knew John Knight one of the speakers as he was a former employee of Cheshire East Council.

In relation to the same item in the interest of openness, Councillor P Hoyland declared that he was the Chairman of the Woodford Working Group.

In the interest of openness in relation to agenda item 12-Planning Enforcement-Legal Action, Councillor P Hoyland declared that he knew one of the people involved.

62 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to the addition of the word 'not' before the word 'ever' and subject to the removal of the word 'to' before the word 'never' in resolution no.4 of minute No.59.

63 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

64 12/3106N-ERECTION OF 3-BED DORMER BUNGALOW FOR WHEELCHAIR USER AND FAMILY, LAND ON CHAPEL LANE, BADDILEY FOR MR DAN CUNDALL

Consideration was given to the above application.

(Councillor S Davies, the Ward Councillor attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. Time
2. Approved Plans
3. Material samples to be submitted
4. Implementation of landscaping scheme (Drawing number 008)
5. Details of boundary treatments
6. Hours of construction
7. Retention and protection of trees and hedgerows to boundaries
8. Removal of permitted development Part 1 A, B, C & E
9. Dwelling to be occupied by Mr. Dan Cundall or his spouse, carers and any resident dependants.

65 12/3323N-ERECTION OF 43 DWELLING HOUSES INCLUDING 5 AFFORDABLE HOUSES AND CREATION OF NEW ACCESS TO SHEPPENHALL LANE (RESUBMISSION), LAND OFF WEST SIDE OF SHEPPENHALL LANE, ASTON, CHESHIRE FOR NEWLYN HOMES LTD

Consideration was given to the above application.

(Parish Councillor Batho, the Chairman of Newhall Parish Council, Mr Bailey, the Chairman of Aston (Newhall) Community Association, Sarah Callender-Beckett, a Supporter and Mr McAteer, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

In the opinion of the Local Planning Authority, there is insufficient public benefit arising from the scheme to outweigh the harm in terms of new residential development in the Open Countryside. The proposal is therefore contrary to the provisions of Policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the advice given in the National Planning Policy Framework in respect of enabling development.

- 66 **WITHDRAWN 12/2381N-RECONSTRUCTION OF 17TH CENTURY TIMBER FRAMED BUILDING TO FORM A DWELLING ON THE SITE OF A FORMER DWELLING HOUSE, GILLY'S FARM, WRENBURY, NANTWICH FOR MR PHILLIP HORSLEY**

This item was withdrawn prior to the meeting.

(The meeting adjourned at 12.10pm until 1.00pm for lunch).

- 67 **WITHDRAWN 12/2440N-OUTLINE APPLICATION - PROPOSED RESIDENTIAL DEVELOPMENT, LAND OFF QUEENS DRIVE, NANTWICH FOR GLADMAN DEVELOPMENTS LIMITED**

This item was withdrawn prior to the meeting taking place.

- 68 **11/2212N-DEMOLITION OF BUILDINGS. RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS & LANDSCAPING, LAND AT GREASY GREEN, GREASY GREEN ROAD, SHAVINGTON CUM GREASY, CREWE FOR BELLWAY HOMES LTD**

Consideration was given to the above application.

(Councillor D Brickhill, the Ward Councillor attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

The proposed development would not provide the required level of affordable housing or make any contributions to local education provision or highways infrastructure. The proposal would therefore not create a

sustainable, inclusive, mixed and balanced community. The benefits of allowing this development would be limited and would be outweighed by the significant and demonstrable adverse impact. Therefore the proposal is not considered to be an acceptable form of development as a departure from the development plan and would be contrary to the Interim Planning Policy on Affordable Housing and Policies RES.7 (Affordable Housing), BE.3 (Access and Parking) and BE.5 (Infrastructure) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.

69 WOODFORD AERODROME SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the above report.

(Councillor R West, the Ward, Councillor H Murray, the Neighbouring Ward Councillor, Town Councillor Bartos, representing Poynton Town Council, Parish Councillor Jim Wenham, Chairman of Adlington Parish Council, Stephen Taylor, representing Woodford Community Council and John Knight, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That the Cabinet Member for Strategic Communities be recommended to approve the following six responses:-

1. Request the deferral of the SPD from progressing to adoption until the document is more compliant with national planning policy and Stockport's own Core Strategy.
2. Request that the total development area be limited to the full extent of the approved Brownfield areas (the Major Existing Developed Areas) and that the other parts of the site currently proposed for development and lying within the adopted Green Belt be removed from the SPD.
3. Request that some part of the site be identified and allocated for a range of employment uses, either as conversion of existing buildings or redevelopment.
4. Request that a full scheme of public transport improvements be investigated, costed and included in the SPD, dependent upon the scale and use of built development and given the site's rural nature.
5. Request that further work is undertaken on all wider community impacts (Secondary education, including the 6th form, medical, health and other social facilities) and appropriate mitigation measures introduced into the SPD.

6. Request that further traffic modelling and impact studies are undertaken before the SPD is progressed and that proposals are brought forward to address the impacts on the local road network include traffic management.

7. Request that a Glossary is added to the final document to aid understanding of technical terms.

(Prior to consideration of the following item, Councillor C Thorley left the meeting and did not return).

70 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

71 PLANNING ENFORCEMENT-LEGAL ACTION

Consideration was given to the above report.

(Councillor H Murray attended the meeting and spoke in respect of the report).

RESOLVED

That the Council enforce a continuing breach of planning control by way of injunction.

The meeting commenced at 10.30 am and concluded at 3.45 pm

Councillor H Davenport (Chairman)

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Application No: 12/1578M

Location: LAND ADJACENT TO COPPICE WAY, HANDFORTH

Proposal: Outline Application for a Continuing Care Retirement Community (Care Village) Comprising 58 Bedroom Care Home, 47 Close Care Cottages and 15 Shared Ownership Affordable Dwellings, Together with Access Roads, Public Open Space, Landscaping, Car Parking and Ancillary Development

Applicant: Mr Pasquale Nicosia, GREYSTONE (UK) LTD

Expiry Date: 07-Aug-2012

Date Report Prepared: 11 October 2012

SUMMARY RECOMMENDATION

Approve subject to conditions and s106 legal agreement

MAIN ISSUES

- Departure from Development Plan policy – assessment of material considerations to justify a departure from policy.
- Impact upon nature conservation interests
- Design and impact upon character of the area
- Setting of listed building
- Amenity of neighbouring property
- Highway safety

REASON FOR REPORT

This is an application which raises significant planning policy issues as a departure from the development plan.

DESCRIPTION OF SITE AND CONTEXT

The site is a Greenfield site lying on the eastern fringe of the Handforth urban area. The site is surrounded on its north and east boundaries by comprehensive landscaping adjacent to the Handforth Dean retail development and the A34 by-pass respectively. A mature hedgerow and public footpath form the southern boundary to the site, with open fields extending to the south. The Western boundary abuts the boundary of the grounds of Handforth Hall, a Grade II* listed building. Hall Road and residential properties to the south exist along the southwest boundary of the site.

The site covers approximately 2.4 hectares and forms a strip of land between Coppice Way and Hall Road on the eastern edge of Handforth. The site is Greenfield. The majority of the site is identified as safeguarded land under policy GC7 of the Local Plan. The western section of the site is identified as Open Space under policy RT6 of the Local plan.

DETAILS OF PROPOSAL

This application seeks outline planning permission to erect a 58 bed care home, as well as 47 Close Care Cottages for people over the age of 55 and a further 15 affordable close care dwellings to be provided on a shared ownership basis. A community centre would also be provided within the site, which will provide a focus for activities on the site, including a restaurant and meeting rooms.

Approval of access, appearance, layout and scale is sought at this stage, with only landscaping reserved for subsequent approval.

The application is accompanied by application ref. 12/1627M for the access road off Coppice Way, which appears elsewhere on the agenda.

The 58 bed care home provides accommodation over three floors and is located on the eastern section of the site close to the A34 by-pass. The top floor is largely within the roof space of the building. 16 parking spaces would be provided adjacent to the building, including two disabled spaces.

The proposed close care cottages would be located on the central part of the site, and consist of bungalows and two-storey units. 49 parking spaces would be provided amounting to 1 space per dwelling and 2 additional spaces.

The 15 affordable close care cottages would be located on the western side of the site, all being two-storey properties of similar design to the other close care cottages and with parking provision of 16 spaces.

Access into the site would be taken from Coppice Way (see application 12/1627M). The access road would leave an access spur into the adjoining safeguarded land to the South.

The development would also involve the diversion of Public Footpath 91 that links Hall Road and Coppice Way. The proposal includes a new footpath and cycle path that would skirt the western edge of the affordable housing units.

RELEVANT HISTORY

09/0695M – Development of a care village (sui-generis use) comprising 58-bedroom care home, 47 close care cottages, 15 shared ownership affordable dwellings, and associated access roads, public open space, landscaping, car parking and ancillary development – Refused 19.08.2009 – Appeal dismissed 28.10.2010 (The Inspector concluded that the assessment of need was not robust enough to justify a departure from policy GC7).

09/0708M – Formation of new vehicular access from Coppice Way and engineering works – Refused 19.08.2009 – Appeal dismissed 28.10.2010 (The Inspector concluded that as there was no proven need for the care village, there was no justification for an access, which would be contrary to policy RT6).

09/3023M – Outline application with means of access, layout, scale and appearance for consideration and landscaping reserved for subsequent approval for the development of a care village comprising 55-bedroom care home, 36 close care cottages, 6 shared ownership affordable dwellings – all for the over 55s, and associated access roads, public open space, landscaping, car parking and ancillary development – Refused 20.01.2010 – Appeal dismissed 28.10.2010 (The Inspector concluded that the assessment of need was not robust enough to justify a departure from policy GC7).

09/3050M - Formation of new vehicular access from Coppice Way and engineering works – Refused 20.01.2010 – Appeal dismissed 28.10.2010 (The Inspector concluded that as there was no proven need for the care village, there was no justification for an access, which would be contrary to policy RT6).

POLICIES

The Development Plan consists of the North West of England Plan Regional Spatial Strategy to 2021 (RSS), the saved policies of the Structure Plan Alteration: Cheshire 2016, and the saved policies of the Macclesfield Borough Local Plan.

Regional Spatial Strategy

Relevant policies of the RSS include: DP1 Spatial Principles; DP2 Promote Sustainable Communities; DP3 Promote Sustainable Economic Development; DP4 make the Best Use of Existing Resources and Infrastructure; DP5 Manage Travel Demand - Reduce the Need to Travel, and Increase Accessibility; DP7 Promote Environmental Quality; DP9 Reduce Emissions and Adapt to Climate Change; RDF 2 Rural Areas; Policy L1 Health, Sport, Recreation, Cultural and Education Services Provision; L2 Understanding Housing Markets; L4 Regional Housing Provision; L5 Affordable Housing; RT2 Managing Travel Demand; RT9 Walking and Cycling; EM1 Integrated Enhancement and Protection of the Region's Environmental Assets; EM3 Green Infrastructure; EM16 Energy Conservation and Efficiency; EM18 Decentralised Energy Supply; MCR3 Southern Part of the Manchester City Region.

Of the remaining saved Structure Plan policies, only policy T7: Parking is of relevance.

Local Plan Policy

Relevant policies of the Local Plan include: NE11 and NE17 relating to nature conservation; BE1 Design Guidance; BE2 Historic Fabric; BE16 protecting the setting of listed buildings; BE24 Archaeology; GC7 Safeguarded Land; RT1, RT2 and RT6 Open Space; H2 Environmental Quality in Housing Developments; H9 Affordable Housing; H13 Protecting Residential Areas; DC1 and DC5 Design; DC3 Residential Amenity; DC6 Circulation and Access; DC8 Landscaping; DC9 Tree Protection; DC17 and DC18 Water Resources; DC35, DC36, DC37, DC38 relating to the layout of residential development; DC57 Residential

Institutions; T3 Pedestrians; T4 Access for people with restricted mobility; and T5 Provision for Cyclists.

The site lies within an area of safeguarded land designated in the Macclesfield Borough Local Plan and part of the site also includes land designated as Open Space within the Plan. The site also lies adjacent to the grounds of Handforth Hall, a Grade II* listed building.

Other Material Considerations

National Planning Policy Framework (The Framework)

CONSULTATIONS (External to Planning)

Environment Agency - Raise no objection in principle to the proposed development but request a condition requiring surface water drainage details to be submitted to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. They also note that based on the information provided the site is not considered to pose a significant risk to controlled waters receptors at this time and they have no specific requirements for remedial works.

English Heritage - The application should be determined in accordance with local and national policy guidance, and on the basis of your specialist conservation advice.

United Utilities – No objections subject to drainage being on a separate system.

Cheshire Fire & Rescue Service – No objections subject to compliance with Building Regulations

Cheshire Archaeology Planning Advisory Service - The proposed development will occur in an area of land to the west of Handforth Hall which was constructed in the 16th century and is recorded in the Cheshire Historic Environment Record. The applicant has commissioned a desk-based archaeological assessment in response to suggestions of the presence of a chapel and burials in the vicinity of the Hall. The provisional conclusion of the report was that the chapel had been within the application area and that pre-determination evaluation would be necessary. Subsequently, however, further documentary evidence was located which indicated that the chapel and burials were not within the application area but had been sited much closer to the Hall. In these circumstances, it was concluded that further archaeological work would not be required, which is accepted.

Strategic Highways Manager - The access to the cottages and the care home is to be taken off a spine road that possibly could lead to further development in the future, and this spine road links to an existing roundabout on Coppice Way. Importantly, there is no vehicular link from Hall Lane to the rear of the site. With regard to the parking provision for the care home it provides 16 car parking spaces and the residential development has 100% parking plus 2 visitor spaces. Comparing the parking provision with other similar care uses, the amount of car parking being provided is broadly similar and is not considered to be at such a low level that would cause parking problems. Therefore, as there have been no material changes in circumstances on the highway network (since the previous appeal) no highway

objections are raised to these applications subject to a final staff travel plan for the Care Home being agreed by LPA and implemented within 6 months of occupation.

Public Rights of Way Unit - The proposed development may present an opportunity to improve walking and cycling facilities in the area for both travel and leisure purposes. The concept of upgrading the existing route to a cycle route is supported, and no objections are raised to its diversion. A new path within Handforth Community Woodland which lies to the west of the proposed development site would facilitate residents, staff and local residents in accessing the area of woodland and the areas either side which include employment zones. Contribution towards the project to create this path could be made by the developer.

Leisure Services – Commuted sum received in lieu of on site provision would be used to implement the Handforth Woodland enhancement project which includes upgrades to the footpath through the woodland.

Adult Services – Object on the grounds that there is already a 53 apartment Extra Care Housing Scheme on Spath Lane and McCarthy & Stone are building a 40 unit complex, both aimed at similar clients and both in fairly close proximity to the proposed development. It is therefore a concern that further housing for older people, particularly on first occupation and in this location close to the Cheshire East border, will attract older people from outside of Cheshire East putting pressure on health and council services for older people including GP and dental services, social care and hospital services.

Other than demographic trends, no information to support the assertion that there is high demand for scheme is provided by the applicant. Additionally, the Department would favour a significant increase in the proportion of Affordable Housing over that proposed and would prefer that some units were available for rent.

Housing - If the care cottages are dwelling houses there would be a requirement for 19 of them to be provided as affordable, with a tenure split of 65% as social or affordable rented and 35% as intermediate tenure. The affordable housing offered does not meet the requirements in the Affordable Housing Interim Planning Statement for a number of reasons, the main ones being

1. The number of units being offered does not equate to 30% of the total units.
2. The tenure split does not meet the requirements
3. The shared ownership scheme seems more like a re-sale covenant scheme, however we would normally require a discount of at least 30% to be applied to the units, that the developer does not keep any equity and measures are put in place to ensure the units are kept affordable in perpetuity

However if the care cottages are a sui generis use then there is no affordable housing requirement. It is recognised however that the applicant is offering a provision of 15 cottages as affordable housing on a shared ownership basis sold at 80% of open market which, although not meeting the requirements of the Affordable Housing Interim Planning Statement, would appear to assist towards meeting some housing need.

Environmental Health - No objection subject to a condition controlling hours of construction. In terms of potential land contamination the application area has a history of farm use and therefore the land may be contaminated. The application is for new properties, which are a sensitive end use and could be affected by any contamination present. The Preliminary Risk

Assessment report submitted in support of the application recommends that further investigation is required. No objection subject to conditions to take this into account. The impact of noise from the A34 bypass has also been considered, in terms of any potential impact on future residents of the care home. No objection is raised in this respect subject to conditions.

Trafford Metropolitan Borough Council – No comments received

Stockport Metropolitan Borough Council – No comments received

VIEWS OF THE PARISH / TOWN COUNCIL

Handforth Parish Council - The Council have noted the marked opposition of local residents to the proposed care village and access road. The Parish Council are broadly in sympathy with the views of local residents but, at a recent council meeting, it was agreed that councillors would send their comments on the application on an individual basis.

REPRESENTATIONS

79 letters of representation have been received. 78 of these letters object to the proposal on the following grounds:

- Footpath and Handforth Hall gardens flood on a regular basis (Handforth Brook)
- Destruction of wildlife habitat
- Recreational space for Handforth residents should be left alone
- Detrimental impact upon grade II* Handforth Hall
- Questionable whether such accommodation is needed in Handforth
- Increase in traffic on Hall Road
- Land should be returned to Green Belt and protected
- Brownfield sites available
- There are similar developments in the area with vacancies
- Health centre would be unable to cope with influx of patients
- Highway safety concerns
- No change from previously refused scheme
- Land is protected from development in the Local Plan
- Increase in noise levels and pollution
- Occupiers would be car dependent – contrary to aims of NPPF
- Local facilities not within easy walking distance
- Development will provide little integration into the community
- Evidence of historic burials / chapel on the site of archaeological importance
- Scale and massing of the development would be out of character
- Concern that development will extend into remaining safeguarded land
- Site provides a buffer between Handforth Dean and residential areas
- Diversion of footpath creates a safety issue as path would be out of sight
- Use of Hall Road during construction would be a safety hazard

1 letter of support has been received noting:

- Development will provide social and economic well being to the communities they serve
- Designed to a very high standard
- Provides flexible care
- Maintains normal way of life

APPLICANT'S PRE-APPLICATION CONSULTATION

A statement of community involvement has been submitted, which explains the consultation undertaken by the applicant prior to submitting the application. Their publicity involved: letters to Local Authority, Ward Councillors and Parish Council; leaflets sent by post to non local interest parties; leaflet drop within local area and an advertisement in the local press. 20 responses were received, of which 3 were of support, and 13 objected to the proposal. The points raised are addressed within the submission.

APPLICANT'S SUPPORTING INFORMATION

The information that has been submitted alongside the plans and drawings include:

- i) Planning Statement;
- i) Design & Access Statement;
- ii) Sequential Site Assessment;
- iii) Draft Heads of Terms for Section 106 Agreement;
- iv) Statement of Community Involvement;
- v) Transport Statement
- vi) Flood Risk Assessment
- vii) Ground Investigation Report;
- viii) Great Crested Newt Survey / Report;
- ix) Ecological Assessment
- x) Arboricultural Survey;
- xi) Desktop Archaeological Report
- xii) Waste Statement
- xiii) Needs Assessment
- xiv) Draft Operational Plan
- xv) Bat / Bird Surveys
- xvi) Energy Report

These documents can be viewed online as background information. The planning statement concludes that:

- In the context of national, regional and local planning guidance the development is acceptable provided the material considerations are justified.
- The proposals were previously supported by the planning officers and the Inspector found the proposal technically acceptable.
- This proposal addresses the issues raised by the Inspector, particularly with respect to need and this being the most appropriate location.
- The proposal is designed to meet a growing need in this location, on a sustainable site which is recognised as being suitable for housing development beyond the plan period if the need arises.

- The proposal will provide a housing mix and concept of elderly accommodation which is currently not available in the locality and wider area.
- Specific regard has been made in the proposal to ensure this development will be primarily available to Cheshire East residents.
- The site is being brought forward when it was intended in the adopted plan to be, beyond the plan period to 2011.
- The development provides for the retention and improvement of quality open space, including improvements to local biodiversity.
- The proposed development is well designed, appropriate to the location, scale and density of its surroundings.
- The development will create new employment opportunities and investment in the local economy.
- The proposal does not strictly apply to the policy guidance of affordable housing due to its sui generis nature.
- The proposal should be approved in the light of national, regional and local policy guidance and the material considerations set out.

OFFICER APPRAISAL

Principle of Development

The application site is currently split into two areas, which in terms of planning policy are quite distinct from one another. The land to the east of footpath 91 is designated as 'Safeguarded Land' under Local Plan policy GC7, whilst the area to the west of the footpath is allocated for recreation purposes and amenity open space under Local Plan policy RT6(10).

Safeguarded land is land that may be required to serve development needs well beyond the Local Plan period (2011). Policy GC7 of the Local Plan explains that the land is not allocated for development at the present time and policies relating to development in the countryside will apply. Policy GC5 deals with development in the open countryside, which "*will not be permitted unless it is essential for agriculture, forestry, outdoor recreation or for other uses appropriate to a rural area*". The development does not fall into one of those categories.

Policy GC7 also states that development that would prejudice the later comprehensive development of the land will not be permitted. The proposal includes an access road to serve the proposed new development, which also includes a spur, which could be utilised to access the remaining majority of the safeguarded land.

The only reference to safeguarded land in the Framework is at paragraph 85 which states that, "*When defining boundaries, local planning authorities should...make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a local plan review which proposes the development.*" Reference to "defining boundaries" implies that this is a plan making policy as opposed to a decision making one.

The land to the west of the footpath and land bounding the site to the north (including the proposed access to be considered separately under application 12/1627M) is allocated under policy RT6(10) for amenity open space. Policy RT1 asserts that 'areas of recreational land and open space as shown on the proposals map will be protected from development and policy RT2 states that 'incidental open spaces / amenity areas in residential areas will

normally be protected from development and enhanced as appropriate'. This approach is reflected within paragraph 74 of the Framework.

Use class

The application seeks permission for a continuing care retirement community (care village). There is some ambiguity over which use class such a facility falls within, in terms of whether it comes under *C2 Residential Institution* or *C3 Dwellinghouses*, a mixed use of the two or one of its own (*sui generis*) use. The proposed scheme includes a care home (C2) and close care cottages (C3). Close care is commonly defined as sheltered accommodation within the grounds of a care home, ensuring access to care as and when required. The proposed care village would operate differently than many other models as the care home on the site would not be providing the care service to the occupants of the cottages. The care services to the occupiers of the cottages would be bought in as part of an agreement within the lease.

A draft operational plan has been submitted and further detail needs to be addressed within the proposed legal agreement. The applicant's business model would attempt to secure a mixed community across the site, varying from people over 55 with an independent life, to those with a higher degree of care dependency. Whilst it is inevitable that the care needs of occupants would grow over time, officers are keen to eliminate the possibility of the village being occupied predominantly by residents with no care needs at all on initial occupancy.

A care assessment would be undertaken of all prospective purchasers and as part of the basic service charge all occupants would receive 1 hour of domestic or personal help per week. Occupants would then purchase a care package above that level dependent on need from a single provider by the operator. The draft operational plan states that, on first occupation, no more than 60% of the residents of the close care cottages and shared ownership / affordable housing will be persons who require only low level care, which could be written into the legal agreement.

Recent appeal decisions suggest such uses fall within either a C2 use class, or a *sui-generis* use. In the interests of consistency, as with the previous application, rather than distinguish between the care home, close care cottages and ancillary services it has been agreed with the applicant that the care village should be treated as a *sui-generis* use covering the whole site.

As a *sui-generis* use, that is essentially residential, a fundamental question is to what extent the proposal should be assessed against national and local housing policies, and be subject to the same infrastructure requirements / contributions in lieu as a purely residential (C3) scheme, as the development will clearly assist in meeting some housing need?

Need for the development

The previous appeal was dismissed due to what the Inspector identified as a lack of proven need in a strategic planning context. The applicant states that the catchment area for a care village is generally within a 10km radius of the site. The previous scheme did not include an analysis of similar proposals or available sites within the south Manchester area.

In response to this, the applicant has submitted a sequential analysis with the proposal, which concludes that there is no other more sustainable, available or feasible sites within the entire catchment search area to accommodate the proposed development. Officers agree with this

assessment, but only on the basis that the proposed elements cannot be disaggregated. This goes to the heart of the consideration of the application. In theory, as the care home would not be providing the on site care to the close care cottages, those elements of the scheme could be disaggregated. The applicant is stating that the geographic proximity of the care home to the rest of the village provides an important continuity and accessibility factor for residents of the cottages who may ultimately require full time care in the proposed care home. It would clearly be preferable if there was a higher level of integration between the care home and the rest of the village but, on balance, the proximity of the care home to the rest of the village is considered to be a valid material consideration.

It is also clear that the strategic planning context has changed considerably since the adoption of the Local Plan in January 2004. The Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012 identifies that the Borough has 3.94 years of housing land supply, as opposed to the 5 year supply required by paragraph 47 of the NPPF, plus a buffer of 5% to improve choice and competition. Adding the 5% buffer provides a deliverable housing supply of 3.75 years within Cheshire East. Whilst the SHLAA is not policy and does not alter existing allocations, it does show that development on certain sites not currently allocated (safeguarded land), or allocated for uses other than residential will be required to meet the required housing supply.

In terms of affordable units, the Strategic Housing Market Assessment (SHMA) 2010 identified that there is a need for 51 new affordable units per year in the Wilmslow & Alderley Edge sub area, including 6 x 1 or 2 bed older persons units. In addition to the information from the SHMA 2010, Cheshire Homechoice is the choice based lettings system used to allocate social housing in Cheshire East. There are currently 289 applicants on the housing register who have indicated they require housing in Handforth or Wilmslow as their first choice, 27 of the applicants indicated they require accommodation for people over 55.

Following the Inspector's view that the previous assessment of need was not robust enough to justify a departure from policy GC7, the applicant has submitted a Needs Assessment. This indicates that there is an ageing population in Cheshire East, a fact that is also reinforced by the 2011 Census figures.

The 2011 Census identifies:

- The percentage of people aged 65 or over in England and Wales is 16.4%
- The percentage of people aged 65 and over in Cheshire East is 25.9% which is 37% higher than the average in England & Wales
- The percentage of persons in England & Wales who live in a Communal Establishment is 0.18%
- The percentage of people in Cheshire East who live in a Communal Establishment is 0.14% which is 23% lower than the average in England & Wales

These figures indicate that there is a higher demand for elderly accommodation in Cheshire East and a lower provision when compared to the rest of England & Wales which does suggest that the proposal will satisfy an unmet need.

The submitted Needs Assessment identifies that there is a strong demand for older persons housing and there is no Continuing Care Retirement Community planned in the identified

catchment area. Whilst the proposed residential care home would not contribute to meeting this affordable and sheltered accommodation demand, the 47 close care cottages and 15 affordable units for over 55s would certainly help to address local housing need in this category.

It should be noted that if the development is deemed to be a *sui generis* use then strictly there is no affordable housing requirement. However, it is recognised that the applicant is offering a provision of 15 cottages as affordable housing on a shared ownership basis sold at 80% of open market value. Although not meeting the requirements of the Affordable Housing Interim Planning Statement, it assists towards meeting some of the housing need within the Borough. Given the nature of the proposals, the ambiguity of the use class, and the level of integration with the care home, it is considered that an element of affordable housing can be justified. The terms set out by the applicant for the affordable properties are therefore accepted in this specific case.

In conclusion, it is considered that the material considerations are sufficient to justify a departure from the development plan, subject to other policy and site planning considerations.

Sustainability

A presumption in favour of sustainable development is set out in paragraph 14 of the Framework which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

The Inspector noted in her decision in 2010, that the site is a greenfield site and therefore not the first priority for development. However, she also acknowledges that in local plan policy GC7 and the SHLAA that there is recognition that the land is capable of development for housing. The site was also considered to be adequately proximate to Handforth district centre and its transport links, and that it seemed unlikely that the topography of the land would deter residents from walking / travelling on mobility scooters to the local facilities. The site is therefore considered to be in a relatively sustainable location.

Policy EM18 of the Regional Spatial Strategy deals with decentralised and renewable energy supply. In advance of local targets being set through the Cheshire East Local Plan, EM18 requires that all major developments secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable. The applicant has not demonstrated that this is not feasible and the design and access statement considers the incorporation of such measures. A condition is therefore considered necessary to ensure the requirements of the policy would be met.

The applicant's submission incorporates measures for energy efficiency which are to be welcomed.

In addition to environmental considerations, sustainable development also has a social role. In this regard, paragraph 50 of the NPPF sets out how local planning authorities should “*deliver a wide choice of quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities*”. This includes meeting the needs of different groups in the community (including older people), based on size, type, tenure and range of housing that is required in particular locations. Given the location of the development adjacent to existing residential development, the proposal provides accommodation for this specialist group within an existing community.

Impact on local resources

The comments from Adult Services have been produced in consultation with Handforth Health Centre and the NHS Eastern Cheshire Clinical Commissioning Group (CCG) as the site lies within their practice boundary. They have noted that primary care provision to nursing homes is complex and their current care provision to a 96 bed nursing home requires a GP for one and a half days a week. The requirement to provide similar care to the new care community would reduce the time they have to care for their current patient population. Adult services have stated that there will be additional pressure on both primary and secondary health care services if there is an influx of residents from outside Cheshire East.

At the time of the appeal the issue of strain on local resources was dismissed by the Inspector as there was no evidence to quantify these concerns or what the result of any increased pressure would be. It is acknowledged that the provider of local health care has identified the demand on the local GP's time, and that an increased elderly population migrating from outside of Cheshire East will place further strain on the local medical practice. However, the extent of this pressure is not quantified, and therefore can only be afforded limited weight.

Moreover, the submitted demographic information does show that Cheshire East has a significantly higher than average elderly population, and a lower elderly accommodation provision compared to the rest of England and Wales. Therefore, whilst there is an identified need, it is evidently more acute within Cheshire East.

For these reasons, it is recommended that the occupation of the care village is restricted to existing residents of Cheshire East, as opposed to using the cascade criteria outlined in the applicant's draft operational plan. An appropriate condition is therefore recommended.

Impact on setting of Listed Building

The Western boundary of the site adjoins the grounds of Handforth Hall, a Grade II* listed building.

Policy BE16 of the Local Plan states that development that adversely affects the setting of a listed building will not normally be approved.

The proposal has the substantial care home building positioned on the eastern site of the site, and the less dominant 2-storey dwellings on the western side closest to Handforth Hall. The buildings nearest to the boundary with the Hall would be between 17 and 30 metres away from the boundary. This distance would allow space for a sufficient amount of the existing tree and hedge screening to be retained and supplemented.

Archaeology

In response to suggestions that the site may include a chapel and burial ground of archaeological interest, with historic connections to Handforth Hall, the applicant has commissioned a desk-top report. The Council's archaeological officer agrees with the conclusions of the report that no further work is required.

Impact on residential amenity

The interaction of the proposed development with adjoining residential uses is restricted to the Western end of the site. The rear of the affordable dwellings face towards Handforth Hall, but good boundary screening and sufficient distance will prevent any significant harm to the living conditions of that property. Other properties close to the development include those on Wadsworth Close and Old Hall Crescent. The properties closest to those dwellings would have good boundary screening and would prevent any harmful loss of privacy. The nearest 2 storey cottages to those comply with the guidelines for space, light and privacy set out in policy DC38 of the Local Plan. It is not considered that there would be any harmful impact on living conditions as a result of the proposed development and therefore the proposal would accord with policies DC3 and H13 of the local plan.

Noise

Due to the proximity of the development to the A34 bypass, the impact of noise upon the care home is a key issue in the consideration of this application. There are no regulatory instruments available to control the noise impact of road traffic noise on the proposed residential dwellings post development. Therefore, it is essential that amenity issues are appropriately considered at the planning stage. Statutory noise nuisance does not apply to transportation noise.

The east elevation of the proposed care home would be located approximately 60 metres from the bypass, at a point where traffic is slowing down in advance of the Handforth Dean roundabout. Given the embankment adjacent to the bypass and the distance of approximately 50 metres to the proposed care home, change in ground levels and extensive vegetation, Environmental Health are satisfied that noise levels would be within accepted standards subject to a conditions. This could involve the installation of high specification glazing and ventilation system, and/or alterations to the internal layout of several rooms within the care home. This can be dealt with by condition for a scheme of sound insulation to be approved.

Public Rights of Way

The development would involve the diversion and upgrading of Public Footpath 91 that cuts through the site between Hall Road and Coppice Way. The length of the footpath will be elongated as it has to curve around the north side of the development. However, it is noted that there would be increased natural surveillance from the dwellings within the development. Therefore, personal safety should not be compromised. The concept of upgrading the route to a cycle route is supported, and will require a surface being provided to a width of 3m, dropped kerbs, possible barriers and appropriate signage.

The Countryside Access officer has noted that this public footpath will be a key link for residents and staff of the proposed development to access the nearby facilities. Likewise, a new path within Handforth Community Woodland which lies to the west of the proposed development site would facilitate residents, staff and local residents in accessing the area of

woodland and the areas either side which include employment zones. They suggest contribution towards the project to create this path could be made by the developer. This is considered further below.

Recreation / open space

The proposed development would take approximately 0.34ha of the allocated amenity space (not including the loss proposed as part of the access under separate consideration). On this matter, the Inspector noted:

“that the land is privately owned and the representations do not indicate that public access is proposed in the future. Its value as open space is visual, derived from its open nature. Whilst part of this open land would be lost as a result of the proposed development a section of it would be retained providing a green gap between the relocated footpath and Handforth Hall, thus retaining continuous open land from Coppice way to Hall Lane. The proposal would therefore reduce, slightly the extent of open land but would not compromise its purpose.” She concludes that *“the conflict with policies RT6(10) ad NE18 and the loss of informal open space is not on its own sufficient to justify refusal of the proposal on these grounds.”*

Again, due to the use class issues highlighted above, where the proposal sits in terms of its requirements for public open space (POS) is not straightforward. As a development that is essentially residential in nature, it will inevitably have infrastructure requirements similar to a typical housing scheme. The aim of providing POS facilities is to support active lifestyles and sustainable communities for all ages. As the minimum age resident in this development is only 55, there is as much need to consider their needs in terms of access to decent and varied open space opportunities as for any other age bracket. In fact it could be considered more important to provide facilities close to home as mobility and confidence decreases. The benefits of exercise and social integration cannot be underestimated.

As a starting point, if the Supplementary Planning Guidance on Planning Agreements were to be applied as for a sheltered housing scheme, onsite POS of 1240sqm would be required. The communal areas within the site are private areas in lieu of individual private gardens and do not have wider public access. In the absence of onsite POS, a sum of £93,000 would be required. Leisure Services has confirmed that any commuted sum would be used to implement the Handforth Woodland enhancement project which includes upgrades to the footpath through the woodland, which is very close to the application site. This was costed at £76,000 in 2008. Given the specific circumstances and nature of the proposal, it is considered that a reduction to £76,000 would be appropriate.

Highways

A transport statement and a draft framework travel plan have been submitted with the application.

Whilst the site is not adjacent to the public transport network, it is a reasonably sustainable location, being approximately 500m from the bus stop on Station Road, approximately half a mile from the centre of Handforth and adjacent to the Handforth Dean Shopping complex. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

The Strategic Highways Manager has commented on the proposal and noted that on the previous application there were no highway objections raised to the development. In considering this particular application they considered whether there had been any material changes on the road network since the previous application. Although, there has been some changes to the nearby retail park, there have not been any large developments that would affect the traffic impact considerations of this proposal.

The access to the cottages and the care home is to be taken off a spine road that possibly could lead to further development in the future. This spine road links to an existing roundabout on Coppice Way. Importantly, there is no vehicular link from Hall Lane to the rear of the site.

With regard to the parking provision for the care home, it provides 16 car parking spaces and the residential development has 100% parking plus 2 visitor spaces. Comparing the parking provision with other similar care uses, the amount of car parking being provided is broadly similar and is not considered to be at such a low level that would cause parking problems. Therefore, as there have been no material changes in circumstances on the highway network, no highway objections are raised, subject to a final travel plan for the site being agreed by LPA and implemented within 6 months of occupation.

The Highways Agency has previously confirmed that the development will have a negligible impact on the trunk road network.

Design and visual impact

As the site is green field, the development clearly has a landscape impact. An area that is currently agricultural / open space land will be occupied by an urban form. The layout has been influenced by the natural and physical constraints of the site, particularly the ponds within the site and the location of Handforth Hall to the west. The more dominant care home building would be located to the north-east corner of the site, away from Handforth Hall, and would be viewed in the landscape against the backdrop of the planted mound along the A34 bypass. Existing mature vegetation would provide good natural screening from the west, north and east vantage points. The most prominent local vantage points from outside the site would be from the south, where the care village will be viewed above the existing mature hedge that forms the southern boundary of the site. The proposed dwellings would respect the scale of existing dwellings in the immediate area. The diverted public footpath would also provide new vantage points looking east across the proposed development, which need to be considered. Whilst the proposal clearly involves a change in landscape, the overall massing and layout of the development is considered to respect the constraints of the site and is sympathetic to adjoining buildings and its surroundings.

The care home building would have a U-shaped footprint, creating its own internal courtyard at the rear, which would create a modest private outdoor space for residents. Criterion 4 of policy DC57 requires appropriate private garden space to be provided in the order of 10sqm per resident. This proposal would provide approximately 15sqm per resident, thereby meeting the objective of providing adequate amenity space. It would be a brick building with timber detailing and render and herringbone brick infill and slate roof. The design has been influenced by details of Handforth Hall, but sited a good distance from the Hall so there is no danger of it competing with or overbearing the Hall.

The proposed close care cottages and affordable dwellings are also of a traditional design with appropriate materials and detailing, providing some variety of materials and design details but maintaining a commonality that adds cohesion to the development.

The proposed community centre has a colonial design influence and provides a focal point for the development. The building has a first floor within the roof space, and its heavier roof form and clock tower are considered to give it an appropriate identity as a communal building.

The development also establishes ponds within the site, and along with the proposed village green, this helps to provide some aesthetically pleasing aspects to the overall layout.

Landscaping and tree protection

Policies DC8 and DC9 of the local plan require schemes to have appropriate landscaping and ensure the retention of trees of amenity value. Policy EM1 of the RSS seeks to avoid damage to landscape assets, enhance biodiversity assets and mitigate any unavoidable loss in resources. The site has no special designation of landscape interest.

None of the trees on the site are formally protected by tree preservation order, but collectively they do provide some landscape and wildlife value. During previous applications there were concerns about the impact of the proposal on the existing hawthorn hedgerow along the southern boundary of the site adjacent to footpath 127. This hedgerow is shown for retention and, as the Inspector noted in her decision, suitable planning conditions would protect the hedgerow during construction and the period beyond. Similarly, tree losses can be adequately mitigated by replacement planting.

Landscape is a reserved matter so there are no landscape details included with the application. If the application is approved a high quality landscape scheme and full hard and soft details must be submitted for approval as a reserved matters application.

Further information will also be required about the future ownership and management arrangements for all open space areas including:

- The amenity open space to the west of the footpath/cycleway,
- The land to the rear of Handforth Hall (newt mitigation area)
- The land either side of the proposed new access road to Coppice Way.
- The bottom of the northern, wooded bunds
- All communal areas within the development

The management regimes for all areas should be set out in a Landscape and Habitat Management Plan (L&HMP). This document should form part of a section 106 agreement if responsibility for landscape management is required in perpetuity rather than for a specified period. The L&HMP must establish who will be responsible for management (e.g. a management company). The document should include the long-term design objectives, management techniques, maintenance schedules and frequency of operations, timescales for the replacement of hard and soft landscape elements and public access issues.

Landscape proposals within the care village should include good quality and varied hard materials and extensive tree and shrub planting to enhance the communal spaces.

The proposed boundary treatments also need some further consideration. Whilst security concerns are acknowledged, the concept of a gated community is not considered to promote mixed and inclusive communities. The proposed boundary railings on Hall Road frontage should ideally be located at the back of the highway footpath rather than set back within the site. The land in front of plots 48 - 53 could then form part of the internal communal open space. Conditions relating to the submission of further boundary details are therefore recommended.

Ecology

The nature conservation officer has commented on the application and notes that the application is supported by an acceptable ecological assessment undertaken by a suitably qualified and experienced ecological consultant.

Habitats

The proposed development site supports neutral grassland and scrub woodland habitats which is of limited local nature conservation value. The loss of these habitats is likely to have only a minor impact on the borough's ecological assets and will be at least partially compensated for through the creation of additional area of terrestrial habitat for newts.

Great Crested Newts

A small population of great crested newts has been recorded breeding at a pond some distance to the south of the proposed development. A second small population is also known to breed at two ornamental ponds within the grounds of Handforth Hall.

In the absence of mitigation the proposed development has been identified as having a moderate adverse impact on the identified great crested newt populations through the loss of terrestrial habitat and the risk of killing/injuring animals during the construction process.

To mitigate the risk of killing/injuring of newts, the applicant is proposing to trap and exclude newts from the footprint of the proposed development in accordance with standard best practice methodologies. The loss of terrestrial habitat will be compensated for through the creation of four new ponds and 0.4ha of terrestrial habitat. In addition, one of the existing ponds will be enhanced to improve its value as a breeding pond for amphibians.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider two of the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Alternatives

The applicant has submitted a sequential analysis which concludes that there would be no realistic alternative sites in the area to provide the kind of care village proposed. It is also clear that there is no alternative way a care village could be provided on this site without having an impact on the GCN habitat. Taking these factors into account it would be reasonable to conclude that there are no satisfactory alternatives.

Overriding public Interest

As the proposal is contributing to a specialist housing / care need for the Borough’s ageing population it would also be reasonable to conclude that the proposal is helping to address an important social need.

Mitigation

A comprehensive mitigation scheme has been proposed, which essentially utilises open space land to the west of the application site to improve GCN habitat in this area. The Council’s nature conservation officer is satisfied that mitigation/compensation is broadly adequate to maintain and potentially enhance the favourable conservation status of the species.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met.

Toads

Toads, a biodiversity action plan species and a material consideration have been recorded on site. The proposed great crested newt mitigation and compensation is also likely to be effective in maintaining the local toad population

Breeding Birds

The site offers suitable habitat for breeding birds, including species listed as Biodiversity Action Plan priorities which are a material consideration. If planning consent is granted, conditions are recommended to safeguard breeding birds and to ensure some additional provision is made for both breeding birds and roosting bats.

Flood Risk

Many objections have been raised regarding potential localised flooding due to a large reduction in soakaway capacity over the site due to the proportion of building footprint and hardstanding across the site. There has also been anecdotal evidence of flooding of the existing footpath and the gardens of Handforth Hall. These comments are acknowledged. However, the site is identified as being in flood zone 1 with a 0.1% risk of annual flooding. The applicant has also submitted a flood risk assessment which states that the drainage

system will be designed using Sustainable Urban Drainage System (SUDS) techniques. The Environment Agency raises no objections to the proposal subject to a surface water drainage scheme being submitted. The proposal is therefore not considered to pose an unacceptable flood risk, and is in accordance with policies DC17 and DC18 of the Local Plan.

HEADS OF TERMS

The applicant has submitted a draft head of terms for a s106 legal agreement. This covers the following:

- Occupation for persons over 55 years
- Cascade provision to ensure the development meets local needs first
- Provision of affordable housing at 80% of market value (with qualifying criteria)
- An operational plan for the close care cottages
- Individual travel plans for the care home and close care cottages.
- Monitoring fees

Further detail and amendments are required following consultation with the Council's Legal Section including:

- No more than 60% of the occupants of the close care cottages and shared ownership / affordable housing to require will be persons who require only low level care as demonstrated through the care assessment, on first occupation.
- Shared ownership scheme for the affordable housing element
- LPA to approve any sales documentation for the close care cottages
- LPA to approve the operational plan for the close care cottages and no variations or amendments to be made to such without the LPA's consent. The operational plan should remain in operation while the development is occupied.
- Mechanism for implementation of operational plan (different operators)
- Timing of the development to ensure the care home and the close care cottages are built out together

The legal agreement will also be required to cover:

- 10 year landscape and habitat management plan including pond design and provision and all European Protected Species mitigation.
- Open space management
- Contribution towards public open space enhancement to implement Handforth Woodland enhancement project (£76,000)

Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The proposal would make a contribution towards meeting a housing need within the area for a specific group of people, including some affordable housing, which would help to sustain the existing community and provide a wider choice for the elderly. The justification for the use of this safeguarded land is lack of alternative sites to provide the continuity of care that is provided within the operational plan.

The commuted sum to be paid to the Council to implement the Handforth Woodland enhancement project which includes upgrades to the footpath through the woodland, which will provides opportunities for all parts of the community including the new residents.

The landscape and habitat management plan is required to ensure the proposal provides adequate mitigation and new habitats for protected species which are maintained in perpetuity.

On this basis the requirements of the s106 agreement are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The reason for the previously dismissed appeal: the lack of proven need for the development; has been addressed by the submission of a sequential site assessment and a needs assessment. This identified need is considered to be sufficient to justify a departure from policy GC7 of the Local Plan.

Evidence shows that there is a need to provide suitable accommodation to enable an ageing population within Cheshire East to live full independent lives for as long as possible. It is considered that the proposal would make a valuable contribution towards meeting a specialist housing need for elderly people within the Borough, as well as continuity in their care.

The impact on European Protected Species and other ecological interests has been assessed by the nature conservation officer and is considered to be acceptable. The proposal accords with the relevant local plan policies and national guidance in the Framework. There is also not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case. The proposal also raises no significant visual, highway safety, amenity or flooding issues, and complies with relevant local and national planning policies. Accordingly, a recommendation of approval is made subject to conditions and a s106 legal agreement.

Application for Outline Planning

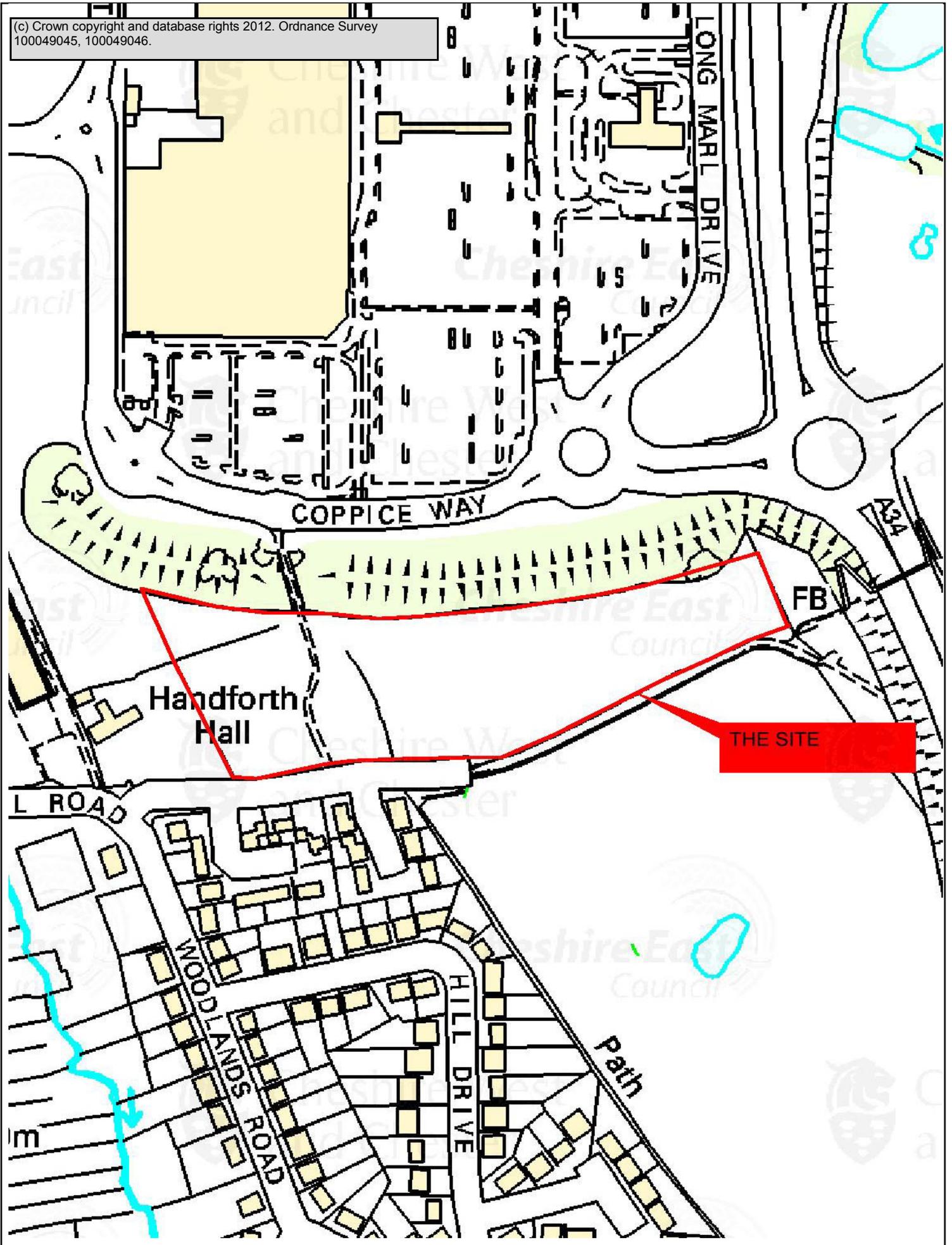
RECOMMENDATION: Approve subejct to a Section 106 Agreement and the following conditions

1. A07OP - Time limit on outline permission

2. A03OP - Time limit for submission of reserved matters
3. A01OP - Submission of reserved matters
4. A02EX - Submission of samples of building materials
5. A04NC - Details of drainage
6. A22GR - Protection from noise during construction (hours of construction)
7. A23GR - Pile Driving
8. A14TR - Protection of existing hedges
9. A12LS - Details of boundary treatment to be agreed
10. A06NC - Protection for breeding birds
11. A08MC - Lighting details to be approved
12. A19MC - Refuse storage facilities to be approved
13. A01GR - Removal of permitted development rights
14. A04HP - Provision of cycle parking
15. A01MC - Noise insulation to be approved
16. A01AP - Noise insulation to be approved
17. Assessment of traffic noise to be submitted
18. Phase II contaminated land report to be submitted
19. Public footpath to be diverted and upgraded
20. Updated badger survey prior to commencement
21. Provision of decentralised / renewable energy to meet 10% predicted energy requirements
22. Enhancement for breeding birds and roosting bats
23. Development to be carried out in accordance with ecological reports
24. Occupation by Cheshire East residents or those with a local connection to the Borough



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Application No: 12/1627M

Location: LAND ADJACENT TO COPPICE WAY, HANDFORTH

Proposal: Outline Application for New Vehicular Access with Means of Access, Layout and Associated Engineering Works for Consideration (with Landscaping Reserved for Subsequent Approval)

Applicant: Mr Pasquale Nicosia, GREYSTONE (UK) LTD

Expiry Date: 29-Jun-2012

Date Report Prepared: 6 August 2012

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Justification for the development
- Highway safety
- Landscape impact.

REASON FOR REPORT

The application is closely linked to application 12/1578M, which also appears on the agenda.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a wooded embankment adjacent to Coppice Way. The site is located within an area of Proposed Open Space as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This proposal seeks outline planning permission to provide an access from Coppice Way to the proposed Care Village. The development would involve cutting through the wooded embankment that forms the northern boundary of the proposed care village site. Approval of

access, appearance, layout and scale is sought at this stage, with only landscaping reserved for subsequent approval.

The relevant issues and policy relating to the overall care village development are discussed in the parallel report on the agenda for application 12/1578M. They will not be repeated here. The key site planning issues concerning the proposed access road are considered to be those of landscaping, trees and highway safety.

RELEVANT HISTORY

09/0695M – Development of a care village (sui-generis use) comprising 58-bedroom care home, 47 close care cottages, 15 shared ownership affordable dwellings, and associated access roads, public open space, landscaping, car parking and ancillary development – Refused 19.08.2009 – Appeal dismissed 28.10.2010 (The Inspector concluded that the assessment of need was not robust enough to justify a departure from policy GC7).

09/0708M – Formation of new vehicular access from Coppice Way and engineering works – Refused 19.08.2009 – Appeal dismissed 28.10.2010 (The Inspector concluded that as there was no proven need for the care village, there was no justification for an access, which would be contrary to policy RT6).

09/3023M – Outline application with means of access, layout, scale and appearance for consideration and landscaping reserved for subsequent approval for the development of a care village comprising 55-bedroom care home, 36 close care cottages, 6 shared ownership affordable dwellings – all for the over 55s, and associated access roads, public open space, landscaping, car parking and ancillary development – Refused 20.01.2010 – Appeal dismissed 28.10.2010 (The Inspector concluded that the assessment of need was not robust enough to justify a departure from policy GC7)

09/3050M - Formation of new vehicular access from Coppice Way and engineering works – Refused 20.01.2010 – Appeal dismissed 28.10.2010 (The Inspector concluded that as there was no proven need for the care village, there was no justification for an access, which would be contrary to policy RT6).

POLICIES

Regional Spatial Strategy

Relevant policies of the RSS include: DP1 Spatial Principles; DP2 Promote Sustainable Communities; DP3 Promote Sustainable Economic Development; DP4 make the Best Use of Existing Resources and Infrastructure; DP5 Manage Travel Demand - Reduce the Need to Travel, and Increase Accessibility; DP7 Promote Environmental Quality; DP9 Reduce Emissions and Adapt to Climate Change; RT2 Managing Travel Demand; RT9 Walking and Cycling; EM1 Integrated Enhancement and Protection of the Region's Environmental Assets.

Local Plan Policy

Relevant policies of the Local Plan include: BE1 Design Guidance; RT1, RT2 and RT6 Open Space; DC1 Design; DC3 Residential Amenity; DC6 Circulation and Access; DC8 Landscaping; DC9 Tree Protection; GC7 Safeguarded Land

Other Material Considerations

National Planning Policy Framework (The Framework)

CONSULTATIONS (External to Planning)

Strategic Highways Manager – The access to the cottages and the care home is to be taken off a spine road that possibly could lead to further development in the future. This spine road links to an existing roundabout on Coppice Way. Therefore, as there have been no material changes in circumstances on the highway network, (since the previous appeal) no highway objections are raised.

VIEWS OF THE PARISH / TOWN COUNCIL

Handforth Parish Council - The Council have noted the marked opposition of local residents to the proposed care village and access road. The Parish Council are broadly in sympathy with the views of local residents but, at a recent council meeting, it was agreed that councillors would send their comments on the application on an individual basis.

OTHER REPRESENTATIONS

45 letters of representation have been received, which mainly refer to general objections to the entire care village development. However specific objections relating to the proposed access road include:

- Elderly drivers would have to negotiate the hazardous A34 roundabout.
- The roundabouts and roads around the Handforth Dean shopping centre are hazardous for the elderly and infirm.
- Increased noise and fumes, headlight beams will penetrate from Wilmslow Way
- The bund was deliberately built, where it runs east to west, to counteract this pollution and there can be no valid reason to penetrate it.
- The road access breaches RT6 land
- The exit from the A34 for the retail park is already busy and complex. This adds to the complexity.
- No justification for the development
- Increased congestion
- Loss of wildlife habitat
- Future development of safeguarded land will follow.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a transport statement, planning statement, design and access statement and a tree survey with the application.

OFFICER APPRAISAL

Principle of Development

The site is designated within the Local Plan as Open Space and adjoins an area of Safeguarded Land. Policy GC7 notes that if the safeguarded land is to be developed in the future, access will be taken from Coppice Way. Therefore, subject to an acceptable

development scheme on the safeguarded land to the South, the principle of an access from Coppice Way is established in Development Plan policy.

The issues in principle, regarding the loss of open space and other matters, are discussed in the associated report for the care village. If Members resolve to approve the proposed care village then there is no objection in principle to the proposed access. Indeed the access point proposed would be the most preferable to the site. However, if Members resolve to refuse the care village application then clearly there would be no justification for this development, and it would be contrary to policy RT6 as it would result in the loss of land allocated for open space.

Highways

As noted above, there is provision within the local plan for an access to serve development on the safeguarded land. The Strategic Highways Manager has commented on the proposal and noted that on the previous application there were no highway objections raised to the development and in considering this particular application they have considered whether there have been any material changes on the road network since the previous application. Although there has some changes to the nearby retail park there have not been any large developments that would affect the traffic impact considerations of this proposal.

The Highways Agency has previously confirmed that the development will have a negligible impact on the trunk road network. The Inspector for the appeals in 2010 also did not identify any significant highway safety concerns. No significant highway safety concerns are therefore raised.

Landscaping

Since the previous appeals, there has been a minor change to the route of the access off Coppice Way into the site which now shows a slight curve and inclusion of an attenuation pond. These minor changes will not impact significantly on the extent of tree losses along the existing mound that abuts Coppice Way.

Some clarification would be necessary as to the extent of re-grading required for the new embankment detailing to ensure the minimum construction works necessary to achieve the access without compromising trees unnecessarily. If the application is approved a detailed landscape scheme should be submitted as a reserved matters application. The details must include proposed levels and contours, soiling and seeding, and vegetation to be removed, plus replanting.

The proposed cut-through is located towards the eastern end of the site (of the proposed care village) this is well away from the residential areas near Hall Road and as such there is not considered to be an issue in terms of impact on residential amenity resulting from a break in the existing landscape screen.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The development of safeguarded land would require an access to be created from Coppice Way. Subject to approval of the associated care village development there is no objection in principle to this proposal. Landscaping will be dealt with as a reserved matter and will ensure

the visual impact is minimised and the proposal will be acceptable in terms of highway safety. The application is therefore recommended for approval subject to conditions.

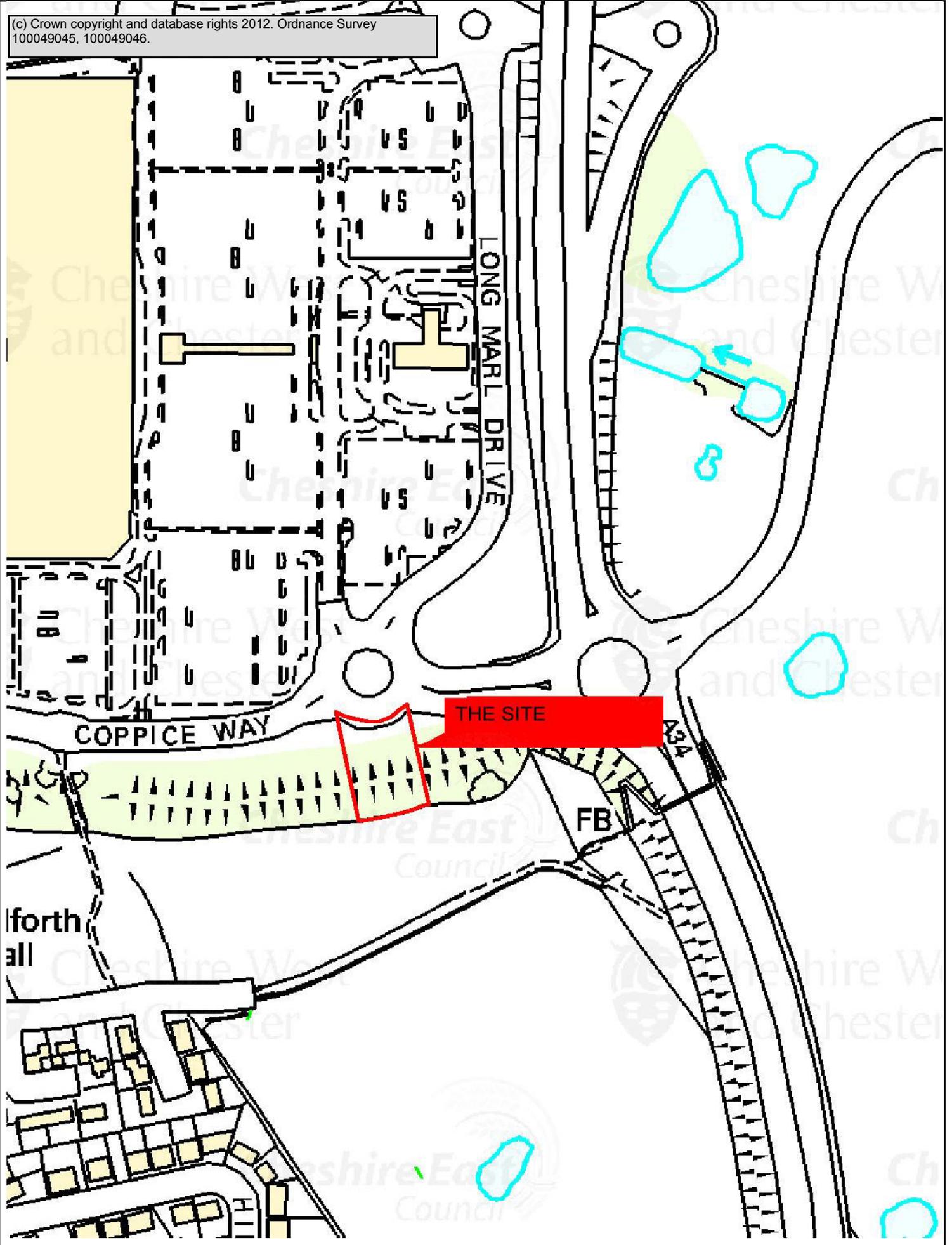
Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A07OP - Time limit on outline permission
2. A03OP - Time limit for submission of reserved matters
3. A01OP - Submission of reserved matters
4. A01AP - Development in accord with approved plans
5. No development until a contract and phasing agreement in place for development of care village



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Application No: 12/0831N

Location: Land to the North and South of Maw Green Road, Coppenhall, Crewe

Proposal: Outline planning permission for the erection of 165 dwellings on land to the north and south of Maw Green Road, Crewe. Access is proposed via a new roundabout off Maw Green Road.

Applicant: Richborough Estates

Expiry Date: 30-May-2012

SUMMARY RECOMMENDATION:

Amend trigger of Condition 48 and Section 106 payments from 50 dwellings to 73 dwellings

1. SITE DESCRIPTION

The application site measures 9.59ha (23.7 acres) and is located in the suburb of Maw Green. The site is situated on the residential edge of maw green and is on the north eastern edge of Crewe. The site comprises an irregularly shaped piece of land, divided into two areas, located to the north and south of Maw Green Road.

The southern site predominantly comprises open rough pasture consisting of a number of fields with hedgerow boundaries. Areas of mature trees are present in the south west corner.

The northern site comprises two distinct portions in the west and east. The western portion comprises further areas of rough pasture and paddocks. An area of mature trees and a pond is present in the south east corner, together with a number of barn type structures. The eastern portion of the site comprises a former landfill site. The application site generally slopes from north to south.

The site area is bounded to the north by residential dwellings and farm buildings, and the remainder of the landfill site, to the north east by land associated with the landfill site, to the east and south east by agricultural land beyond which is the Crewe – Manchester railway line with open agricultural land beyond, the southwest by the rear of residential properties and open countryside beyond. This area has recently secured a resolution to grant planning permission for 650 dwellings as part of the Coppenhall East development.

2. DETAILS OF PROPOSAL

Outline planning permission is sought for the erection of 165 dwellings. Approval is also sought for means of access with all other matters, including appearance, landscaping, layout and scale, reserved for a subsequent application. Access is proposed via a new roundabout junction on Maw Green Road, providing access to the two parcels of land to the north and south of the road.

Members may recall that at its meeting on 22nd August 2012 Strategic Planning Board resolved to grant delegated powers to the Development and Building Control Manager to approve subject to conditions; consultation with and no objection from Environmental Health and Cheshire Brine and Subsidence Compensation Board and completion of a Section 106 Legal Agreement to secure:

- 10% affordable housing (20 dwellings), on a tenure split of 75% intermediate tenure and 25% rented, (either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rents)
- Provision of affordable housing prior to 80% occupation of the open market housing
- Transfer of any rented / shared ownership affordable units to a Registered Provider
- Affordable house scheme to be submitted at reserved matters
- Affordable homes to be let or sold to people who are in housing need and have a local connection. (The local connection criteria used in the agreement to match the Councils allocations policy.)
- Public Open Space scheme to be submitted at reserved matters
 - Provision of play area / five-a-side pitch
 - Provision of detailed specification for play area to incorporate :
- 8 pieces of play equipment should be provided.
 - 5 a side pitch (600sqm)
 - NEAP (2,620sqm)
 - Durable retaining walls – concrete or brick
 - porous wet pour safer surfacing.
 - concrete steps to the bank
 - the slide to be set in concrete
 - Two bins with one being provided on each level.
 - Metal bow top railings are required; pedestrian access gates in the same style but a contrasting colour to the railings.
 - Gate to be outward opening, with rubber caps on the clapping side and have a mechanical self-closing mechanism.
 - NEAP to provide seating; bicycle parking and appropriate signage.
- Provision for a management company to maintain the on-site amenity space / play area / ancillary areas, ponds, woodland planting / nature conservation areas / other open space.
- Provision of open space by 50% occupation and transfer to management company by 75% occupation.
- The above areas to be made available for use by the general public except where this would conflict with the approved ecological mitigation / management plan.
- Management plan for landscaping /public open space/ wildlife mitigation areas in perpetuity to be submitted at reserved matters
- Education Contribution of £292, 850.
- Commuted sum of £1500 to barn owl group
- Highways Contributions: -
 - Maw Green Road Signage Scheme – £20,000 (on occupation of 50th dwelling)
 - Crewe Green Roundabout – £60,000 – (on occupation of 50th dwelling)

- Sydney Road bridge - £ 1,082,000 – (£50k be paid on commencement with remainder on occupation of the 50th dwelling)
- Public Transport Contribution - £12,000– (on occupation of 50th dwelling)

The applicant is now seeking to amend the terms of the previous resolution as follows:

- To change to the triggers for the highways contributions in the Section 106 agreement from the 50th dwelling to the 73rd dwelling.
- Amend trigger of Condition 48 from 50 dwellings to 73 dwellings
- Add “unless otherwise agreed in writing with the Local Planning Authority” to condition 48.

3. RELEVANT HISTORY

12/0831N Outline planning permission for the erection of 165 dwellings on land to the north and south of Maw Green Road, Crewe. Access is proposed via a new roundabout off Maw Green Road. – Resolution to approve 22nd August 2012

4. PLANNING POLICIES

N/A

4. OBSERVATIONS OF CONSULTEES

Highways – No objection

5. VIEWS OF THE PARISH / TOWN COUNCIL

No additional responses received

6. OTHER REPRESENTATIONS

No additional responses received

7. APPLICANT’S SUPPORTING INFORMATION:

Supporting letter

A letter has been submitted by the applicant making the following points:

- Members of the SPB were particularly keen to see an early commencement of the scheme and reduced the time limit for implementation accordingly. The applicant has expressed concern that condition 48 (as listed in the minutes) which prevents the occupation of more than 50 dwellings until the new roundabout at the Maw Green Road/Elm Drive/Groby Road junction has been brought into use, together with the related triggers for the payment of some of the related Section 106 contributions, effectively renders the permission undeliverable with specific concerns being as follows:

- The roundabout is to be constructed by Taylor Wimpey as a condition of its consent for Coppenhall East, a fact that was specifically mentioned in the committee report for the proposal. As such, the timing of the construction and the “*bringing into use*” of the roundabout as referred to in condition 48 as drafted is wholly outside of Richborough’s control. This makes the condition unreasonable and also potentially ultra vires by reference to the advice in Circular 11/95, because it requires works which they do not have the power to undertake.
- Construction of the roundabout is likely to be triggered at completion of around the 200th dwelling on Coppenhall East. It will be several years before Coppenhall East delivers the 200th dwelling from when the development eventually commences especially as to-date the decision has yet to be issued. As such, there can be no certainty when the Maw Green Developer would be able to construct for occupation the 51st dwelling at Maw Green. Therefore, Richborough consider that the condition is unreasonable and contrary to paragraph 206 of the NPPF. Furthermore, the condition by inference will frustrate the SPB’s primary goal which is to deliver the housing at the earliest possible opportunity since it renders the permission undeliverable.
- The development is split either side of Maw Green Road with the layout showing 73 dwellings on the south side of the road with a further 93 dwellings on the northern side. Richborough’s ideal would be to deliver the entire 165 units as one development project without there being any trigger mechanism preventing part of it from coming forward. However, the development could be split into two development phases relating to the parcels on either side of Maw Green Road. As such it is possible to bring forward and deliver each phase independently and whilst that is not Richborough’s ideal position it is one that could be pursued but only if the planning permission enabled the southern phase to come forward and be delivered in its entirety as it is not possible to artificially apportion the layout to deliver only 50 dwellings. Therefore, notwithstanding Richborough’s views on the legitimacy of condition 48, if the 50 dwelling limitation was increased to 73 to reflect the illustrative layout this would mean that the southern phase can be delivered.
- Not only is the limitation of 50 dwellings not reflective of the illustrative layout and would mean that no part of the permission would be deliverable, Richborough believe that there is no sound highway based evidence to substantiate the figure. Given that the Taylor Wimpey permission for Coppenhall East assumes that the junction can cope with up to 200 dwellings without the need for junction improvements, all of the Maw Green scheme could be delivered without there being a highway need to construct the roundabout. It is understood that the concern from Highways is that if the two schemes came forward together then 365 dwellings (200 at Coppenhall East plus 165 from Maw Green) would require junction improvements and therefore a total figure of 250 dwellings was derived but this was based upon no specific highway evidence to justify 250 being the maximum trigger. Realistically 73 dwellings from Maw Green will be constructed well before Taylor Wimpey can possibly deliver anywhere near 200 dwellings and therefore the threshold issue relates to the Coppenhall East development if Richborough is to be prevented from bringing forward our northern phase.

- If, there is no committee resolution imposing a 200 trigger on the Coppenhall East scheme then, as that permission is yet to be released, it is open for the Council to vary the trigger for Coppenhall East to take account of Richborough's proposals for Maw Green. As such there is no highway evidence to substantiate that a higher trigger of 73 dwellings rather than the proposed 50 dwelling trigger shouldn't be entirely acceptable.
- Although Richborough do not agree with the legitimacy of proposed condition 48, if the condition was varied to increase the limiting figure from 50 to 73 dwellings to reflect the illustrative layout then this would be sufficient to deliver the southern phase of the permitted development. Naturally this would need consequential changes to the other trigger mechanisms relating to the Section 106 payments to enable the southern portion to be delivered. As we discussed at the meeting, the normal approach to Section 106 payments is to base payments on 50% of the overall development and therefore this approach should be adopted here for the sake of consistency and to enable the first phase to be delivered.
- The applicant would also suggest that condition 48 is worded to allow for it to be varied if circumstances pertaining to the Coppenhall East proposal changes, given that the condition is intrinsically related to the delivery of that scheme. For instance if the Coppenhall East scheme is further delayed so that the northern phase can come forward earlier than presently envisaged, then the Council could vary the requirements of the condition to allow for the change in circumstances. Richborough would suggest the words "unless otherwise agreed in writing by the Council" be added to the condition.

Letter from David Wilson Homes

A letter from David Wilson Homes (an interested purchaser) to the applicant has been submitted in support of the proposal making the following points:

- David Wilson have a keen interest in acquiring the site
- The proposals offer an exciting opportunity to deliver a high quality development of substantial quantum in an area desperately in need of new quality housing to raise the stock profile value of the area specifically and Crewe generally.
- There are one or two conditions that they have difficulty in agreeing to
- Of particular concern is condition 48, which in its current form could potentially jeopardise the entire delivery of this scheme
- The condition itself would be ultra vires and is not within the Richborough gift to delivery but rather with Taylor Wimpey as part of their Coppenhall Scheme.
- This in itself would have the effect of placing a permanent third party ransom restriction upon the land and effectively mothball ad development before it is even implemented.
- The S106 agreement will require the payment of the highway contributions totalling £1.174m by no later than the 50th unit occupation, together with the full site provision of open space. This would also be a large impediment to the delivery of the development in terms of cash outflow and would quite conceivably equate to the entire development profits up to that stage of

construction, which would make the development unviable. Would suggest that Richborough seek to amend the trigger point and seek to push them back into the development programme, whereby the scheme profits can then afford to make the contributions.

- If this can be achieved David Wilson would like to prepare detailed purchase proposals.

8. OFFICER APPRAISAL

The NPPF stresses the importance of housing delivery and viability as a material planning consideration. Paragraph 173 states:

Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable

The applicant has provided evidence to demonstrate that the 50 dwelling trigger on condition 48 and the Section 106 payments would render the scheme unviable, including a letter from a house building interested in buying the site.

The NPPF also stresses the importance of housing delivery. One of the 12 Core Planning Principles at paragraph 17 states that planning should:

proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

These sentiments were echoed by SPB Members who reduced the time limit for implementation of the permission. The applicant has demonstrated why the 50 dwelling trigger would delay delivery of the scheme and why delivery problems could arise if the Coppenhall East development does not come forward in a timely fashion. It is therefore considered to be reasonable to increase the trigger to allow the southern half of the development to commence without reliance on Coppenhall East and to add the words “unless otherwise agreed in writing” to condition 48 to allow flexibility to account for any future changes in circumstances on the Coppenhall site.

The applicant has also demonstrated why for practical reasons, it is sensible to use the figure of 73 dwellings (which equates to completion of the southern portion of the site) rather than an arbitrary figure of 50 as the trigger.

The applicant has also questioned whether there is any substantive highways evidence to suggest why a figure of 73 dwellings would generate a demonstrable and unacceptable level of additional harmful to highway safety / congestion than that which

would result from 50. It is noted that no highway objection has been relieved to the proposed amendment.

9. CONCLUSION

Given that the Strategic Highways Manager has raised no objection to this amendment, it is considered to be acceptable and is recommended for approval under the delegated powers granted to the Development Management and Building Control Manager subject to the same provisions as previously, with the exception of the amended triggers and addition of “unless otherwise agreed in writing with the Local Planning Authority” to the wording of condition 48.

10. RECOMMENDATIONS

Grant delegated powers to the Development and Building Control Manager to approve subject to conditions; consultation with and no objection from Environmental Health and Cheshire Brine and Subsidence Compensation Board and completion of a Section 106 Legal Agreement to secure:

- **10% affordable housing (20 dwellings), on a tenure split of 75% intermediate tenure and 25% rented, (either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rents)**
- **Provision of affordable housing prior to 80% occupation of the open market housing**
- **Transfer of any rented / shared ownership affordable units to a Registered Provider**
- **Affordable house scheme to be submitted at reserved matters**
- **Affordable homes to be let or sold to people who are in housing need and have a local connection. (The local connection criteria used in the agreement to match the Councils allocations policy.)**
- **Public Open Space scheme to be submitted at reserved matters**
 - **Provision of play area / five-a-side pitch**
 - **Provision of detailed specification for play area to incorporate :**
- **8 pieces of play equipment should be provided.**
 - **5 a side pitch (600sqm)**
 - **NEAP (2,620sqm)**
 - **Durable retaining walls – concrete or brick**
 - **porous wet pour safer surfacing.**
 - **concrete steps to the bank**
 - **the slide to be set in concrete**
 - **Two bins with one being provided on each level.**
 - **Metal bow top railings are required; pedestrian access gates in the same style but a contrasting colour to the railings.**
 - **Gate to be outward opening, with rubber caps on the clapping side and have a mechanical self-closing mechanism.**
 - **NEAP to provide seating; bicycle parking and appropriate signage.**
- **Provision for a management company to maintain the on-site amenity space / play area / ancillary areas, ponds, woodland planting / nature conservation areas / other open space.**

- Provision of open space by 50% occupation and transfer to management company by 75% occupation.
- The above areas to be made available for use by the general public except where this would conflict with the approved ecological mitigation / management plan.
- Management plan for landscaping /public open space/ wildlife mitigation areas in perpetuity to be submitted at reserved matters
- Education Contribution of £292, 850.
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- Highways Contributions: -
 - Maw Green Road Signage Scheme – £20,000 (on occupation of 73nd dwelling)
 - Crewe Green Roundabout – £60,000 – (on occupation of 73nd dwelling)
 - Sydney Road bridge - £ 1,082,000 – (£50k be paid on commencement with remainder on occupation of the 73nd dwelling)
 - Public Transport Contribution - £12,000– (on occupation of 73nd dwelling)

And the following conditions:

1. Standard Outline (18 month time limit for commencement of development)
2. Submission of reserved matters
3. Plans
4. No approval for indicative layout
5. Breeding Bird Survey for works in nesting season
6. Bat, barn owl and bird boxes
7. Design and layout of open space/Nature conservation area
8. Design of proposed ponds
9. Submission and implementation of revised ecological mitigation proposals in support of reserved matters application.
10. Updated protected species survey prior to commencement
11. If, during development, contamination not previously identified is found to be present at the site then no further shall be carried out until the developer has submitted a remediation strategy
12. Removal of permitted development rights
13. The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), ref. BMW/2011/FRA Rev. D, dated 17/05/2012
14. Limit on the surface water run-off generated by the proposed development, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
15. Provision of a scheme to manage the risk of overland flow of surface water during extreme rainfall events.
16. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
17. Overland flow to be contained within the site, such that new buildings are not affected.
18. Reserved matters to make provision for houses to face waterfronts and footpaths

19. Reserved matters to make provision for green open spaces adjacent to any watercourses and ponds on site and provision and management of a 5 metre wide undeveloped buffer zone alongside the watercourse and ponds
20. Submission / approval and implementation of details of Sustainable Drainage Systems (SuDS).
21. This site must be drained on a total separate system, with only foul drainage connected into the public foul sewerage system. Surface water should discharge to soakaway and or watercourse. No surface water will be allowed to discharge in to the public sewerage system.
22. Only clean surface water from roofs and paved areas should be discharged to any surface water soakaway.
23. Submission of a scheme to limit the surface water run-off generated by the proposed development,
24. Submission of a scheme to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the Local Planning Authority.
25. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
26. Should there be a requirement to undertake foundation or other piling on site, then a method statement which shall be submitted and approved.
27. Should there be a requirement to undertake “floor floating” (the process of mechanical smoothing of concrete to a floor area) the Local Authority Environmental Health Service should be informed of the details of the location, days / hours of work, and contact details of a responsible person prior to the onset of the work.
28. Floor floating operations should be restricted to within the following days / hours Monday – Friday 08:00 – 18:00hrs; Saturday 09:00 – 14:00hrs; Sunday and Public Holidays Nil
29. Prior to its installation details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include any proposed lighting of the 5-aside football pitch marked on the site plan.
30. A full and detailed noise mitigation scheme for protecting the proposed dwellings noise to be submitted and agreed.
31. The developer shall agree with the Local Planning Authority an Environmental Management Plan (EMP) with respect to the Construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation.
32. Programme of archaeological mitigation which should consist of a targeted watching brief during relevant operations (initial topsoil strip followed by the excavation of foundation trenches if required) in a 20m wide strip alongside the street frontage
33. At least 10% of predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable.
34. Submission of boundary treatment
35. Submission of materials
36. Submission of landscaping, to include provision for tree planting to the rear of the existing properties on Sydney Road
37. Implementation of landscaping
38. Important hedgerows and trees to be retained and to be incorporated within reserved matters layout

- 39. Submission of tree and hedgerow protection measures**
- 40. Implementation of tree and hedgerow protection measures**
- 41. Replacement hedge planting**
- 42. Reserved Matters to include details of bin storage.**
- 43. Prior to first occupation provision of off-site highways works including:
Groby Road Zebra Crossing; Groby Road 1.5m footway; Maw Green Road
Zebra Crossing; Maw Green Road narrowing and footway; Maw Green
Road Roundabout; Site Access**
- 44. Replacement hedge planting**
- 45. Implementation of reptile mitigation**
- 46. Implementation of gas protection measures**
- 47. Implementation of contaminated land mitigation**
- 48. No more than 50 units to be occupied until the new roundabout at**
 - 1. Maw Green Road/Elm Drive/ Groby Road junction has been completed and brought into use**
- 49. Construction Management Plan, including no parking of contractor's vehicles on Maw Green Road**
- 50. Reserved Matters to make provision for any bungalows to be located adjacent to existing properties on Sydney Road**
- 51. Installation of Traffic lights at the bridge over Maw Green Road before occupation of 50th House**

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to DMBCM, in consultation with the Chair of SPB, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

CHESHIRE EAST COUNCIL**STRATEGIC PLANNING BOARD**

Date of meeting: 24th October 2012
Report of: Steve Irvine – Development Management and Building Control Manager
Title: Erection Of 43 Dwelling Houses (Including 5 Affordable Dwellings), Creation Of New Access To Sheppenhall Lane, Aston as enabling development to secure the restoration of Combermere Abbey.

1.0 Purpose of Report

- 1.1 To consider instructing the Borough Solicitor to complete a Section 106 Agreement in respect of planning application 11/2818N for the erection of 43 dwelling houses (including 5 affordable dwellings), and creation of new access to Sheppenhall Lane, Aston to come into effect in the event that the Appeal against the Council's refusal of the application is upheld and planning permission granted.

2.0 Decision Required

- 2.1 To authorise the Borough Solicitor to complete a Section 106 Agreement as set out in the recommendation below.

3.0 Background

- 3.1 The site comprises some 2ha of open farmland on the southern edge of the village of Aston. It is part of a larger field which stretches to the south for a further 175m. The field is generally level with a mature hedge, interspersed with individual trees, along its eastern boundary with Sheppenhall Lane and along its western boundary with the farmland beyond.
- 3.2 To the north, the site wraps around the rear of two pairs of semi-detached houses and a detached bungalow which front Sheppenhall Lane beyond a 4m open grassed verge. The boundary between these properties and the application site comprises a low stock proof fence and hedging.
- 3.3 Beyond Sheppenhall Lane to the east of the site are four detached properties of varying age and design. Two are relatively modern detached bungalows, whilst the other two are older detached houses.

- 3.4 The village of Aston has seen various phases of growth over many years, with the result that it has properties of a variety of ages and designs. It includes modern bungalows and houses as well as the older, original properties of the settlement. It stands on the junction of the A530, Whitchurch Road, and Sheppenhall Lane/Wrenbury Road, although the majority of the village lies to the south of Whitchurch Road, including the more recent development on Sheppenhall Grove.
- 3.5 Members may recall that in April 2012, Strategic Planning Board refused planning permission for the erection of 43 dwellings including 5 affordable dwellings on the site. The scheme was intended to be an “enabling development” which would provide funds for the restoration of the north wing of Combermere Abbey, a Grade 1 Listed Building which is in Priority Category A on the English Heritage Register of Buildings at Risk.
- 3.6 Combermere Abbey is thought to have originated in 1133 as a Cistercian monastery, but nothing of this survives. In 1774, it was recorded as largely timber framed but alterations took place in 1795 and after 1814, including the addition of new service wings.
- 3.7 The abbey is set in its own extensive grounds next to a mere, with service ranges, a sundial and game larder close by to the south and an ice house and stables to the north east, all set within the open countryside and registered historic park land.
- 3.8 The north wing is disused and semi–derelict and appears on the English Heritage register of Buildings at Risk, as a building in the priority category being in immediate risk of further rapid deterioration or loss of fabric with no way forward agreed.
- 3.9 The proposed works, which the enabling development was intended to fund, were the conversion of The North Wing to form a dwelling involving its repair, alteration and refurbishment on the ground and first floor and remodelling and simplifying its roof structure attics.
- 3.10 An Appeal has been submitted against the Council’s refusal of the application, Statements have been submitted by both parties to the Planning Inspectorate and a site visit is anticipated in early November.

4.0 Need for a Section 106 Agreement

- 4.1 In the event that the Appeal is upheld and planning permission is granted by the Secretary of State, it is important to ensure that the public benefits of the scheme, in particular the restoration of the Abbey, but also highways improvements, open space contributions, education

contributions, provision of footpath, and affordable housing, are forthcoming. This can only be achieved through a Section 106 Legal Agreement.

4.2 In most cases, where an Appeal is submitted, it is usually sufficient for the Appellant to submit a Unilateral Undertaking, to the Planning Inspectorate, with their Appeal paperwork to make the usual provisions for affordable housing, financial contributions to open space, highways, education etc.

4.2 However, due to the legal complexities of this case, particularly in respect of the management of the funds that would be generated by the development towards the restoration, which the Council would be actively involved in, it is necessary for the Council to be a signatory to the agreement.

4.3 The Borough Solicitor can only sign such an agreement with the express consent of the Strategic Planning Board.

4.3 It is important to stress, that the Agreement would only come into force in the event that the Appeal is upheld and planning permission granted and that by entering into the agreement, the Council would not in any way prejudice its case in defending its refusal of planning permission.

4.4 By entering into the agreement, the Council is merely protecting its position and ensuring that the maximum public benefit is secured from the scheme in the event that the Inspector's decision is not in the Council's favour.

5 Conclusion

5.1 On the basis of the above, it is considered to be appropriate for the Council to enter into a Section 106 Agreement as detailed above.

6 Recommendation

6.1 That the Borough Solicitor be authorised to complete a Section 106 legal agreement to secure:

- **the delivery of the heritage benefits of the scheme including the restoration of the Abbey**
- **affordable housing comprising 3 x 2 bed units and 2 x 3 bed units, to be delivered on a discounted for sale basis at a discount of 40% from open market value or as another form of intermediate tenure housing which is offered at the same level of affordability**

and complies with the requirements the Councils Interim Statement on Affordable Housing.

- An education contribution of £30,000
- Great Crested Newt Hibernacula
- A total of 40 days per annum in total when the Abbey is open to the public for Guided Tours
- 6 open days a year when there will be public access to the gardens.
- 2 days each year for both Newhall Parish Council and Dodcott-cum-Wilkesley Parish Council to hold local events in the Abbey or gardens.
- A commuted sum payment in respect of off-site open space/recreation provision of £10,000 to be spent on upgrading current facilities or the provision of new facilities within Aston or Wrenbury.
- A financial contribution of £8000 towards the cost of implementing a speed limit on the A530 through Aston and the extension of the existing 30mph limit on Sheppenhall Lane to beyond the application site southern boundary.
- Provision of permissive footpath within the Combermere Estate in accordance with submitted plan.

7 Financial Implications

7.1 There are no financial implications.

8 Legal Implications

8.1 The Borough Solicitor has been consulted on the proposals and raised no objections

9 Risk Assessment

9.1 There are no risks associated with this decision.

10 Reasons for Recommendation

10.1 To allow the Council to ensure that the maximum community benefit from the scheme, including the restoration of the Abbey, highways improvements, open space contributions, education contributions, provision of footpath, and affordable housing are secured in the event that the appeal is upheld and planning permission granted by the Planning Inspectorate.

For further information:

Portfolio Holder: Councillor Rachel Bailey

Officer: Ben Haywood – Principal Planning Officer
Tel No: 01270 537089
Email: ben.haywood@cheshireeast.gov.uk

Background Documents:

- *Application 11/2818N.*

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Application No: 12/1670C

Location: LAND ON HASSALL ROAD, ALSAGER

Proposal: ERECTION OF 30 DWELLINGS (INCLUDING 10 AFFORDABLE DWELLINGS), VEHICULAR ACCESS AND ASSOCIATED LANDSCAPING

Applicant: SEDDON HOMES LTD

Expiry Date: 27-Jul-2012

SUMMARY RECOMMENDATION

- **APPROVE** subject to Section 106 Agreement and Conditions

MAIN ISSUES

**Planning Policy And Housing Land Supply
Affordable Housing,
Highway Safety And Traffic Generation.
Landscape Impact
Hedge and Tree Matters
Ecology,
Site Layout and Design
Amenity
Open Space
Sustainability
Education**

REFERRAL

The application has been referred to Strategic Planning Board because it is a smallscale major development and a departure from the Development Plan.

1. SITE DESCRIPTION

The site of the proposed development extends to 1.33 ha and is located to the north west of Alsager, circa 2km from the town centre. A primary school is directly opposite on the other side of Hassall Road, within the settlement boundary. The site is within open countryside. To the north and west is agricultural land. To the south is an established children's play area and the former sports grounds of the MMU campus. To the east is Hassall Road with 20th century residential development beyond. A public footpath (Alsager No 3) crosses the site.

The land is currently in agricultural use and there are a number of significant trees and remnant lengths of hedge on the periphery. Some of the trees on the Hassall Road frontage are subject to TPO protection; The Alsager Urban District Council (Pikemere Road / Hassall Road) TPO 1970 and The Manchester Metropolitan University Alsager Interim TPO 2008

1. DETAILS OF PROPOSAL

Full planning permission is sought for the erection of 30 dwellings, including 10 units for affordable purposes, relocation of the Public Right of Way within the site and the erection of a pumping station.

The residential mix is :

20 no 4 bedroomed houses (2 and 2 ½ storey)
4 no 3 bedroomed houses (2 storey)
6 no 2 bedroomed houses (2 storey)

Access is taken from Hassall Road and is in the form of a cul de sac estate layout.

2. RELEVANT PLANNING HISTORY

There are no relevant previous planning applications relating to this site.

3. PLANNING POLICIES

National Planning Policy Framework

Local Plan Policy

PS8 Open Countryside
GR1 New Development
GR2 Design
GR3 Residential Development
GR5 Landscaping
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
GR21 Flood Prevention
GR 22 Open Space Provision
NR1 Trees and Woodland
NR2 Statutory Sites (Wildlife and Nature Conservation)
NR3 Habitats
NR5 Habitats
H2 Provision of New Housing Development
H6 Residential Development in the Open countryside

H13 Affordable Housing and Low Cost Housing

Regional Spatial Strategy

DP4 Make best use of resources and infrastructure

DP5 Managing travel demand

DP7 Promote environmental quality

DP9 Reduce emissions and adapt to climate change

RDF1 Spatial Priorities

L4 Regional Housing Provision

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

EM3 Green Infrastructure

EM18 Decentralised Energy Supply

MCR3 Southern Part of the Manchester City Region

Other Material Policy Considerations

Interim Planning Policy: Release of Housing Land (Feb 2011)

Interim Planning Statement: Affordable Housing (Feb 2011)

Strategic Market Housing Assessment (SHMA)

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

North West Sustainability Checklist

4. OBSERVATIONS OF CONSULTEES

Environment Agency

No objection, subject to condition.

The submitted Flood Risk Assessment (FRA) explains that the discharge of surface water from the proposed development is to be by either infiltration methods, to existing surface water sewer, or a combination of these. Either of these methods are acceptable.

The discharge of surface water from the proposed development is to mimic the run-off from the existing site.

If the discharge is to be by infiltration methods, this is to be designed for up to the 1 in 100 years design event, including allowances for climate change.

If the discharge is to be to existing sewer, the FRA explains that the water company have specified a maximum discharge rate of 6 litres/second. Attenuation is to be provided above this rate for up to the 1 in 100 years design event including allowances for climate change.

United Utilities

No objection to the proposal provided that the following conditions are met:

- No surface water is discharged to the combined / foul sewer network.

- Two public sewers including a critical sewer cross this site and we will not permit building over them. We will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewers.
- This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a SUDS system as stated in the planning application form to meet the requirements of The National Planning Policy Framework.

Amenity Greenspace

On site open space is not required. Enhancement of an existing facility; where the existing facilities are substandard in quality at Hassall Road Recreation Ground /Play Area is recommended

Given that an opportunity has been identified for enhancing Hassall Road Recreation Ground /Play Area, the financial contributions sought from the developer would be:

Enhanced Provision:	£ 5,494.32
Maintenance:	£12, 298.00

An opportunity has been identified for the enhancing the quality of an existing facility at Hassall Road Play Area which are deficient in quality. The financial contributions sought from the developer would be;

Enhanced Provision:	£ 9,523.28
Maintenance:	£31,044.00

Highways

No objection subject to the following conditions;

- The provision of a visibility splay at the site entrance onto Hassall Road
- The provision of footway within the site along the Hassall Road frontage to the Bus Stop and to the relocated PROW

A financial contribution of £4,000 for the future maintenance of trees to the Hassall Road frontage which will become part of the highway verge will be required via S106 Agreement.

Environmental Health

No objection subject to the following conditions.

- The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday: 08:00 to 18:00 hrs; Saturday: 09:00 to 14:00 hrs; Sundays and Public Holidays Nil
- Should there be a requirement to undertake foundation or other piling on site, it is recommended that these operations are restricted to: Monday – Friday 08:30 – 17:30 hrs; Saturday 09:30 – 13:00 hrs; Sunday and Public Holidays Nil
- No development shall commence until a scheme for protecting the proposed dwellings from traffic noise has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any of the dwellings are occupied.
- In terms of site preparation and construction phase, it is recommended that the proposed mitigation measures are implemented to minimise any impact on air quality in addition to ensuring dust related complaints are kept to a minimum.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The applicant submitted a Phase I preliminary risk assessment for contaminated land, which recommends a Phase II site investigation. As such, and in accordance with the NPPF, recommend that conditions are imposed to secure a Phase II investigation.

Public Rights of Way

- Public Right Of Way Alsager No 3 runs through the site and will need to be diverted as part of the proposals. No objection is raised subject to conditions concerning the diminution of the PROW being adhered to. There has been pre-application agreement with PROW unit to this.

Education

- The proposal will have a material impact upon education provision in the locality. In the primary sector this will result in a need for provision for 5 additional pupils.

The contribution being sought for primary provision is $5 \times 11,919 \times 0.91 = £54,231$

Within the Secondary sector the proposal will generate 4 Secondary Aged pupils. Education Department calculations indicate that there will be sufficient capacity in the local secondary school to accommodate the secondary aged pupils which will be generated.

Ecology

- No objection subject to conditions and a commuted sum payment of £6000 as compensation for the complete loss of the rich grassland habitat secured by a section 106 agreement, payable to Cheshire Wildlife Trust (or a similar nature conservation organisation) to facilitate the delivery of management/enhancement of similar grassland habitats within the Borough.

5. VIEWS OF THE PARISH / TOWN COUNCIL

Alsager Town Council object to this application and recommend that Cheshire East Council reject the application on the following grounds:

1. No development should take place on greenfield sites (including this one) in Alsager before all brownfield sites are exhausted, to ensure that greenfield sites that have access to the countryside are protected and preserved against residential development.
1. That existing MMU and Twyfords sites are considered to fulfil the sustainable residential development capacity in Alsager for 100 homes over the next 20 years.
2. The application cannot be taken in isolation and must be considered as part of the Alsager Town Strategy.
3. The proposed highway access onto Crewe Road is considered unsafe and unacceptable given the existing level of traffic on the road.
4. The Town Council has considerable concern about the environmental impact on the site if the site was developed.
5. The land identified in the application is situated outside the current area for housing development in the town.

6. OTHER REPRESENTATIONS

A petition comprising 107 signatures has been received opposing the scheme. No specific reasons of opposition are quoted.

15 letters of objection have been received from various addresses in the vicinity making the following points:

Principle

- Brownfield sites should be developed first. MMU and Twyfords provide circa 750 units. It is wrong to allow housing development on adjacent Green Field land before the MMU site and other Brown Field sites within Alsager have been fully developed.
- The proposal will set a precedent for the development of land to the north.
- The houses are not needed.
- Ad-hoc proposals such as this pre-empts any future considered, progressive and integrated consideration of proposals.
- The Alsager town plan has indicated that by 2030 there will be a need for approx. 1000 new homes in the area and Twyfords and MMU will provide for 435, and the 300 houses respectively.
- There are in excess of 200 houses on the 2nd hand market in or around Alsager.
- The refurbishment of empty / derelict housing should be undertaken first.
- Any shortfall can be met by the Brownfield sites
- These Brownfield sites are more sustainably located.

- The site is Green belt land
- The site was discounted in the Alsager Town Strategy so an approval would impact upon sites in the Strategy.
- The Town Strategy requires 1000 houses by 2030, they do not need to be delivered now
- Proposal will have an adverse impact upon the adjacent children's playground

Highways

- A further access point onto this road will cause a potential transport hazard,
- Pikemere primary school is directly opposite the site. The proposed access is dangerous, particularly at school start and leaving times
- 2 schools are served by Hassall Road, a variety of traffic calming measures have not been successful in controlling speed
- Residents in the area face gridlock twice a day at the junction of Hassall Road – this will add to that gridlock

Infrastructure

- The Alsager Primary and High Schools are already full of pupils from within Alsager and schools cannot accommodate more children.
- Proposal involves a lack of pavement connectivity
- A single access strategy is suggested to be developed by the owner of the site to the north, who is in the process of applying for planning permission for residential development to the north

Proposed Footpath / Existing PROW

- People enjoy the current PROW through the site

Loss of Open Countryside

- People currently walk on and use the area as open countryside. This would be destroyed by the development.
- Loss of countryside view

Amenity

- Loss of outlook over open fields
- Loss of privacy to houses opposite

Ecology

- Impact upon protected species

Drainage and Flooding

- The proposed site is very often waterlogged and unsuitable for such a development. Standing water is visible to the north throughout the year
- Existing properties suffer from drainage problems

Other matters

- The owner of the site to the north considers that the development will impact upon his ability to develop his land.

7. APPLICANT'S SUPPORTING INFORMATION:

- Flood Risk Assessment
- Design and Access Statement
- Transport Assessment
- Section 106 Proforma
- Open Space Assessment
- Affordable Housing Statement
- Planning Statement
- Ecological Survey
- Tree Survey
- Agricultural Land Appraisal

All these documents are available to view on the web site.

8. OFFICER APPRAISAL

Main Issues

The main issues in the consideration of this application are the suitability of the site for residential development having regard to matters of planning policy and housing land supply, affordable housing, highway safety and traffic generation, landscape impact, hedge and tree matters, amenity, open space, drainage and flooding, sustainability and education.

Principle of Development.

Policy Position

The site lies in the Open Countryside as designated in the Congleton Borough Local Plan First Review, where policies H6 and PS8 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The NPPF indicates that account should be taken of the intrinsic character and beauty of the countryside, with restrictions on new housing to where it would enhance or maintain the vitality of rural communities. Policies H6 and PS8 have been formally saved, are consistent with policy contained within the Framework and, as such, and carry some weight.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result it constitutes

a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

Members are aware that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled ‘Planning for Growth’. On 15th June 2011 this was supplemented by a statement highlighting a ‘presumption in favour of sustainable development’ which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

“The Government’s top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government’s clear expectation is that the answer to development and growth should wherever possible be ‘yes’, except where this would compromise the key sustainable development principles set out in national planning policy”.

Housing Land Supply

The National Planning Policy Framework (NPPF) at paragraph 47, requires the maintenance of a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government’s overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012.

The SHLAA has put forward a figure of 3.94 years housing land supply.

Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The NPPF advocates a greater 20% buffer where there is a persistent record of under delivery of housing. However for the reasons set out in the report which was considered and approved by Strategic Planning Board at its meeting on 30th May 2012, these circumstances do not apply to Cheshire East. Accordingly once the 5% buffer is added, the Borough has an identified deliverable housing supply of 3.75 years.

With respect to the housing supply within Alsager specifically, there has been a low number of completions in the town, totalling only 54 between 1st April 2006 and 31st March 2011 (the last 5 years) which is an average of only 10 per year. There is also a low level of commitments – currently there are full planning permissions for 8 net dwellings. There are outline permissions for 2 net dwellings and on sites under construction there are 2 net dwellings remaining. There is also 66 dwellings subject to outstanding S106 agreement (application 12/0893C - Crewe Road Alsager, an outline proposal for 65 dwellings which was resolved to approve subject to S106 Agreement by the Board in August 2012 and 1 additional dwelling awaiting the signing of a S106 Agreement. Neither is a formal planning permission.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

The forthcoming Cheshire East Local Plan will set new housing numbers for the area and identify sufficient land and areas of growth to meet that requirement up to 2030. The Submission Draft Core Strategy will be published for consultation in the spring of 2013. Consequently, the current shortfall in housing land will be largely remedied within the coming year or so. However, in order that housing land supply is improved in the meantime, an Interim Planning Policy on the Release of Housing Land has been agreed by the Council.

This policy allows for the release of appropriate greenfield sites for new housing development on the edge of the principal town of Crewe and as part of mixed development in town centres and in regeneration areas, to support the provision of employment, town centres and community uses.

The Council is currently consulting on a revision to this document. This broadens the scope of land release to include small, non strategic sites on the outskirts of other towns, provided that they are not within the green belt, do not intrude into open countryside and that certain sustainability criteria are met. The Consultation draft limits the size of such sites to 1Ha.

Whilst slightly larger at 1.33 Ha, the application site largely accords with the spirit of the new policy. The proposal represents a small scale development and would not represent a major incursion into the open countryside or a major urban extension due to the characteristics of the site. With respect to sustainability, this will be considered further below.

The value of the Interim Planning Policy lies in the fact that this represents the democratically decided expression of the Cheshire East Community on how housing supply should be positively managed ahead of the Local Plan. This accords with the sentiments in the NPPF which indicates that local people and their accountable Councils can produce their own planning proposals, which reflect the needs and priorities of their communities. However, it is not a development plan document or a supplementary planning document and accordingly carries only limited weight as a material consideration. This has been confirmed by previous Appeal Inspectors who have considered earlier versions of the policy.

Members will be aware that there are two large residential proposals which involve significant areas of brownfield land, which are likely to come forward in Alsager. The first involves the Manchester Metropolitan University site (application 10/3831C); which proposes some 300 homes on the former college site, parts of which adjoin the southern boundary of this site and the adjoining children's playground. The second involves the Former Twyfords Factory (planning application 11/4109C) which involves a redevelopment of some 435 residential units. It is one of the core planning principles within the NPPF to:

“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”.

This principle is re-iterated at paragraph 111:

“Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value”.

Neither the Twyfords nor MMU site is of special environmental value. Consequently, the promotion of this Greenfield site in the face of brownfield land with capacity for some 735 homes, runs contrary to the NPPF encouragement to use land effectively. It also contradicts Objective 3 of the Congleton Local Plan which seeks to:

“minimise the loss of countryside to new development and maximise the use of urban land, particularly brownfield sites”

However, the existence of these sites can be afforded only limited weight as a material consideration in the determination of this application at the present time due to the fact that neither site has gained a planning permission.

Additionally, the application site forms part of a wider Area J (as a housing development site) within the adopted Alsager Town Strategy..The allocation of the site was subject to public consultation. Analysis of the 222 responses to this consultation indicates that:

- 45% of respondents support development of the site;
- 36% of respondents oppose development of the site;
- 19% of respondents did not answer the question.

Alsager Town Council approved the final version of the Town Strategy on 31 July 2012. Area J was discounted by the Stakeholder Panel and has therefore not been carried forward in the final version. The document now forms part of the Local Plan and is therefore a material consideration of some weight in the determination of this application.

Appeals

There are several contemporary appeals that also feed into the picture of housing supply in Cheshire East. At Elworth Hall Farm in Sandbach, a proposal for 26 homes was allowed on a small site on the outskirts of the town.

In contrast, appeal decisions on larger sites in the same town have not reached a conclusive outcome. Hindheath Road (269 homes) has been remitted back to the Secretary of State following a successful high court challenge, whilst Abbeyfields (280 homes) went to the court of Appeal in July and an outcome is expected some time in late October.

Members should also be aware of the recent appeal decision at Loachbrook Farm Congleton. In this case the inspector gave significant weight to the lack of a 5-year housing land supply and approved the development for up to 200 dwellings. In the Inspectors view the site is within the open countryside and would not be in accordance with the local plan, the proposal would locally harm the character and appearance of the countryside and would result in the loss of the best and most versatile agricultural land. However, the Inspector found that these issues were outweighed by the need to secure a 5-year supply of deliverable housing land that would also contribute to providing affordable and low cost housing.

In terms of prematurity the Inspector found that it would not be premature or prejudice the development of other sites. The Inspector stated that;

'General Principles also indicates that applications should not be refused on the sole ground of prematurity and, taking account of Government advice, there is little justification for delaying a decision or, as the Council suggest, for considering other sites that the Council contend offer increased levels of sustainability'

The Council has sought leave to Judicially Review this decision , it is unknown at the time of writing this report whether the Legal Challenge will proceed further through the Courts.

In Neighbouring Cheshire West & Chester, the lack of a five year supply and the absence of any management measures to improve the position were material in allowing an appeal for housing on a greenfield site in the countryside in the Cuddington Appeal case, which Members will be aware of from previous Appeals Digest reports.

Conclusion

From the above, it can be concluded that:

- The Council does not have a five year supply of housing – and the presumption in favour of sustainable development should apply.
- The Interim Planning Policy Statement (revision) currently promotes the development of small sites in sustainable locations. It could be argued that this site could fall within this definition.
- Whilst there are brownfield sites in Alsager which would provide for some 735 homes (in-line with the NPPF encouragement to make effective use of brownfield land before committing green field sites), given the historically low level of housing delivery within Alsager and in the absence of a planning permission for either MMU or Tywforde, the existence of these sites can only be afforded limited weight as a material consideration. This is re-enforced by the recent appeal decision at Loachbrook Farm which considered there is 'little justification' for the Council to delay decision making on one site in favour of other sites that offer greater levels of sustainability.
- The Appeals that have been determined in the area and the Cuddington Appeal in Cheshire West and Chester indicates that significant weight should be applied to housing supply arguments.
- The NPPF is clear that, where a Council does not have a five year housing land supply, its housing supply relevant policies cannot be considered to be up to date. Where policies are out of date planning permission should be granted unless:
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
 - *specific policies in the Framework indicate development should be restricted.”*

Overall, housing supply is a very important consideration in the determination of this application and must be given considerable weight. On balance, whilst the site is in open countryside, it is considered that the principle of the scheme is acceptable and that it accords with the general policy of encouraging housing to meet the housing supply needs of the authority.

As a consequence of the above, the application turns, therefore on whether there are any significant and demonstrable adverse effects, that indicate that the presumption in favour of the development should not apply and this is considered in more detail below.

Location of the site

The site is considered by the SHLAA to be sustainable. To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a "Rule of Thumb" as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The toolkit sets maximum distances between the development and local amenities. These comprise of:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

In this case the development meets the standards in the following areas:

- primary school (100m),
- leisure facilities (600m),
- public park / village green (100m),
- child care facility (100m),
- There is a bus stop immediately outside the site
- Community Centre/meeting place (900m)
- Playground/amenity area (100m)
- Post box (500m)

Where the proposal fails to meet the standards, the facilities / amenities in question are still within a reasonable distance of those specified and are therefore accessible to the proposed development. Those amenities are:

- post office (1950m),
- pharmacy (1950m),
- medical centre (2100m)
- public house (1300m),
- railway station (2250m)

In summary, whilst the site does not comply with all of the standards advised by the NWDA toolkit, as stated previously, these are guidelines and are not part of the development plan. Owing to its position on the edge of Alsager, there are some amenities that are not within the ideal standards set within the toolkit and will not be as close to the development as existing dwellings which are more centrally positioned.

However, this is not untypical for suburban dwellings and will be the same distances for the residential development on the other side of Hassall Road from the application site. However, all of the services and amenities listed are accommodated within Alsager and are accessible to the proposed development on foot or via a short bus journey, with a bus stop directly outside the site. Accordingly, it is considered that this small scale site is a sustainable site.

Policy DP9 of the RSS relates to reducing emissions and adapting to climate change. It requires:

- proposals to contribute to reductions in the regions' carbon dioxide emissions from all sources;
- take into account future changes to national targets for carbon dioxide and other greenhouse gas emissions
- to identify, assess and apply measure to ensure effective adaptation to likely environmental social and economic impacts of climate change.

RSS (Policy EM18) policy also necessitates that, in advance of local targets being set, large new developments should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable.

No information is provided with the application concerning the contribution the development will make to on site renewable or low carbon energy supply. Given the layout proposed and the circumstances of the site, it is considered that it is viable and feasible to meet the requirements of the RSS policy and a detailed scheme should therefore be secured through planning condition.

Landscape

The site is currently agricultural land that comprises a field that has been left uncultivated which is enclosed by a network of hedgerows and a number of mature hedgerow trees. Residential development is located to the east. To the north and west, agricultural land. To the south lies a childrens playground with the MMU sports pitches and campus beyond.

As part of the application a Landscape and Visual Assessment has been submitted. This correctly identifies the baseline landscape of the application site and surrounding area.

The appraisal, that the site has a fringe character to the local landscape with a low sensitivity to change, is accepted.

The development would significantly change the character of the site. However, the Illustrative Masterplan indicates that a landscape framework could be created to assist in the assimilation of the site into the surrounding landscape and provide nature conservation benefits. In the event of approval, comprehensive landscape conditions would be appropriate.

Affordable Housing

The Councils Interim Planning Statement (IPS) for Affordable Housing states that the Council will seek affordable housing on all sites with 15 units or more, and the general minimum proportion of affordable housing for any site will be 30% of the total units.

The Strategic Housing Market Assessment 2010 shows that for the sub-area of Alsager, there is a requirement for 36 new affordable units per year, made up of a need for 13 x 2 bed units, 12 x 3 bed units, 12 x 4/5 bed units and 10 x 1/2 bed older persons units.

Therefore, as there is affordable housing need in Alsager, there is a requirement that 30% of the total units at this site are affordable, which equates to 9 dwellings. The Affordable Housing IPS also states that the tenure mix split the Council would expect is 65% rented affordable units (either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rents) and 35% intermediate affordable units. The affordable housing tenure split that is required has been established as a result of the findings of the Strategic Housing Market Assessment 2010.

The Affordable Housing IPS requires that the affordable homes should be provided no later than occupation of 50% of the open market units, unless the development is phased and there is a high degree of pepper-potting in which case the maximum proportion of open market homes that may be provided before the provision of all the affordable units may be increased to 80%. These requirements can be secured via a Section 106 Agreement.

All the Affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes (2007). The Affordable Homes should also be integrated with the open market homes and not be segregated in discrete or peripheral areas.

The applicant is offering 6 x 2 bed and 4 x 3 bed dwellings, which will go towards meeting some of the affordable housing need so are acceptable. The information taken from Cheshire Homechoice shows that there is a need for both 2 and 3 bed units for rent. However, due to the higher need for 2 beds, the Strategic Housing Manager prefers the tenure split of the units to be 4 x 2 bed & 2 x 3 bed as rented affordable units and 2 x 2 bed & 1 x 3 bed.

The Affordable Housing statement submitted with the application identifies the affordable units as plots 4-8 and 26-30, although these plots are close together on one part of the site there are open market units on either side of them, however as there is not a high degree of pepper-potting, as normally required by the Affordable Housing IPS, the affordable units should be provided no later than occupation of 50% of the open market units.

The applicants Affordable Housing statement proposes that the affordable housing is secured by way of the Planning Inspectorates model condition on affordable housing. They cite the recent Loachbrook Farm decision as justification for this approach.

It is the Council's preference that the affordable housing is secured by way of a S106 agreement, which requires the developer to transfer any rented affordable units to a Housing Association and includes the requirement for the affordable house scheme to be submitted at reserved matters and also includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy. This is in accordance with the Affordable Housing IPS which states that ;

"the Council will require any provision of affordable housing and/or any control of occupancy in accordance with this statement to be secured by means of planning obligations pursuant to S106 of the Town and County Planning Act 1990 (as amended)"

It also goes on to state that ;

"in all cases where a Registered Social Landlord is to be involved in the provision of any element of affordable housing, then the Council will require that the Agreement contains an obligation that such housing is transferred to and managed by an RSL as set out in the Housing Act 1996"

Drainage and Flooding

Neighbours comment that the site suffers from standing water for much of the year. The applicant has submitted with the application, a detailed Flood Risk Assessment (FRA). A pumping station is proposed as part of the proposals.

United Utilities and the Environment Agency have considered the report and raised no objections subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect on site and the neighbouring sites and their associated residual flood risk.

Layout, Design and Public Right of Way

A small estate based layout is proposed with houses fronting onto Hassall Road and presenting front facades to street level within the inner access road. This ensures active frontage to all principle routes outside and within the development, whilst retaining the existing trees to the main road frontage.

A pedestrian access is proposed through the adjoining playground to allow permeability through the new development for pedestrians and access through to leisure facilities for future residents. This is considered to be a positive aspect of the design.

The layout shows properties fronting onto the new footpaths so that they are well overlooked with an open aspect, which would encourage use and prevent it becoming a target for antisocial behaviour.

It is also noted that the Council's Public Rights of Way Officer has no objection to the diversion of the existing PROW from within the site to the northern boundary of the site. The PROW Officer would require a replacement PROW to an appropriate standard before the diversion of the existing PROW

To turn to the elevational detail, the surrounding development comprises a mixture of ages and architectural styles on Hassall Road ranging from 1950's and 1960's bungalow development on the opposite side of the Hassall Road to the south and more traditional interwar 2 storey semis in College Way. Larger, more modern, sizeable detached dwellings in generous gardens are located to the north of the site on the other side of Hassall Road. In addition, there is a substantial amount of modern housing development to the wider area, whilst older more traditional vernacular buildings can be found in the open countryside areas around the Crewe Road area. Notwithstanding this, there is consistency in terms of materials with most dwellings being finished in simple red brick, and grey / brown concrete / clay tiles.

Local Plan policies GR 1, GR2 and GR3 address matters of design, density and appearance. Policy GR1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting and have regard to principles of sustainable development. Policy H2 requires new residential development to create an attractive, high quality living environment. Policy GR3 states that the overall mass and of new residential development must represent the most efficient use of the site, be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself.

This proposal comprises a small development of mainly semi-detached, two storey dwellings that are in keeping with the area, which itself has a mixed residential character.

The cul-de-sac layout of houses would be broken-up by changes in house types and designs interspersed with one other. Parking is set generally behind the building lines and within garages.

Amenity

The Congleton Borough Council Supplementary Planning Document, Private Open Space in New Residential Developments, requires a distance of 21m between principal windows and 13m between a principal window and a flank elevation to maintain an adequate standard of privacy and amenity between residential properties. The development is laid out to comply with this requirement, internally and externally.

It also illustrates that the same standards can be achieved between proposed dwellings within the new estate.

The SPD also requires a minimum private amenity space of 65sq.m for new family housing. The indicative layout indicates that this can be achieved in the majority of cases. It is therefore concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy GR1 of the Local Plan.

Loss of Agricultural Land

It is noted that Policy NR8 (Agricultural Land) of the Congleton Borough Local Plan has not been saved. However, the National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this instance, the land is classified as Grade 2, which is considered to be the 'best and most versatile' agricultural land. However the site is extensively waterlogged which would suggest a lower land quality than the general designation. It is important to note that the site has not been fully surveyed since the Agricultural Land Classification (ALC) was established for the wider area. Interpretation of soils and agro-climatic data for the site in the light of the ALC guidelines suggests that the site is most likely to be classified as Subgrades 3a and/or 3b

The applicant has submitted an agricultural land classification study which concludes that the proposal, would not involve the use of 'best and most versatile (BMV) agricultural land' because in reality the site comprises Grade 3a land. It is therefore considered that the proposal complies with the requirements of this policy without the need for assessment against the criteria.

Countryside, Ecology and Landscape Impact

The site lies within the open countryside and is governed by Policy PS8 of the Congleton Local Plan. This seeks to restrict development within the countryside apart from a few limited categories. One of the Core Planning Principles of the NPPF is to "*take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it*". Policy PS8 accords with the NPPF desire to recognize the intrinsic character of the countryside. The application, by developing and hence eroding an area of open countryside conflicts with Local Plan Policy PS8.

The application site, although within the area designated as Open Countryside in the adopted Congleton Borough Local Plan (First Review), has no formal landscape designation.

Whilst there are references to the setting and surrounding area, the application does not include a comprehensive landscape and visual impact assessment. The land is on the fringe of the town of Alsager and is relatively well contained by existing vegetation on three boundaries. It is considered that the main visual receptors would be residential properties to the north east, properties to the north of Hassall Road, users of Hassall Road and the

children's playground and users of the access road and public footpath. Whilst development of the site would change its appearance in the landscape, the retention of existing landscape features particularly the trees to the Hassall Road frontage, additional landscape works and a will help to minimise impacts on these receptors.

Hedgerows

The layout will allow for the retention of the majority of the peripheral hedgerows. The proposed development will result in the loss of hedgerow habitat to facilitate the proposed site entrance.

Hedgerows are a priority habitat and hence a material consideration for planning. There will be a loss of hedgerow associated with the proposed access to the site from Hassall Road. The Council's Ecologist recommends that this loss of hedgerow is compensated for by means of new native species hedgerows incorporated into the landscaping scheme for the site. Revised plans have been sought but are yet to be submitted.

A number of trees have been identified on site that have potential to support roosting bats. The Council's Ecologist has commented that if any trees are to be removed as part of the development they must be subject to a detailed survey to determine the presence/absence of bats prior to the determination of the application. Mitigation landscaping including semi mature specimens will be required as part of the landscaping scheme should trees on site be compromised during development.

Education

The Council's Education Officer forecasts that there will be insufficient capacity in the primary schools to accommodate the pupils being generated by this development. There will be sufficient space within the local secondary school to accommodate the pupils.

Local primary schools do currently carry a small amount of unfilled places, with the forecasts indicating that here will be 50 spaces by 2017. There will therefore be a requirement, based on existing capacity for a commuted sum payment in lieu of primary provision as a consequence of the development

These figures do not take into account the large development on the Twyfords site which the service has been consulted on previously and which impacts on these schools or the application on Crewe Road which also impacts on these schools.

The contribution being sought is $5 \times 11,919 \times 0.91 = \text{£}54,231$

Highway Safety and Traffic Generation.

The access to the site is on stretch of Hassall Road that is subject to a 30mph speed limit. However, given that traffic/speed calming measures are in place (the speed humps along Hassall Road) it is likely that speeds will be well within the speed limit.

There are no footways on the frontage of the site and, travelling southwards footways are not provided on the western side of Hassall Road until a point just north of the MMU Campus access. There is a continuous footway on the eastern side of Hassall Road. The site is located very close to northbound and southbound bus stops on Hassall Road. The Applicant is proposing a footway from the site towards the northbound bus stop. Service number 78 serves these bus stops and provides six buses per day southbound and seven buses northbound – effectively an hourly daytime frequency. There are 6 buses per day southbound along Hassall Road and 7 buses per day northbound along Hassall Road. The bus has an hourly frequency for the services during the daytime (Monday to Saturday). There are no services on Sunday.

It is proposed that a footway is provided to the northbound bus stop. Revisions are awaited to take the path away from the root protection zone of the trees on the Hassall Road frontage. A footpath is proposed to the north which, as submitted, ends abruptly within the site visibility splay.

The Highways Manager also considers it appropriate that a footway should be provided along the remainder of the site frontage. There are significant trees on the Hassall Road frontage that would be detrimentally affected by the footpath as originally proposed. For that reason, the Strategic Highways Manager recommends that it is appropriate that a footway runs behind the trees as far as the diverted footpath on the northern boundary of the site. This brings the trees into highway control and an appropriate commuted sum will need to be agreed for the maintenance of the trees. The Applicant has agreed to extend the footway to the relocated PROW to the north of the site. This footpath is a sustainability benefit. A condition can be imposed to relocate the route of the footpath and a S106 commuted sum payment of £4000 will be required for the future maintenance of the trees.

There are no highway objections raised to the application subject to conditions concerning visibility at the site access, commuted sum payment for future maintenance of trees to the Hassall Road frontage

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of affordable housing is necessary, fair and reasonably related to this development to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The commuted sum in lieu of childrens play space, public open space and recreation provision is necessary, fair and reasonable, as the proposed development will provide 30 family sized dwellings of different sizes, the occupiers of which will use local facilities as there is no recreational or open space on site, as such, there is a need to upgrade/enhance existing

facilities in the area. The contribution is in accordance with the Council's Supplementary Planning Guidance.

The commuted sum payments in respect of the future maintenance of the significant trees in the Hassall Road frontage are required, (for a total of 4 trees at £1000 per tree) due to the fact that the trees will be between a adopted pavement and the highway within adopted verge. Thereafter the Highways Department will be responsible for future maintenance.

The financial contribution in lieu of loss of grassland habitat of £6000 will compensate for the total loss of grassland habitat as a direct consequence of the development.

10. CONCLUSIONS

It is acknowledged that the Council does not currently have a five-year housing land supply and that, accordingly, housing supply policies are not considered up to date. In the light of the advice contained in the newly adopted National Planning Policy Framework, where the development plan is "absent, silent or relevant policies are out of date" planning permission should be granted unless

"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"

Or

"specific policies in this Framework indicate development should be restricted."

The Development plan is not absent or silent with regard to this application. However, in the absence of a five year supply housing land supply, policies are not considered up to date. Other policies however are considered to be in line with NPPF advice.

The boost to housing supply is considered to an important benefit – and this application achieves this in the context of a smaller, non strategic land release which aligns with the Interim Planning Policy currently under consultation.

Following the successful negotiation of a suitable Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements and monies towards the future provision of primary school education and compensation for the loss of habitat.

The proposal is considered to be acceptable in terms of its impact upon residential amenity, ecology, drainage/flooding and it therefore complies with the relevant local plan policy requirements for residential environments

Whilst the site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, there is not a significant failure to meet these and all such facilities are accessible to the site. The development is therefore deemed to be sustainable.

Whilst the proposal will result in the loss of some designated grade 2 agricultural land, however, it is considered that the waterlogged state of the land renders the site to be Grade 3a at best. This is not the best land and it is considered that the benefits of the delivering the site for much needed housing would outweigh this loss.

To conclude highways matters, whilst the development does add a little extra pressure on the local highway network, it is not sufficient to warrant refusal of the application, as the additional movements generated will not be significant.

On the negative side, there are brownfield sites in Alsager that can accommodate 735 new homes and the proposal will not support the NPPF encouragement to make effective use of land.

In addition the housing will be built on open countryside contrary to the provisions of Policy PS8 of the Local Plan. Although the proposal will not have a significant impact on the landscape character of the area and will to some extent represent a continuation of the MMU campus and children's playground rather than a large scale intrusion into the open countryside, this remains an adverse impact. The site has also been discounted by the Alsager Stakeholder Panel (Area J) and therefore is not within the recently adopted Alsager Town Strategy.

Overall, on balance, it is considered that the adverse impacts of the development – in terms of conflict with the development plan as a result of new housing within Open Countryside are outweighed by the benefits of the proposal in terms of sustainable residential provision including the 30% affordable housing provision. Given the scale and location of the development, its relationship to the urban area and its proximity to other services, it is not considered that these adverse impacts would significantly and demonstrably outweigh the benefits. Accordingly the application is recommended for approval, subject to a Section 106 Agreement and appropriate conditions.

9. RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

Provision affordable housing provision on site in the form 4 x 2 bed & 2 x 3 bed as rented affordable units and 2 x 2 bed & 1 x 3 bed

- Provision affordable housing provision on site in the form 4 x 2 bed & 2 x 3 bed as rented affordable units and 2 x 2 bed & 1 x 3 bed
- Amenity green space contribution in lieu of on site provision:

Recreation Space - Enhanced Provision:	£ 9,523.28
Maintenance:	£31,044.00

Open Space -Enhanced Provision:	£ 5,494.32
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- Maintenance: £12, 298.00

- Education commuted sum in lieu of primary provision - £54,231
- Commuted sum of £6000 as compensation for loss of grassland habitat
- Commuted sum of £4000 for future maintenance of trees in highway

And the following conditions

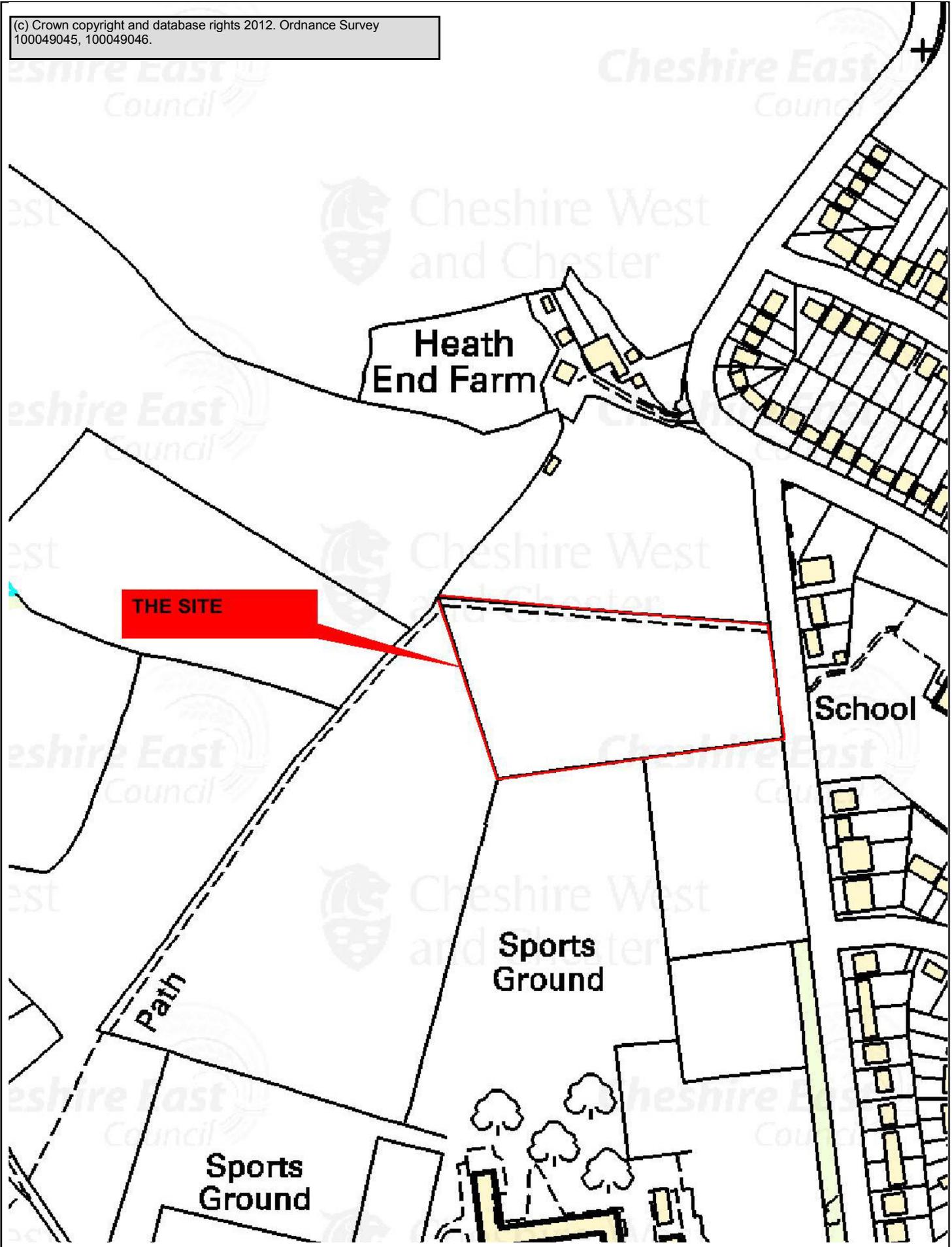
- 1. Time limit – 2 years**
- 1. Plans**
- 2. Materials**
- 3. Tree and hedgerow protection measures**
- 4. Arboricultural Specification/Method statement**
- 5. Landscape scheme to include replacement native hedgerow planting and boundary treatments**
- 6. Boundary treatment**
- 7. Public Right of Way diversion and scheme for replacement PROW to be agreed including landscaping**
- 8. Submission of landscaping scheme**
- 9. Landscaping to include boundary treatment details**
- 10. Implementation of landscaping scheme**
- 11. Submission of updated ecological survey**
- 12. Breeding Bird Survey for works in nesting season**
- 13. Bats and bird boxes**
- 14. Updated badger report**
- 15. Site drainage/ SUDS details to be submitted**
- 16. Submission of a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the Local Planning Authority.**
- 17. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil**
- 18. Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to: Monday – Friday 08:30 – 17:30 hrs Saturday 09:30 – 13:00 hrs Sunday and Public Holidays Nil**
- 19. Submission of mitigation measures to minimise any impact on air quality from construction dust**
- 20. Submission of a Contaminated Land Phase II investigation.**
- 21. Submission of Construction Management Plan**
- 22. 10% renewables/low carbon provision**
- 23. Vehicular visibility at access (dimensions)**
- 24. Construction specification/method statement**
- 25. details of design / surfacing of proposed footpath links to site frontage**
- 26. Landscaping to include replacement hedge planting**

- 27. Open plan estate layout – removal of permitted development rights for fences**
- 28. Removal of permitted development rights for extensions plots 22 to 30**
- 29. details of ground levels to be submitted**

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or add additional conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.



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Application No: 12/1998C
Location: Land off HASSALL ROAD, SANDBACH
Proposal: Erection of 39no. Dwellings and Associated Works including Foul Water Pumping Station
Applicant: Mr D Major, Stewart Milne Homes/ Muller Property Group
Expiry Date: 17-Aug-2012

SUMMARY RECOMMENDATION

APPROVE subject to conditions and signing of a S106 legal agreement

MAIN ISSUES

Principle of Development
Housing Land Supply
Sustainability
Design Considerations
Highway Safety and Traffic Generation
Landscape and Tree Matters
Provision of Open Space
Impact on Protected Species
Impact on Residential Amenity
Flooding and Drainage
Affordable Housing
Impact on Education Capacity
Loss of Agricultural Land
S106 / Contributions

1. REFERRAL

The application has been referred to Strategic Planning Board because the proposal represents a departure from the development plan as it is situated outside of the settlement zone line for Sandbach.

2. SITE DESCRIPTION

This application relates to a site positioned on the south east of Sandbach and comprises an irregular parcel of land situated to the east of Hassall Road.

The site is adjoined to the north and the west by residential properties fronting Hassall Road and open countryside designated fields to the east and south. The access to the site falls within the Settlement Zone Line of Sandbach with the remaining part of the site situated within Open Countryside as designated in the adopted Congleton Borough Local Plan First Review (2005).

The site is irregular in shape and occupies an area of approximately 1.3 ha in size. The topography is generally flat but there is a slight fall down towards the rear boundary of the site. The majority of the site is undeveloped and has been used as a paddock for grazing. There are some single storey stable buildings positioned in the far north-western corner of the site.

3. DETAILS OF PROPOSAL

Full planning permission is sought for the erection of 39 residential units on land to the east of Hassall Road, Sandbach. The proposal also includes a foul water pumping station.

4. RELEVANT PLANNING HISTORY

Members will recall that at the meeting of 11th April 2012, they resolved to approve outline planning ref; 11/3414C. Details of access, appearance, layout and scale were considered as part of this outline application with details of landscaping reserved for consideration at a later stage. However, in resolving to approve the application Members added a condition which reserved final approval of the access detail for subsequent approval, so that it could be made as wide as possible.

5. PLANNING POLICIES

National Planning Policy Framework

Local Plan Policy

PS8	Open Countryside
GR1	New Development
GR2	Design
GR3	Residential Development
GR5	Landscaping
GR6	Amenity and Health
GR9	Accessibility, servicing and provision of parking
GR14	Cycling Measures
GR15	Pedestrian Measures
GR17	Car parking
GR18	Traffic Generation
GR21	Flood Prevention
GR 22	Open Space Provision
NR1	Trees and Woodland
NR2	Statutory Sites (Wildlife and Nature Conservation)
NR3	Habitats

NR5	Habitats
H2	Provision of New Housing Development
H6	Residential Development in the Open countryside
H13	Affordable Housing and Low Cost Housing

Regional Spatial Strategy

DP4 Make best use of resources and infrastructure
DP5 Managing travel demand
DP7 Promote environmental quality
DP9 Reduce emissions and adapt to climate change
RDF1 Spatial Priorities
L4 Regional Housing Provision
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets
EM3 Green Infrastructure
EM18 Decentralised Energy Supply
MCR3 Southern Part of the Manchester City Region

Other Material Policy Considerations

Interim Planning Policy: Release of Housing Land (Feb 2011)
Interim Planning Statement: Affordable Housing (Feb 2011)
Strategic Market Housing Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994
North West Sustainability Checklist

6. OBSERVATIONS OF CONSULTEES (EXTERNAL TO PLANNING)

Environmental Health

No objection subject to conditions restricting hours of construction / piling, a condition requiring submission of an environmental management plan and an informative relating to contaminated land.

Highways

No objection

The site was subject to an outline planning application for 39 residential units with a single point of access taken from Hassall Road, Sandbach. The application has been previously considered by Members who resolved to approve the application subject to revised access details being submitted.

The site access is located at properties No.75 and No.63. As part of the revised access proposal the access to No.75 will be repositioned away from the junction radius onto Hassall Road. The access to No. 63 remains in the same location.

Key issues

The visibility splay at the proposed site access is the only key issue for this application. The visibility splay in the leading direction has been increased to 2.4m x 26m from 22m. However, in the non leading direction the splay has remained the same, achieving 22m at a point 2.1m into the carriageway. If one measures the splay at 2.4m, following the guidance set out in Manual for Streets, visibility is much reduced in the non leading direction to just over 11m.

On behalf of the local residents, PSA design has made a submission that describes a number of deficiencies in the revised design, including the visibility at the junction as above and also the impact on access to both No.75 and No.63.

The visibility issue is addressed in this report. With regard to the impact on access, at No.63, there are existing boundary hedges to the driveway and it is the contention that the revised access plan is not correct and the property deeds indicate these hedges will be located within the footway of the revised design. The access to No.75 has been shown as relocated to the left hand side of the new junction and this has been agreed as an alternative location for the driveway access. However, it is believed that the owner may be extending his perimeter wall thereby blocking his access and this would effectively leave no vehicle access to No.75. Should there be problems with access or land ownership as highlighted by the residents then this is considered to be a civil matter to be resolved between the applicant and residents affected and has therefore not been assessed as part of our consideration.

Site Assessment

In assessing the revised access design, we would make the following comments in relation to what can be seen to be improvements made from the previous submission:

- The access road has been widened from 4.8m to 6.3m at its widest point and retains a 2.0m footpath along one side. This improvement would better accommodate turning movements off Hassall Road into the site, especially larger vehicles including refuse lorries.
- At its narrowest point, the access includes a priority give way arrangement. Such details exist at other development sites and are not considered to be a factor that would warrant a refusal. However, it is recommended that the priority is given to vehicles entering the site.
- The visibility splay in the leading direction has been improved by 4m to 2.4m x 26m.

Having said this, the visibility splay in the non leading direction is significantly below the guidance set out in Manual for Streets and has required consideration of whether an exception could be made in the instance or not.

A key determinant as to whether the extent of a visibility splay at a side road junction is acceptable or not relates to the speed of vehicles on the main road. As such, on Hassall Road there have been numerous speed surveys undertaken both by the applicant, residents and our Highways Service.

After considering all the information collected, it is our view that 85%ile speeds are around 23 to 24 mph on Hassall Road at the proposed site access junction in both directions. These speeds would translate into a sightline requirement of 31m.

This assessment and our knowledge of traffic conditions on Hassall Road lead to us to consider the visibility offered in the leading direction at 26m would be acceptable.

In the non-leading direction the visibility provision of 11 to 12m falls well below the guidance. To re-enforce even slower speeds at this location and to make the access exemption acceptable a further speed reduction measure should be provided at the access point. Hassall Road has already been traffic calmed and this could be extended by the provision of a ramped junction table at the junction of the proposed site access and Hassall Road. This could be designed in such a way to achieve speeds below 20mph.

In addition, a review has been undertaken of Hassall Road and its existing junction arrangements and road safety history.

Hassall Road has traffic calming that reduces speeds and there are no personal injury accidents recorded in the area of the proposed site.

The visibility splays at some of the existing junctions on Hassall Road, namely Cross Lane, Houndings Lane and Coldmoss Drive, are less than the proposed access and this has not affected its road safety record.

Conclusion

The revised access design is considered to be an improvement in certain aspects over what was previously submitted.

There is still a departure from visibility standards based upon the actual 85% approach speeds recorded in the vicinity of the site and consideration has been made as to whether the reduced level of visibility is likely to cause a road safety issue that warrants refusal.

Environment Agency

No objection, subject to conditions requiring the submission of a scheme to limit the surface water run-off generated by the proposed development. The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. An informative is recommended advising them of their duty of care with regard to ensure that all materials removed from the site go to an appropriate permitted facility.

Greenspaces

No objection subject to financial contributions towards the future maintenance of onsite Amenity Greenspace (£14,663 or management company (25 years) and the enhancement and future maintenance of Newhall Avenue and Mortimer Drive facilities (£11,354.68 and £36,715.50 respectively). Green Spaces would request that any enhancement contributions should not be 'time limited' so ensure maximum benefit to the new and existing community, thus enabling the 'pooling' of funds.

Education

No objection subject to financial contributions towards education provision. The primary schools local to this development currently have 99 unfilled places. However, the Council's

projections have the number of unfilled places falling to 4 by the September 2013 intake and then the schools as being oversubscribed from 2014 on. Therefore a primary school contribution of **£65,077** will be required. Over the secondary schools within 3 miles of the development total numbers on roll are greater than the schools capacities. Projections suggest that capacity is available in future years. However, there is a lot of approved development within Sandbach which will take up this surplus space. Approvals on 09/2083C, 10/4973C, 12/0009C and 11/3956C are expected to generate 112 secondary aged pupils. In light of this fact and that our projections indicate that the secondary schools will have only 100 places available by 2018. As such a secondary contribution of **£81,713** will be required from this development.

United Utilities (UU)

No objection provided that the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system UU will require the flow to be attenuated to a maximum discharge rate of 8 l/s to the surface water sewer located in Coldmoss Drive.

7. VIEWS OF THE SANDBACH TOWN COUNCIL

Object on the grounds that this is not a sustainable site and does not meet with 'Significant Sustainability Criteria'. Members expressed additional concern at the site's narrow access on to a busy Road.

8. OTHER REPRESENTATIONS

Over 3500 letters of objection have been received objecting to this application on the following grounds:

Traffic

- The access to the proposed development will enter and exit a proven busy and already overburdened Hassall Road
- The proposed access is very narrow
- Large vehicles will not be able to access the site (i.e. refuse, fire engines, delivery vehicles)
- Additional traffic will cause problems at local junctions and Top of Hill Chippy
- Hassall Road is congested and has a lot of HGV and ram traffic
- Safety for pedestrians, children and cyclists will be reduced
- Access does not conform with highway guidelines and does not provide the required visibility splays
- How are 70+ cars going to enter and exit the site safely
- Vehicles speed up and down Hassall Road

Principle

- The site is a Greenfield, open countryside and outside the settlement zone.
- It was recently rejected in the Draft Sandbach Town Strategy as unsustainable

- The site is greenbelt/agricultural
- Brownfield sites should be given priority
- Approval will open the floodgates for more development
- The site is significant distance from shops, schools and other local amenities

Amenity

- Loss of privacy
- Loss of outlook
- Overlooking

Landscape

- The site is grade 3a agricultural land
- The dwellings will be two-storey next to adjacent bungalows

Design

- Design of dwellings is not in keeping with the area

In addition, the 'Save Our Sandbach Group' (SOS) have undertaken their own traffic survey, agricultural land report, sustainability appraisal and housing supply report. Each report concludes that this application should be refused on for each of the issues that they dealt with.

The local ward councillor, Cllr Corcoran has also offered the following comments:

Fire engine access

Concern that a fire engine would not be able to gain access to 63 Hassall Road under the new scheme. It is understood that developments should not be allowed where a fire engine cannot get within 30 metres of a dwelling.

Road Safety

- 1) The visibility splays at the entrance are acknowledged to be sub-standard. The Cheshire East Highways officer has confirmed that the visibility is only 11m against a recommended distance of 34m. This is a big discrepancy. The Highways officer has confirmed that this is a valid reason for rejection and therefore at any subsequent appeal no costs could be awarded against the council for rejecting on these grounds.
- 2) The new road will not be adopted by Cheshire East Council because it does not meet the council criteria.
- 3) The pinch point at the entrance to the estate will cause access problems.

9. OFFICER APPRAISAL

Main Issues

Members may recall that at the meeting of 11th April earlier this year, it was resolved to grant outline planning permission for the erection of 39 residential units on the site with access off Hassall Road. Access was shown to be taken in between numbers 75 and 61 Hassall Road, although concern was expressed about the precise detail and therefore the approval was subject to a condition which reserved the access detail for consideration at a later stage.

The principle of the development has already been established by the granting of the outline consent. Nonetheless, the application is a full application and therefore all matters relevant must be considered.

The main issues in the consideration of this application are the suitability of the site, for residential development having regard to matters of planning policy and housing land supply, sustainability, design, highway safety and traffic generation, landscape and tree matters, provision of open space, ecology, amenity, open space, drainage and flooding, affordable housing, education and loss of agricultural land.

Policy Position

The site lies in the Open Countryside as designated in the Congleton Borough Local Plan First Review, where policies H6 and PS8 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

Members should note that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled ‘Planning for Growth’. On 15th June 2011 this was supplemented by a statement highlighting a ‘presumption in favour of sustainable development’ which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy”.

Housing Land Supply

Whilst PPS3 'Housing' has been abolished under the new planning reforms, the National Planning Policy Framework (NPPF) reiterates at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government's overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012.

The SHLAA has put forward a figure of 3.94 years housing land supply.

Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The NPPF advocates a greater 20% buffer where there is a persistent record of under delivery of housing. However for the reasons set out in the report which was considered and approved by Strategic Planning Board at its meeting on 30th May 2012, these circumstances do not apply to Cheshire East. Accordingly once the 5% buffer is added, the Borough has an identified deliverable housing supply of 3.75 years.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking

means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- specific policies in the Framework indicate development should be restricted.”*

The forthcoming Cheshire East Local Plan will set new housing numbers for area and identify sufficient land and areas of growth to meet that requirement up to 2030. The Submission Draft Core Strategy will be published for consultation in the spring of 2013. Consequently, the current shortfall in housing land will be largely remedied within the coming year or so. However, in order that housing land supply is improved in the meantime, an Interim Planning Policy on the Release of Housing Land has been agreed by the Council. This policy allows for the release of appropriate greenfield sites for new housing development on the edge of the principal town of Crewe and as part of mixed development in town centres and in regeneration areas, to support the provision of employment, town centres and community uses.

The Council is currently consulting on a revision to this document. This broadens the scope of land release to include small, non strategic sites on the outskirts of other towns, provided that they are not within the green belt, do not intrude into open countryside and that certain sustainability criteria are met. The Consultation draft limits the size of such sites to 1Ha.

Whilst slightly larger at 1.3 Ha, the application site largely accords with the spirit of the new policy. The proposal represents a small scale development and would not represent a major incursion into the open countryside or a major urban extension due to the characteristics of the site. With respect to sustainability, this will be considered further below.

The value of the Interim Planning Policy lies in the fact that this represents the democratically decided expression of the Cheshire East Community on how housing supply should be positively managed ahead of the Local Plan. This accords with the sentiments in the NPPF which indicates that local people and their accountable Councils can produce their own planning proposals, which reflect the needs and priorities of their communities. However, it is not a development plan document or a supplementary planning document and accordingly carries only limited weight as a material consideration. This has been confirmed by previous Appeal Inspectors who have considered earlier versions of the policy.

With respect to the housing need within Sandbach specifically, there is a housing requirement of 375 units for the next five years even having regard to the existing permissions in the town, including the Brownfield sites. This amounts to an annual requirement of 75 units per annum. Thus, this would put the existing supply for Sandbach at 4 years, which is still short of the 5 year target.

Furthermore, it must be borne in mind that the Brownfield sites which already benefit from permission, are much larger strategic sites which will deliver a significantly greater number of dwellings than this site. This has implications for the rate of deliverability. Due to their size and scale, it is likely that these sites will be delivered towards the latter end of the 5 year period. As such, this will not assist the housing land shortfall in Sandbach within the short term (i.e. 1-2 year period). Consequently, it is considered that there is still a need for additional housing within Sandbach (not just borough wide) and this site would help to go towards meeting this need in the short term.

The application site is identified in the SHLAA as available, achievable deliverable and, subject to an appropriate policy change in respect of its designation as open countryside, it is considered to be suitable in all other respects. The proposal only represents a small scale development and would not represent an incursion into the open countryside or a major urban extension due to the characteristics of the site. With respect to sustainability, this will be considered further.

In the light of this, the fact that outline planning permission has already be granted on the site and given that there remains a need to supply additional housing units within Sandbach itself, it is considered that a refusal of planning permission for this site on matters relating to policy or housing land supply grounds would not be sustainable.

Sustainability

The site is considered by the SHLAA to be sustainable.

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

In response to this, the Council, the applicant and local residents have calculated distances between the development and local amenities. In line with the toolkit, these comprise of:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m),
- bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),

- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

In this case the development meets the standards in the following areas:

- post box (216m),
- playground / amenity area (423m),
- public house (450m)
- public park / village green (449m),
- bus stop (431m),

When the outline application was considered, there was a cash point at the nearest shop which was considered compliant with the required distance of 1000m. However, it is understood that this service is no longer available. Thus the next available cash point is located at Waitrose supermarket, which is approximately 1100m distance away from the site. Thus, whilst it fails the required distance, it only marginally fails it.

Where the proposal fails to meet the standards, the majority of the facilities / amenities in question are still within a reasonable distance of those specified and are therefore accessible to the proposed development. Those amenities that fail the specified distance are:

- a local shop (744m), one selling fresh fruit and groceries (1427m)
- post office (1103m),
- bank / cash point (1100m),
- pharmacy (1184m),
- primary school (1264m),
- medical centre (1453m),
- leisure facilities (1163m),
- local meeting place / community centre (1214m),
- child care facility (1452m),
- railway station (3524m).

The site does not comply with all of the standards advised by the NWDA toolkit. However, as stated previously, these are just guidelines and are not part of the development plan. Owing to its position on the edge of Sandbach, there are some amenities that are not within the ideal standards set within the toolkit. However, all of the services and amenities listed are accommodated within Sandbach and therefore the settlement can be considered as sustainable.

Nonetheless, owing to its location on the edge of the settlement, it is accepted that there are some amenities and facilities that will not be as close to the development as existing dwellings which are more centrally positioned. Indeed this is not untypical for suburban dwellings. However, the majority of the amenities and facilities are accessible to the proposed development on foot. Therefore, it is considered that a refusal could not be sustained on grounds of sustainability.

Design Considerations

The layout proposed as part of this application does not differ significantly from that which was approved as part of the outline application. The main difference is that the plot that was previously proposed directly to the rear of no. 75 Hassall Road has now been omitted. In its place will be a foul water pumping station serving the site.

Generally, the proposed layout would introduce a linear pattern running parallel with the rear boundary of the site with the adjacent fields. This would then terminate towards the northern end of the site where the development would be arranged around a limb running off at 90-degrees forming a cul-de-sac to the right and a courtyard parking area to the left.

Given that the site is situated to rear of existing properties with a single point of access and because the site is self contained, there is little opportunity or need for frontage onto Hassall Road. However, within the site, the dwellings fronting the road within the site would overlook an area of public open space that would border the rear of the site 63 Hassall Road. The pattern of the development follows the shape of the site and is deemed to be acceptable.

With respect to the design and external appearance of the development, the units would be modest in terms of their size and would not deviate significantly from the scale of the residential development on Hassall Road and the area generally. Amended plans have been secured which hip the roofs of those properties away from the boundary where they side onto the bungalows situated off Coldmoss Drive to the north. The closest units have also been shifted away slightly from the boundary. This would assist the transition between the bungalows and the two-storey form.

Given the mix in character, and having regard to the fact that the site would be self contained, the design of the dwellings would not appear out of keeping with the area. The design is considered to be acceptable and in accordance with relevant design policies of the local plan.

Highway Safety and Traffic Generation

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

The application proposes a single point of access off Hassall Road positioned directly in-between numbers 61 and 75 Hassall Road. As part of the revised access proposal, the access to No.75 will be repositioned away from the junction radius onto Hassall Road. The access to No. 63 remains in the same location.

With regards to visibility, the applicant has shown that visibility in the leading direction is achievable as per standards. The visibility splay at the proposed site access is the only key issue for this application. The visibility splay in the leading direction has been

increased to 2.4m x 26m from 22m. However, in the non leading direction the splay has remained the same, achieving 22m at a point 2.1m into the carriageway

If one measures the splay at 2.4m, following the guidance set out in Manual for Streets, visibility is much reduced in the non leading direction to just over 11m.

On behalf of the local residents, PSA design has made a submission that describes a number of deficiencies in the revised design, including the visibility at the junction and also the impact on access to both No.75 and No.63.

With regard to the impact on access, at No.63, there are existing boundary hedges to the driveway and it is contended that the revised access plan is not correct and the property deeds indicate these hedges will be located within the footway of the revised design.

The access to No.75 has been shown as relocated to the left hand side of the new junction and this has been agreed as an alternative location for the driveway access. However, it is believed that the owner may be extending his perimeter wall thereby blocking his access and this would effectively leave no vehicle access to No.75. Should there be problems with access or land ownership (as highlighted by the residents), this would be a civil matter to be resolved between the applicant and residents affected. It has therefore not been assessed as part of our consideration, because it is not a planning issue.

In assessing the revised access design, the Strategic Highways Manager considers that there are improvements over what was previously put before members in their consideration of the outline application 11/3414C. These are:

- The access road has been widened from 4.8m to 6.3m at its widest point and retains a 2.0m footpath along one side. This improvement would better accommodate turning movements off Hassall Road into the site, especially larger vehicles including refuse lorries.
- At its narrowest point, the access includes a priority give way arrangement. Such details exist at other development sites and are not considered to be a factor that would warrant a refusal. However, it is recommended that the priority is given to vehicles entering the site.
- The visibility splay in the leading direction has been improved by 4m to 2.4m x 26m.

Nonetheless, the Strategic Highways Manager accepts that the visibility splay in the non leading direction is below the guidance set out in Manual for Streets and has required consideration of whether an exception could be made in the instance or not.

A key determinant as to whether the extent of a visibility splay at a side road junction is acceptable or not relates to the speed of vehicles on the main road. As such, on Hassall Road, there have been numerous speed surveys undertaken both by the applicant, residents and the Council's Highways Service.

After considering all the information collected, it is the view of the Strategic Highways Manager that 85thile speeds are around 23 to 24 mph on Hassall Road at the proposed site access junction in both directions. These speeds would translate into a sightline requirement of 31m.

Having regard to the traffic conditions on Hassall Road, the Strategic Highways Manager considers that the visibility offered in the leading direction at 26m would be acceptable.

In the non-leading direction the visibility provision of 11 to 12m falls below national guidance. To re-enforce even slower speeds at this location and to make the access exemption acceptable, the Strategic Highways Manager has advised that a further speed reduction measure should be provided at the access point. Hassall Road has already been traffic calmed and this could be extended by the provision of a ramped junction table at the junction of the proposed site access and Hassall Road. This could be designed in such a way to achieve speeds below 20mph.

In addition, a review has been undertaken of Hassall Road and its existing junction arrangements and road safety history. Hassall Road has traffic calming that reduces speeds and there is no personal injury accidents recorded in the area of the proposed site. The visibility splays at some of the existing junctions on Hassall Road, namely Cross Lane, Houndings Lane and Coldmoss Drive, are less than the proposed access and this has not affected its road safety record.

Members will recall that this was not deemed necessary on the previously approved application and therefore did not form part of the offsite highway works that were agreed. Having liaised with Highways, the sum required to deliver the said traffic table would be £20,000. The applicant has agreed to pay this.

Taking the above into account, the revised access design is considered to be an improvement over what was previously submitted. There is still a departure from visibility standards based upon the actual 85th approach speeds recorded in the vicinity of the site and consideration has been made as to whether the reduced level of visibility is likely to cause a road safety issue that warrants refusal. However, subject to provision of a traffic table, it is not considered that a refusal could be sustained on matters relating to highways.

Landscape and Tree Matters

The character of the surrounding residential development is one of being within a wider urban / residential area rather than that associated with ribbon development. Further, owing to the unique shape and site characteristics, the development of the site will lead to a natural progression of development. The location and scale of the proposed development are entirely in scale and in proportion with the existing development and in the wider visual sense will not intrude, dominate or have a significantly adverse impact on the adjacent wider landscape and open countryside.

In terms of the overall impact on the landscape, it is accepted that the proposed development would alter the landscape character of the site and that views of the

development would be achievable from the east and Colley Lane. Nonetheless, the development would amount to a squaring off of the settlement owing to it being surrounded on the northern, western and southern boundaries.

The application site is read separately to the wider landscape setting where this comprises of larger open fields making up the open countryside. In comparison, the application site is a small field, surrounded on 3 sides by development with terrain that rises upwards gently, where it transitions with the adjacent residential development. It is enclosed by existing mature boundary hedgerows and trees.

Taking into account the site levels and the open countryside to the south, the successful retention of the existing boundary hedge and trees is considered important. The scheme is respectful to the boundary hedges running around the perimeter of the site and the applicant has confirmed that these will be retained and supplemented where necessary. Details of precise landscaping, planting, site levels and boundary treatment could be secured by condition. The development would not jut out and would therefore not appear intrusive or harmful within the landscape setting.

With respect to trees, the proposal would involve the removal of some tree specimens within the site, but would not require removal of specimens outside of the site which includes a TPO protected Sycamore tree on the northern boundary of 64 Hassall Road. The development would achieve sufficient separation with the TPO specimen.

Provision of Open Space

The scheme proposes an area of Public Open Space (POS) centrally positioned along western boundary of the site. This area would be well overlooked by the dwellings on the eastern side of the site and appears to offer a good quality useable space. The on-site open space would be managed and maintained by a management company. As such, a contribution to the Council for the on-going maintenance of the on-site amenity green space would not be required.

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted, there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study for Children and Young Persons Provision.

To meet the needs of the development, an opportunity has been identified for the upgrading of existing facilities at Newall Avenue and Mortimer Drive. The Mortimer Drive facility is a local facility situated less than 100m away from the development site. However, the Newall Avenue facility is located some 800m to the west on the opposite side of the A534. As such, it is not considered suitable. The contributions agreed when the outline application was approved related specifically to Mortimer Drive. Consequently, it is recommended that this application should follow suit.

Subject to the applicant entering into a Section 106 Agreement to secure the financial contributions and the establishment of the management company, the scheme is found to be in accordance with SPD6.

Impact on Protected Species

The application is accompanied by a Phase I habitat survey including a bat survey of the trees on the site. This concludes that bats, amphibians (great crested newts) and barn owls are not likely to be present or affected by the proposed development. However, one of the tree specimens which is earmarked for removal (T4) does provide reasonable conservation benefits and an ecological mitigation. As such, it is recommended that it is retained.

The site also exhibits features that are considered as Biodiversity Action Plan Priority habitats and hence a material consideration. These include hedgerows and breeding birds. The Council's Nature Conservation has recommended conditions requiring a breeding bird survey to be carried out and submission of a scheme for the incorporation of features into suitable for use by breeding birds. Subject to these being implemented, the requirements of the National Planning Policy Framework and the EC Habitats Directive are satisfied.

Impact on Residential Amenity

According to Policy GR6, planning permission for any development adjoining or near to residential property or sensitive uses will only be permitted where the proposal would not have an unduly detrimental effect on their amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, and noise. Supplementary Planning Guidance Note 2 advises on the minimum separation distances between dwellings. The distance between main principal elevations (those containing main windows) should be 21.3 metres with this reducing to 13.8 metres between flanking and principal elevations.

With respect to the existing properties on Hassall Road and those to the north backing onto the site at Cross Lane, the minimum separation distances would be achieved. Plot numbers 17, 27 and 28 side onto the rear gardens of some of the properties on Cross Lane. To reduce the impact, the roofs have been amended from gable ends to hips so that they slope away from the boundary and appear less intrusive. With respect to the nearest property (no 63), Plot 37 would be offset from this property and would not cause significant harm in terms of loss of light or direct overlooking.

With regard to the amenity of the occupiers of the proposed units, the dwellings have been configured and arranged so as to ensure no direct overlooking of principal windows takes place. Equally, there would be no significant overshadowing or visual intrusion. Each dwelling unit would benefit from its own rear garden and it is considered that the amenity space provided as part of the development would be acceptable for the size of units proposed. Subject to the removal of permitted development rights, the proposal is found to be acceptable in terms of residential amenity.

The plans no longer include a dwelling plot directly to the rear of no. 75. Instead, a foul water pumping station will occupy this plot. The station will be below ground with an ancillary cabinet above ground. Owing to its small size, this will not give rise to issues

of loss of light or visual intrusion. With respect to any perceived noise or odours emanating from the plant, this will be provided by way of an update to members.

Flooding and Drainage

A Flood Risk Assessment has been carried out to determine the impact of the proposed development on flooding. In accordance with the National Planning Policy Framework and local policy, the FRA has considered the impact on the surface water regime in the area should development occur. Unlike the original outline application, this scheme proposes a foul water pumping station to assist in draining the site.

United Utilities and the Environment Agency have considered the report and raised no objections subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect on site and the neighbouring sites and their associated residual flood risk.

Provision of Affordable Housing

Following negotiations with the applicant, the proposed development will provide 12 affordable units (8 social rent and 4 for intermediate tenure) within the proposed 39. This provision accords with the Interim Affordable Housing Statement requirements that developments of this scale should provide a minimum of 30% affordable housing within the scheme and of which 65% should be social rented and 35% should be intermediate tenure.

Education

The primary schools local to this development currently have 99 unfilled places. However, the Council's projections have the number of unfilled places falling to 4 by the September 2013 intake and then the schools as being oversubscribed from 2014 on. Therefore a primary school contribution of £65,077 will be required.

With respect to secondary school provision, whilst no financial contribution was secured when the outline application was considered, the Council has since carried out further forecasts. Within 3 miles of the application site, total numbers on roll at the secondary schools is greater than the schools capacities. Projections suggest that capacity is available in future years. However, the approved development within Sandbach will take up this surplus space. These existing approvals are expected to generate 112 secondary aged pupils. In light of this fact and that the Council's projections indicate that the secondary schools will have only 100 places available by 2018, a secondary contribution of £81,713 will be required from this development.

Loss of Agricultural Land

It is noted that Policy NR8 (Agricultural Land) of the Congleton Borough Local Plan has not been saved. However, the National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this instance, the land is classified as Grade 3A, which is considered to be the 'best and most versatile' agricultural land. However, it is important to note that the area of farmable land is not significant, measuring only 1.3 ha. At present, the plot is divided into 2 parcels, with approximately 55% in arable use. The remaining portion is of poor quality and is also within separate ownership. Whilst part of the land has been used to grow crops, due to its limited size and the existing site constraints (i.e. surrounded on 3 sides by residential development and separated from the larger open fields to the east by mature trees and hedgerows), it does not offer a contribution to the high quality agricultural land in the area.

Thus, whilst the proposal would result in the loss of a small quantity of Grade 3A agricultural land, the loss would not be 'significant' and would not outweigh the benefits that would come from delivering this small scale development and assisting with the Council's housing land supply situation helping to relive pressure on less sustainable and preferential Greenfield sites elsewhere.

S106 / Contributions

In addition to those contributions secured when it was resolved to approve outline application 11/3414C, additional contributions towards a highway traffic table and secondary school provision is required. These sums are £20,000 and £81,713 respectively. This is in addition to the agreed sums of money relating to POS and improving the local bus stop. Such contributions will satisfactorily offset the impacts of the proposed development and will help to minimise any harm.

10. REASONS FOR APPROVAL

It is acknowledged that the Council does not currently have a five-year housing land supply and that, accordingly, in the light of the advice contained in the National Planning Policy Framework, it should consider favourably suitable planning applications for housing. The Council has already accepted this in granting outline planning permission for residential development at the site (ref; 11.3414C).

The boost to housing supply is considered to an important benefit – and this application achieves this in the context of a smaller, non strategic land release which aligns with the Interim Planning Policy currently under consultation.

Whilst it is accepted that the site does not meet the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, there is not a significant failure to meet these and majority of facilities are accessible to the site. A refusal could not therefore be warranted on grounds of sustainability.

To conclude highways matters, the revised access design is considered to be an improvement over what was previously submitted at outline stage. There is still a departure from visibility standards based upon the actual approach speeds recorded in the vicinity. However, subject to provision of a traffic table, it is not considered that a refusal could be sustained on matters relating to highways.

The proposal will not have a significant impact on the landscape character of the area and will represent a rounding off of the settlement without resulting in an intrusion into the open countryside.

Whilst the proposal will result in the loss of some grade 3a agricultural land, it is considered that the benefits of the delivering the site for much needed housing would outweigh this loss, given that the site does not offer a significant quality of land.

Subject to the required Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements and monies towards the future provision of primary school education.

Notwithstanding amenity issues relating to the proposed foul water pumping station (which will be reported by way of an update), the proposal is considered to be acceptable in terms of its impact upon residential amenity, ecology, drainage/flooding. It therefore complies with the relevant local plan policy requirements and accordingly is recommended for approval.

11. RECOMMENDATION

APPROVE subject to completion of Section 106 legal agreement to secure the following:-

- **30% affordable housing (12no. units), split on the basis of 65% social rent and 35% intermediate tenure as per the requirements of the interim planning statement.**
- **£11,354.68 (not time limited) and £36,715.50 (25 years) for the upgrading and maintenance of an existing children's play facility at Mortimer Drive**
- **Provision for a management company to maintain the on-site amenity space**
- **Upgrade of Bus Stop on Hassall Road**
- **£65,078 towards future primary school education provision and £81,713 towards future secondary school education provision**
- **£20,000 for provision of highway traffic table on Hassall Road**

And the following conditions

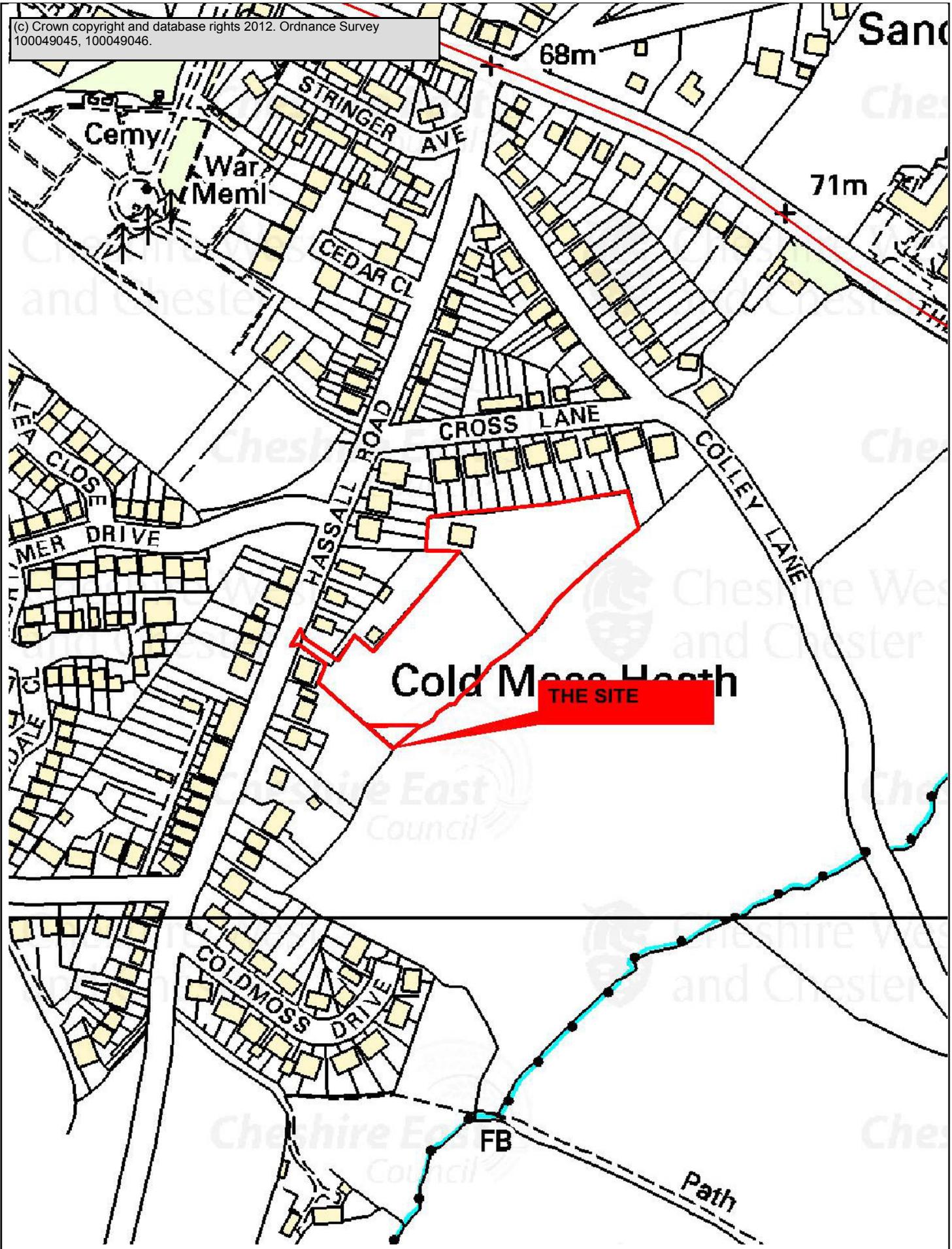
- 1. Standard Time limit – 3 years**
- 2. Amended / Approved Plans**
- 3. Accordance with vehicular visibility at access (dimensions)**
- 4. Materials**
- 5. Submission of an Environmental Management Plan**
- 6. Hours of construction to be limited**
- 7. Details of pile driving operations to be limited**
- 8. Submission of details of bin storage**
- 9. Details of drainage (SUDS) to be submitted**
- 10. Scheme to limit surface water runoff and overland flow**
- 11. Discharge of surface water to mimic that of the existing site**
- 12. Only foul drainage to be connected to sewer**

- 13. Retention of important trees**
- 14. Tree and hedgerow protection measures**
- 15. Arboricultural Specification/Method statement**
- 16. Landscape scheme to include replacement native hedgerow planting and boundary treatments**
- 17. Implementation of landscaping scheme**
- 18. Retention of tree T4 or submission of updated ecological survey**
- 19. Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds.**
- 20. Hedgerows to be enhanced by 'gapping up' as part of the landscaping scheme for the site**
- 21. Removal of permitted development rights for classes A-E**
- 22. Removal of Permitted Development Rights for windows/openings for plots 15, 17, 18, 23, 27, 28, 31**
- 23. Obscured glazing for first floor windows in flanking elevations**
- 24. Submission of details of Travel Pack for each dwelling**
- 25. Details of design / surfacing of proposed footpath links to site frontage**
- 26. Details of ground levels to be submitted**

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or add additional conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.



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CHESHIRE EAST COUNCIL

REPORT TO: STRATEGIC PLANNING BOARD

Date of Meeting: 24 October 2012
Report of: Strategic Planning & Housing Manager
Subject/Title: Revised Interim Planning Policy on Release of Housing Land
Portfolio Holder: Cllrs David Brown & Rachel Bailey

1.0 Report Summary

- 1.1 This report looks considers the consultation on the Review the Interim Planning Policy on the Release of Housing Land and looks at the potential options for taking this document forward to ensure that it helps to maintain a five year housing land supply.

2.0 Decision Requested

- 2.1 That Strategic Planning Board recommends that Cabinet:
1. Notes the Consultation responses to the Revised Interim Planning Policy as set out in Appendix 1
 2. That the revisions to the Interim Planning Policy should not be continued with, in accordance with the reasons set out in the report, and that the Policy approved in February 2011 remains unaltered

3.0 Reasons for Recommendations

- 3.1 To ensure that the Council has appropriate planning policies in place to guide the release of additional housing land to improve the housing land supply.

3.0 Wards Affected

- 4.1 All wards

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including

– Carbon Reduction

- 6.1 The existing interim policy seeks to focus large scale development on the edge of Crewe where there is a good range of jobs, shops and services and a high standard of accessibility by means of travel other than the car. The policy also encourages the

redevelopment of previously developed land within settlements for mixed uses including housing. New housing will be required to be energy efficient.

- Health

- 6.2 New housing developments will be required to include affordable housing which will be available for people in housing need, providing them with improved healthier living conditions. Sites will also be required to provide open space.

7.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)

- 7.1 If the Council is unable to demonstrate a 5 year supply of housing and then subsequently refuses planning applications for housing it may be vulnerable to costs awards at appeal. This is especially so where it can not adequately substantiate a reason for refusal or is otherwise found to be unreasonable. The effective management of housing land supply is a means of mitigating this risk.

8.0 Legal Implications

- 8.1 The Revised Interim Planning Policy does not have the status of the Development Plan or a Supplementary Planning Document (SPD) – and should not be confused with either. The Development Plan has a particular status in terms of s.38 of the Act for the determination of Planning Applications – similarly SPD's also have a formal legal status
- 8.2 The Interim Planning Policy does not have the same recognition in law – and so it is important that the correct weight is attributed to it. The Policy follows the principles of the Sustainable Community Strategy, which will be a key influence on the emerging Local Plan. It also conforms with the priorities of the waning Regional Plan. It has been subject to consultation, formal appraisal and approved by full Council. Accordingly the Policy is a material consideration in the determination of planning applications.

9.0 Risk Management

- 9.1 If the Council fails to provide sufficient housing over a long and sustained period of time then it risks increasing house prices, stifling economic growth and eroding choice and balance in the housing stock.
- 9.2 In the shorter term if the Council fails to demonstrate a 5 year supply of housing land it is vulnerable to losing appeals on residential planning applications. Consequently housing may end up being built in locations which the Council and local community consider unsuitable.

10.0 Background and Options

- 10.1 On 24 February 2011 the Council approved an Interim Planning Policy for the release of Housing land. At the Council meeting on 13 October 2011 an effort was made to get the policy rescinded. In accordance with the constitution the matter was remitted to the Strategic Planning Board for consideration. At the meeting of the Board on 21 December it was agreed that the interim Policy be

retained but that revisions to it be considered. This report now considers these possible amendments.

- 10.2 The annual target for housing in Cheshire East has been set as 1150 homes per year – a figure reflecting that agreed in the Regional Spatial Strategy, During 2010 it became apparent that the Council would not be able to demonstrate a five year supply of housing land as required by the National Planning Policy Framework (NPPF) and its predecessor PPS 3: Housing. Accordingly the Interim Planning Policy for releasing housing land was created to enable the shortfall in housing land to be addressed, ahead of the forthcoming Local Plan.
- 10.3 The NPPF requires local authorities to *'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land'*. It also goes on to require that local authorities *'identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15'*.
- 10.4 The NPPF states that *'to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans'*.
- 10.5 The need for a mechanism to address housing supply is as relevant today as it was in 2010. The 2011 Strategic Housing Land Availability Assessment (SHLAA) has been the subject of intensive scrutiny and debate via the Housing Market Partnership. The latest version now adopts a methodology for calculating housing land supply based on that advocated by the Home Builders Federation. Employing the approach promoted by this industry body, Cheshire East has an estimated housing land supply of 3.94 years or 3.75 years taking account of the 5% buffer required by the NPPF.
- 10.6 The NPPF also states that *'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*.
- 10.7 The lack of a five year housing supply means that the Council should take proactive steps to manage the situation. The first reason for this is that a good supply of housing is beneficial to economic prosperity, ensures a healthy housing market and provides a decent choice of housing for future generations to enjoy. A further reason is that without a five year supply of deliverable housing sites, the Council remains vulnerable on appeal to speculative housing proposals – including those schemes which do not enjoy the support of the local community.

- 10.8 Consequently, with current and future trends in mind, there are sound reasons for continuing to manage and improve housing supply via the mechanism of an Interim Planning Policy.

The Operation of the Interim Planning Policy.

- 10.9 The Interim Planning Policy has been operating successfully since its adoption and is leading to an increase in the supply of housing land. Developers have submitted planning applications on a number of sites adjacent to the settlement boundary of Crewe. Some of these planning applications have already been considered and approved by the Strategic Planning Board – and thus far some 1350 additional homes (over a years supply) have been resolved to be approved as a result of the policy.
- 10.10 Initial indications suggest that the Interim Housing Land Release Policy is less likely on its own to provide a basis for refusing applications in other locations but is never the less helpful in demonstrating how supply will be met. The trend nationally is that particular emphasis is placed in decision making on housing supply – reinforcing NPPF advice. This was reflected in the appeal decision at Loachbrook Farm in Congleton where the Inspector considered that housing supply outweighed clearly identified harm to development plan policies. This decision is now the subject of legal challenge. Further key appeal decisions on Sites in Sandbach are due on 25 October.
- 10.11 Nevertheless it is evident that the Council needs to carefully manage housing supply until the Core Strategy is adopted. The current timetable indicates that the Borough Development Strategy will need to be approved by Cabinet in December 2012 and be the subject of consultation in January 2013. The Final Draft Core strategy will then be subject of Statutory consultation in June 2013. Final adoption is programmed for spring 2014.

11.0 Report of Consultation on the Revised Interim Planning Policy for the Release of Housing Land

- 11.1 Consultation on the draft Revised Interim Planning Policy was carried out between 1st May 2012 and 29th May 2012. Notification of the consultation was sent to all town and parish councils, statutory consultees, organisations, businesses and individuals registered on the Local Plan database. A press release was issued and publicity given on the Council's website. The document was available for inspection at the Council offices and libraries and on the Council's website.
- 11.2 Comments were received from 142 respondents, many setting out detailed consideration of the wording of the policy. 61 respondents supported the policy in principle as a means of ensuring that the Council maintains a 5 year supply of housing land and is able to properly plan for the sustainable development of its settlements through the Local Plan. Appendix 1 sets out a summary of the points raised during the Consultation.
- 11.3 The revised Interim Planning Policy that was subject to consultation is set out in Appendix 2.

12.0 Next steps

- 12.1 Having undertaken the consultation exercise, the original expectation was that the Policy would be amended in the light of comments received and then adopted by the Council. It would then be used until such time that the Core strategy is adopted.
- 12.2 Since the Interim Policy was approved for Consultation the NPPF has been published and has been operational for over six months. Furthermore, good progress continues to be made on the Local Plan with the completion of town strategies for all eleven main towns in the Borough. The Borough Development strategy – informed by both the “grass roots” town work and higher level Issues & Options – should be appearing on Committee agendas next month. In addition a number of pivotal appeal decisions remain at large – Abbeyfields & HindHeath Road in Sandbach have progressed to the High Court / Court of Appeal and are now back with the Secretary of State for decision. Loachbrook Farm remains the subject of High Court Challenge.
- 12.3 Consequently the decision making framework has over the past seven months grown more complex and more fluid. Only the adoption of the Core Strategy will completely resolve many of these issues – for that will at once provide the up to date Plan and Policies which the NPPF supports and identify a secure five year deliverable supply of housing land. Accordingly the preparation of the Local Plan must remain a fundamental priority – and indeed, growing weight can be attached to the Plan as it progresses on its journey towards completion.
- 12.4 Against this intricate background, there is a risk that a revised Interim Policy on Housing Land will merely serve to further complicate an already convoluted picture. Consequently the Council needs to decide whether revise the Policy as originally intended or else allow the existing policy to remain in place and concentrate on the Local Plan.
- 12.5 On balance it is thought preferable to adopt the latter course – rather than seek to add a further element into planning decision making at this stage. The need to complete the Local Plan remains paramount – but its very progression will assist with decision making. One of the key elements of the proposed revised policy was an attempt to identify development that was truly sustainable in a Cheshire East context. This is something that the Borough Development Strategy will seek to address – and will ultimately be included within the Core Strategy. Likewise the identification of preferred sites will also emerge as the Plan heads closer to its final stages.
- 12.6 Consequently it is recommended that the Consultation comments on the Revised interim Policy be noted – but that the process is not continued with any further. Instead the Original Policy will remain in place – but will be increasingly outpaced by the final stages of the Local Plan Core Strategy. The benefit of seeking to have a locally based response to housing supply is not disputed – but rather it is thought best to base that around the emerging statutory framework – rather than seeking to elaborate on an interim approach.

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Adrian Fisher
Designation: Strategic Planning and Housing Manager
Tel No: 01270 686641
Email: Adrian.fisher@cheshireeast.gov.uk

Appendices

Appendix 1 Consultation responses

Appendix 2 Draft Revised Interim Planning Policy on the release of Housing Land.

Appendix 3 Approved Interim Planning Policy on the release of Housing land

APPENDIX 1

Consultation Comments

Revised Interim Planning Policy on the Release of Housing Land

142 responses were received to the Revised Interim Planning Policy for the Release of Housing Land

Do you agree with the Introduction to the Revised Interim Planning Policy for the Release of Housing Land? (Pages 2 and 3)

Yes: 23

No: 24

Comment: 22

No tick box completed: 73

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP2	Yes	
RIPP3	Yes	
RIPP4	Yes	
RIPP5	No	"Interim Measure" - Cheshire East has been set up fully for three years, but despite this it is well behind on the creation of its new Land Plan. Interim measures should not be needed. The Local Plan dates of late 2013 and site allocations in 2014! Most local authorities are in the process of completing their Land Plans now.
RIPP6	Comment	The complete document appears to cover every GENERAL aspect in very great detail. In fact it is so detailed that I am sure that nobody could accuse the council of negligence in these initial proposals.
RIPP7	Comment	Any development must be carried out in a sustainable manner. This means preparing for a low carbon community, wherever possible. Construction using sustainable methods and materials. Good alternative transport opportunities, e.g., walking, public transport, cycle routes. Planting many trees to offset carbon dioxide. Plan for as low emissions as possible of carbon dioxide from new developments.
RIPP14	No	Too many houses without local needs being considered
RIPP8	No	I do not agree with the building of any developments on green field sites - regardless of sustainability issues.
RIPP9	Yes	
RIPP10	Comment	I agree with the statements made in the introduction, but I am highly sceptical about the weight that will be afforded to any interim planning policy by Cheshire East Council planning officers. If this policy is to be worth anything then Cheshire East Council planning officers must adhere to it. 1.8 The Sustainability Appraisal is not an easy document to read and follow. A summary in plain English is required.
RIPP11	Yes	

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP12	Comment	Agree in principal but, emphasis should be on 1.1 - "new housing development takes place in locations where the Council and the local community considers appropriate"; the weight of emphasis being on the local community. Local communities are the source of the widest range of information and opinions. 1.4 Whilst the local authority may be required to maintain a 5 year supply of housing land this must not be achieved by passing planning applications that do not meet all the criteria contained within the Interim Planning Policy on the Release of Housing Land. 1.9 This does not go far enough - there are a number of issues that are not currently covered by the Habitat Directive 92/43/EEC, for example, increasing concern over the lasting impact made by the destruction of hedgerows by developers and real threat to indigenous species, namely hedgehogs, caused by the destruction of green belt/agricultural land.
RIPP13	Yes	
RIPP15	Yes	
RIPP16	Yes	
RIPP17	Comment	Providing it uses brown field land only and DOES NOT use ANY green belt or urban green spaces and is used to show/prove that there is NO NEED for new houses in Wilmslow.
RIPP18	No	
RIPP19	Comment	I am disappointed that there isn't emphasis on affordable housing. This should be clear and upfront.
RIPP20	Comment	No specific mention of encouraging any agencies to take up the provision of housing land. No concrete proposals to encourage local councils to provide any housing.
RIPP21	Yes	
RIPP22	Comment	I do not agree with the release of green belt or green field land for housing, it should remain protected as a natural habitat for wildlife and for future generations.
RIPP23	No	
RIPP24	Yes	
RIPP25	Yes	
RIPP26	Comment	Probably yes but the government/.eurospeak language makes it difficult to be sure
RIPP27	Yes	
RIPP28	Yes	
RIPP29	Yes	

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP30	No	The Policy is flawed because it assumes a local housing demand for which there is no robust basis. The new NPPF makes clear (in paragraph 111) that "local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community" and that they should "identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand." Where is this analysis? Why is it not referred to in the draft policy? It is simply not good enough to say that this analysis will not be done until the Local Plan is adopted somewhere towards the end of 2013 (para 1.3). Why can't this analysis be done now? The Regional Spatial Strategy figures (referred to in para 2.9) are outdated and not based on any local demand analysis. Para 2.10 states that the Council has agreed to use these figures. Agreed with whom? Certainly not the local community.
RIPP31	No	Try using some existing sites before carving up yet more green belt - develop unoccupied houses
RIPP32	No	
RIPP33	No	
RIPP34	Comment	Need obvious. Provisos good. But how can Crewe have identified areas and once again Macclesfield is left behind!
RIPP36	Comment	Green belt land and existing green leisure space should not be used for housing or any other form of development. The development of existing gardens should be viewed as extremely undesirable and only considered when all other options have been exhausted. Brown field land should be identified and redeveloped as a first option.
RIPP35	Comment	Protect all greenbelt land and existing recreational green spaces. Identify brownfield sites.
RIPP37	No	Alsager's long term housing plan can be met by utilising the 2 large brown field sites (Twyfords and MMU). The controversial sites in Alsager are the playing fields and green field sites that will be covered by this document. This strategy will basically allow all the playing fields and greenfield sites to be built on before the 2 large sites can be considered as they will be held up waiting for the full plan. The criteria to be used to decide if permission for the site is granted are irrelevant. The point is that this plan does not take into account the 2 large sites that should be built on first as they are brownfield sites.
RIPP38	Yes	
RIPP39	No	You've made it too easy and thereby put pressure on yourselves to agree no matter what.
RIPP40	No	
RIPP41	Yes	

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP42	No	Clearly it is necessary to provide housing to meet the needs of the population. However, the figures are completely arbitrary, with no indication of an objective process to identify real demand in an area. The concept of 'sustainability' is not defined, and does not account for the cumulative effects of many individual smaller developments which might in their own right be defined as 'sustainable'. How many 1ha developments does it take to become unsustainable?
RIPP43	Comment	(i) It would have been very heartening if the 'Introduction' to the whole document had said something about the need for the policy and the housing figures to be sustainable and to take cognisance of environmental limits. There is no such over-arching statement or commitment. This is a major flaw/ omission. (ii) There is an inaccurate date in the Introduction. Para. 1.2 says that the National Planning Policy Framework was published in April 2012. It was not, it was published on March 27th, 2012 and became immediately operative. (iii) There is a typographical error in para. 1.7. It should refer to 'your comments' not 'you comments'.
RIPP45	Comment	If the supply of housing land for the next 5 years is below government guidelines, then I accept that short term provision needs to be made, as the possibility of developers gaining planning permission on appeal on unsuitable greenfield sites must be resisted at all costs.
RIPP46	Comment	Macclesfield Transition Town Movement (Macc2020) would like to see Cheshire East Council committing, in all its policy and strategy documents, to achieving sustainable outcomes and reducing carbon emissions. In the light of the Climate Change Act and in view of the Council's own Sustainable Community Strategy, which recognises that the per capita carbon emissions of Cheshire East are higher than elsewhere in the North West, it needs to reinforce its commitment to acting on sustainability and carbon issues. It is important that these key messages are re-iterated.

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP64	Comment	<p>The proposed policy is a non statutory document prepared outside the normal framework for Local Development Frameworks as set out in practice guidance. As such it may have lesser weight in decision making than the existing development plan. The normal way to introduce such policy would be through the Local Plan. Urgent progress on pursuing the Local Plan, as promoted in National Planning Policy Guidance would be better than introducing a stop gap policy which, for many reasons, will not provide a satisfactory means of dealing with applications nor achieving an equitable distribution of housing in the short term. Resources should be applied to accelerating the Local Plan which, when it becomes the main part of the Development Plan for Cheshire East, will form a sound and co-ordinated set of policies through which to manage development and achieve a 5 year housing land supply. In the meantime development proposals should be dealt with in accordance with the development plan unless material considerations indicate otherwise. Any applications for housing development could be judged on the principles of the National Planning Policy framework and, for the time being, the Regional Spatial Strategy together with relevant existing policies in the respective Local Plan for the area in which the application proposals are located. There is then a need to take into account other considerations which, for the time being would include the lack of a five year housing land supply.</p>
RIPP47	Comment	<p>paras. 1.1-9, pages 2-3 I welcome this revised interim policy - in summarising the updated context of the NPPF with its requirements & definitions together with other changes in context, including the updated land supply - in giving detailed criteria for development to be judged against - in excluding large new housing developments adjacent to Key Service Centres - in reducing the risk of inappropriate planning approvals & appeals for housing land release - if the final version ensures that new housing development takes place in locations where the local community considers it appropriate. However, it could be clearer to read if it were not confusingly repetitive.</p>
RIPP48	No	
RIPP49	Yes	<p>Agree fully with ALL CHANGE FOR CREWE, Crewe needs more housing, and town centre development, better roads and cycle ways. Full speed ahead!</p>

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP57	No	The status of the adopted Interim Planning Policy for the Release of Housing Land (IPP) has been a matter that has been debated at planning appeals where Inspectors have concluded that only limited weight can be attached to IPP policy. In March 2012 the Government published the NPPF which contains no support at all for Councils to seek to rely upon non-development plan documents in decision making. Reference in Paragraph 1.4 of the IPP to Paragraph 47 of the NPPF is entirely acceptable BUT any housing implementation strategy has to be consistent with the advice in the NPPF. The IPP is not a Development Plan Document and therefore the policies in the NPPF are the most relevant policies that should be used to determine housing applications until a new Development Plan is adopted. The IPP cannot supersede the policies in the NPPF and where there is conflict with the NPPF the IPP can be afforded no weight.
RIPP50	No	
RIPP52	No	
RIPP53	No	Provision for protection of wildlife habitat is completely inadequate. The document only considers 'special' sites worthy of mention, but we should not be building on ANY wildlife habitat. So many of our native species have seen massive declines in numbers over the last couple of decades - all due to human 'development'. And most of this is not for the benefit of the majority, but for the profit of a few. And to suggest mitigation is very feeble - we should not be building on pristine green land at all!!!
RIPP54	No	The document doesn't properly address demand for new house which is always overestimated and driven by developers
RIPP55	No	
RIPP56	No	Whilst I agree with the need to provide an adequate supply of housing land and note that 5 years is the stipulated period, I do not accept that it is necessary to provide a further 5% buffer as there will automatically be choice and competition within the schemes provided in accordance with the Strategy
RIPP58	Comment	I do not agree with the land that has been proposed nor do I trust the integrity or those involved in proposing the land and those who will develop that land further down the line. I do not believe that the best interests of the townspeople of Wilmslow have been adhered.
RIPP59	Yes	Paragraph 1.4 Agree with the principles of the introduction of the interim policy document, however, reference to the policy applying until such time that the Council can demonstrate a 5-year supply of housing land should be amended to include reference to the addition of a 20% buffer, so complying with the guidance set out in the new NPPF in respect of Council's who have persistently under delivered on their housing requirements.
RIPP60	No	The release of Green Belt or Green Gap land should not be permitted as it will change the nature of the borough.

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP61	Yes	Desperately require a housing policy to guard against speculative house builders who are seeking to use greenfield land surrounding our towns as a cheap, easy way of house building with no regard to what mess they leave after they have built too many homes in unsustainable locations.
RIPP62	No	Inadequate protection for our countryside and wildlife habitat. Greenfield sites should not be earmarked for development under any circumstances.
RIPP63	Comment	Generally agree, however it is disappointing to see that the dates for the Core Strategy and Site Allocations are still so far in the future. These documents need to be in place as soon as possible to avoid speculative and inappropriate green field applications being granted on appeal. It is disgraceful that residents are going to be exposed to such risks for more than 2 additional years.
RIPP119		The status of the IPP needs to be clearly defined in the introduction to the document. The IPP is not part of the statutory development plan and therefore its weight is limited. Recent appeal decisions, and in particular the Fox Land High Court Judgement at Sandbach, have concluded that the current IPP should be given limited weight. Further, we consider that the IPP is contrary to the NPPF. The consultation document states that it is the council's intention to apply the IPP at such times as it is unable to demonstrate a 5-year supply of housing land. However, this has been overtaken by events as the NPPF is clear (paragraph 49) that in such circumstances relevant policies for the supply of housing should not be considered up-to-date and the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF is engaged. This means that housing development should be granted, unless the adverse impacts of doing so would significantly outweigh the benefits when assessed against the policies of the NPPF or where specific policies in the NPPF indicate development should be restricted. In short, the NPPF becomes the interim policy for Cheshire East. Consequently, even if the IPP was part of the statutory development plan, which it is not, when the council is unable to demonstrate a 5-year supply of housing land, it would be considered out of date and the presumption in favour of sustainable development would be engaged across the borough and not just to the areas described in the IPP. This, along with its proven limited status, begs the question as to whether the IPP should exist at all.
RIPP117		It is stated that the purpose of the Draft Revised Interim Policy (dRIP) is to maintain a 5-year supply of housing land. Para. 47 of NPPF states that an additional buffer of 5% should also be provided to ensure choice and competition in the market for land and an additional 20% in areas where there has been a persistent record of under delivery. This is acknowledged by para. 2.5 of the dRIP and should be added in at para. 1.4.
RIPP65	Yes	Broadly yes, although it cannot be used until it has undergone consultation and the outcome of the consultation has been properly considered and the policy amended and formally approved.

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP70	Comment	See below
RIPP66	Yes	Need something in place to stop the destruction of our towns from property developers who only serve themselves and do not care at all about the devastation that they bring
RIPP129		<p>Taylor Wimpey supports the decision by Cheshire East Borough Council [CEBC] to revise the Interim Planning Policy on the Release of Housing Land [IPPRHL]. The proposed revision to the IPPRHL demonstrates CEBCs recognition that greenfield sites on the edge of Key Service Centres, should be released for housing development. The current IPPRHL provides the mechanism for the early release of greenfield sites on the edge of Crewe, subject to a range of criteria. Whilst this adopted interim policy has sought to increase the supply of available housing land in the Borough to meet the needs of Crewe (the focus for development in the emerging Local Plan), the operation of the policy has been limited because it did not provide any scope to allow for sustainable greenfield release on the edge of towns other than Crewe. Despite the introduction of the Interim Policy in 2011, the Council has still failed to meet its shortfall in housing land supply. It is also considered that the Council has stalled the sustainable growth of the Key Service Centres, where much needed housing development is necessary to maintain their vitality and viability. A good supply of housing is not only beneficial to economic prosperity but also to ensuring a healthy housing market and that an appropriate choice of housing is available for future generations. If the Council does not provide sufficient housing over a long and sustained period, housing prices will increase, economic growth will be stifled and the choice and balance in the housing stock will be eroded. CEBCs lack of a 5 year housing supply also puts the Council at risk to speculative housing proposals on appeal. In a recent appeal case in Cheshire West & Chester (ref. APP/A0665/A/11/2159006) the Inspector allowed the development of 150 dwellings on the edge of Cuddington. In allowing the appeal, the Inspector heavily criticised the Council for not having taken sufficient steps to manage the supply of housing land and improve the deficit against the 5 year supply. Taylor Wimpey is pleased that the Council is taking pro-active steps to resolve its shortfall in ensuring it has a deliverable 5 year housing land supply prior to the adoption of the Cheshire East Local Plan. The new National Planning Policy Framework [The Framework] seeks to significantly boost the supply of housing and requires LPAs to ensure that Local Plans meet full, objectively assessed needs for market and affordable housing. In addition, LPAs are required to identify a rolling 5 year supply of deliverable sites, with an additional buffer of 5% (or 20% where there has been a record of persistent under delivery) to ensure choice and competition in the market for land. In the context of this new national policy and continued slow growth of the economy, the need for CEBC to ensure that it has a deliverable 5 year housing supply and to put the right mechanisms in place to allow new housing developments to come forward, is more important than ever.</p>

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP71	No	green belt is sacrosanct and should not be built on if it is the damage cannot be undone the rectory fields are a glorious natural space in the centre of the village an should stay as such
RIPP68	Yes	
RIPP69	Yes	
RIPP67	Comment	1.2 presumably only the 5% buffer should apply
RIPP127		<p>Para 1.4 - states that NPPF requires local planning authorities to set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five year supply of housing to meet their housing target. I set out below why I object to the policy and what the amendments should be. Section 3 of the Draft Interim Policy should be amended as follows:-</p> <ol style="list-style-type: none"> 1. Where land is within the existing (historic) green belt designation but the site does perform the function of green belt and in all other respects conforms to the interim draft policy (save for point 2 below) then such land should be considered for housing development. The reason is that some sites are in built up areas and have development up to existing boundaries i.e. they are infill plots. The development of such plots does not have a green belt role and should be considered for development and the green belt status removed. 2. Clarity is required in relation to what constitutes the sub-division of a larger site. Redevelopment of a site in total should be permitted.
RIPP94	Comment	There is a need for Local Planning Authorities (LPAs) to plan positively and seek opportunities to meet the development needs of their area. It is in this context that the IPP should be prepared.
RIPP145		<p>KCHG welcomes the principle of the policy document and that Cheshire East Council has identified the need to deal effectively and in a planned way with the provision of future housing land. The proposed Planning Stakeholder Panel for Knutsford and preparation of a Town Strategy Document, in informing the Cheshire East draft Local Plan, will no doubt present opportunities for consideration of future housing land and future employment land in Knutsford - forecast need, potential scale and potential location, including of affordable housing. KCHG notes CEC's focus on Crewe for future housing development in the Borough, it being "a town of sub-regional importance" and "a principal town".</p> <ol style="list-style-type: none"> 1. KCHG suggests the title of the draft policy is flawed. KCHG recommends the policy is described as the Provision of Housing Land, or Release of Land for Housing, not the Release of Housing Land. The land which it is proposed should be considered for future housing does not necessarily now have a housing land allocation, nor does the draft policy convey formal planning approval of residential development at the proposed permitted residential development locations. In neither respect does the draft policy change those facts. Instead, such future housing land may currently be allocated for employment or other use, and may comprise greenfield sites. And applications for planning permission will still be required to be submitted. The draft title "Release of Housing Land" is therefore a misnomer and incorrect. It is suggested that the draft policy relates instead to the provision of housing land,

ID	Do you agree with the Introduction? (Pages 2 and 3)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>or to the release of land for housing, which may lead to it being 'released' (ie from its current use and state) and developed for housing if criteria are met as specified in the policy and if planning permission is granted for residential development. 2. The policy should refer to co-operation with other authorities. The NPPF (paragraph 178 et seq) requires such co-operation and refers also (paragraph 47) to "the housing market area". In a Knutsford context, the future proposed provision of housing and employment particularly in neighbouring authority areas of Cheshire West and Chester, and Trafford, are relevant potentially (for example, in nearby Northwich). Local authority boundaries should not of themselves determine local or sub-regional need or provision. At section 1.2, amending "(April 2012)" to "(March 2012)"</p>

Do you agree with the Background to the Revised Interim Planning Policy for the Release of Housing Land? (Pages 4 to 8)

Yes: 25

No: 30

Comment: 13

No tick box completed: 74

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP2	Yes	
RIPP3	No	<p>2.9 Basing housing requirement for the next years based on the last 10 years is not very scientific and takes no account of the market or of demographics.</p> <p>2.14 The people of Crewe are under the impression that 'All Change for Crewe' is about improving the town centre and improving employment and business opportunities. Increasing housing supply in Crewe is neither wanted nor needed, as can be seen by the very low house prices, compared to other areas of the borough, and the number of empty properties. Increasing the population of Crewe is not sustainable at all due to the very poor road system, which is always going to be restricted by the number of railway lines, and henceforth railway bridges, in the town, which cause points of congestion. Travelling around Crewe by car is already a very very slow process and further increase in population is unsustainable.</p> <p>2.16 I would argue that rather than the development of Crewe being fundamental to the borough, this policy reflects the fact that the conservative-led council would rather see green land developed around the edge of labour-dominated Crewe, rather than around the conservative strongholds elsewhere.</p>
RIPP4	Yes	

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP5	No	<p>2.3 - "unless adverse impacts significantly outweigh the benefits". Examples needed here of the types of "adverse impacts" which could be taken into account to deny planning permission.</p> <p>2.4 "Taking into account the different roles and character of different areas". The Interim Plan does not do this, - basically it takes a model to develop Crewe and then extrapolates this to the rest of Cheshire East, despite the fact that many of the other towns are rural or semi rural.</p> <p>2.9 and 2.10 - "The Localism Act 2011 provides for the revocation of the Regional Spatial Strategy,.....that part of the act has not come into force." When will it come into force? The purpose of the Localism Act was to remove the quotas and dictats imposed by the RSS and put housing number in the hands of local people. It seems to me that this Interim Policy is an attempt to dictate numbers despite the fact that Government Legislation will not require it.</p> <p>2.12 - again the "adverse impacts" of planning are not exemplified.</p> <p>2.13 "In the case of refusal of planning permission, appeals may be upheld on the grounds that the proposed developments are in sustainable locations and there is not a 5 year housing supply". This statement does not match 2.12 because the appeals would not be upheld if the council could demonstrate adverse impact of development or specific policies in the NPPF indicate that it should not planning permission.</p> <p>2.23 "The release of sustainable small sites" - Definition of small sites needed - size and possible number of developments.</p> <p>2.24 "Modest housing developments" - what are modest housing developments? - size and number of houses needs to be defined. Again "small scale " - definition needed.</p> <p>2.25 - consultation with "stakeholders" These stakeholders should be defined in advance.</p>
RIPP6	Comment	I am a little concerned about the original source of this information.
RIPP7	Comment	Where does the figure of 1150 homes come from? I agree with more affordable homes being made available in any scheme as part of the mix.
RIPP14	No	
RIPP8	Yes	Provided the process is rigorous and involves total transparency, community consultation and has a proper appeals process.
RIPP9	Yes	
RIPP10	Comment	<p>The definition of a sustainable site is critical. The definition proposed is far too lax. A sustainable development should be one that does not depend on car journeys. People should be encouraged to walk or cycle to school, to the playground, to the doctor and to other facilities. Para 2.24 correctly says Developments should not prejudice key strategic decisions about the growth of a town. I fear that this policy will prejudice key strategic decisions.</p>
RIPP11	Yes	

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP12	Yes	<p>Real concerns with 2.3. Could imply that speedy planning approval, (where the development plan is out of date, etc.), takes precedence over the NPPF 12 core principles.</p> <p>2.4 Where the 'countryside' is concerned, it is essential that there is a real understanding of "conserving the natural environment" - this has to include protection and an understanding of the impact that one ill thought proposal can have another area, for example, water table, light pollution, etc. Having questioned local authority officers, it would appear that there is little knowledge/concern/awareness of the how the current infrastructure copes with existing demands, particularly in the Sandbach area - (at peak times, very badly). There has to be a realistic assessment and indication of changes that need to be in place to cope with increased demand as a result of any proposed new housing development.</p>
RIPP13	Yes	
RIPP15	Yes	Far too much detail.
RIPP16	Yes	To an extent the strong focus on Crewe as the major development vehicle is both understandable and logical yet also contradictory to the overall strategy of localising employment. I do, however, support the policy and hope that a strong justification for such a policy is developed.
RIPP17	No	There is no need for new housing in Wilmslow.
RIPP18	No	
RIPP19	No	<p>Whilst there may be a minimum requirement for 30/35% affordable housing I would like to see a much more ambitious aspiration set. Why not set the aspiration much higher, twice as high would be great 70-80%? What does 30/35% mean - 3 in 10 houses or, as I would prefer, 30% of market value. In other words for every £1m home we see a minimum of 3-4 £100K homes. This should be very clear.</p>
RIPP20	Comment	No mention of the many areas of blight, brown land, derelict and "cleared" sites (such as the old TA building on Chester Road, Macclesfield) that exist within and around many towns, particularly Macclesfield.
RIPP21	Yes	
RIPP22	Comment	I do not agree with the release of green belt or green field land for housing, it should remain protected as a natural habitat for wildlife and for future generations.
RIPP23	No	
RIPP24	Yes	
RIPP25	Yes	
RIPP26	No	<p>1) What does sustainable mean in terms of housing</p> <p>2)The total for the Cheshire East constituent authorities is 1,150 net additional dwellings per annum. This figure reflects the level of house building in the Borough that was delivered in the ten years up to April 2010. The last 10 years have been the poorest for house building across the UK so this does not seem enough</p>
RIPP27	Yes	
RIPP28	Yes	there are critical issues that need to be considered carefully e.g.

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP29	Yes	
RIPP30	No	I object to paragraph 2.10 which assumes a local need for which there is no supporting analysis.
RIPP31	No	
RIPP32	No	
RIPP33	Yes	Protecting the Green Belt must be paramount, particularly in the face of attacks such as the "Wilmslow Vision"
RIPP34	Comment	What has happened to the whole local development framework? Surely all bodies have had to have long, short, and interim plans - for many many years. So why does this seem a panic, last minute, knee jerk reaction?
RIPP36	No	
RIPP35	No	
RIPP37	No	Alsager's long term housing plan can be met by utilising the 2 large brown field sites (Twyfords and MMU). The controversial sites in Alsager are the playing fields and green field sites that will be covered by this document. This strategy will basically allow all the playing fields and greenfield sites to be built on before the 2 large sites can be considered as they will be held up waiting for the full plan. The criteria to be used to decide if permission for the site is granted are irrelevant. The point is that this plan does not take into account the 2 large sites that should be built on first as they are brownfield sites.
RIPP38	Yes	
RIPP39	No	It's too open ended. Its says small developments-but what's small , to me its under 10 houses, you need to specify Also it should say not in green belt
RIPP40	No	Para 2.7 - I do not agree with the basis of this document, namely the required number of new dwellings in Cheshire East (1150). This based on the last ten years. There are different requirements and constraints for the forthcoming decade. We cannot and should not keep taking green belt land for development. We should adopt a sustainable approach whereby previously developed land should be re-used. Such sites include derelict land, sites of old industrial buildings and old housing stock. The population of England has remained broadly static over the last twenty years and the north west of England in particular has in fact seen a decline in numbers over this period. A new approach is required over the next decade to provide more housing units at reasonable cost such as, for example apartments for single parent families, young couples and old folk. It is totally incorrect to base the next decade's housing requirements on the last ten years. Building on Green Belt land is the easy option for both Councils and developers. It must not be allowed to continue in the future.
RIPP41	Yes	

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP42	No	<p>Where does the figure of 1150 net additional houses per annum come from? How is the 'Green Gap' defined? A good supply of housing only benefits economic prosperity if it is accompanied by employment opportunities in Congleton. There is no evidence of joined up thinking in this area. Most construction companies will bring in workers from outside of the towns in question, thereby bringing little or no benefit for the local economy.</p>
RIPP43	Comment	<p>(i) Para. 2.1 opens with the statement The National Planning Policy Framework (NPPF) was published in March 2012. This is correct but at odds with para. 1.2.</p> <p>(ii) Para. 2.2 It is noticeable that the most condensed quote used from para. 7 of the NPPF is the one which relates to the environmental dimension of sustainable development. The full original paragraph calls for improvements to biodiversity, the need to use natural resources prudently, the minimisation of waste and pollution and the need to mitigate and adapt to climate change including moving to a low carbon economy. The lack of balance in the approach to this should be remedied.</p> <p>(iii) Also, in view of the fact that para. 2.2 is succeeded by one which flags up the NPPF 'presumption in favour of sustainable development', it would be apposite for this paragraph (or a newly inserted one) to set out the five guiding principles of sustainable development from the UK Sustainable Development Strategy that are recognised in the NPPF on page 2, ie. living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance and using sound science responsibly.</p> <p>(iv) Paras. 2.5 to 2.8 inclusive explain the buffer requirement for housing numbers that has come forward as a result of the NPPF and they focus on the implications of not meeting the buffer requirements placed on local authorities. However, the Background fails to explain that there is some leeway as to the overall housing numbers that are sought. If the overall figures are contained, then the buffer requirement is also less.</p> <p>(v) It is welcome that the revised Interim Planning Policy continues to reflect, in para. 2.9, the Regional Spatial Strategy figures. ChALC would strongly urge that these are not exceeded once the RSS is finally rescinded. All the current evidence is that CEC are working towards much higher growth aspirations than this. If they do pursue this higher growth agenda, this will have severe implications on Green Belt and other open countryside. Despite what Strategic Housing Marketing Assessments may say, principal authorities have a degree of leeway in their response to such documents. ChALC's members consistently ask us to speak up against incursions into the Green Belt and the wider countryside. We therefore ask for a moderate and sustainable housing figures and a sequential approach to land use.</p> <p>(vi) There is no reference to extant Supplementary Planning Documents having played a useful role in the past. There should be.</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>(vii) Para. 2.18 makes the definitive statement that: a good supply of housing is beneficial to economic prosperity (page 7). Yet there is no proven connection between the two. Whilst it is obvious that refreshing a run-down urban area with new housing stock can breathe much needed life into a failing community, there is no proven direct crossover between housing numbers and economic prosperity. In fact many new-build housing units and offices have remained empty for many years in any number of locations around the country. The need is clearly for the right kind of dwellings and employment units in the right kind of locations at the right market price not any, anywhere at any price.</p> <p>(viii) ChALC welcomes the proposal in para. 2.20 for housing to take place on parts of allocated employment areas in the Crewe area. We would remind CEC that the panel report on the last RSS instructed both Cheshire and Warrington to release employment land for housing and mixed use purposes as they were holding too much. This ruling covered the entire period of the new Local Plan. Consequently, we would urge CEC to do the same in other areas where appropriate also. We note that this has not happened in the case of the most Town Strategies that have been produced in draft form to date. Just one site within the draft Middlewich Town Strategy was on land allocated for employment. The majority of new sites were greenfield and, in the case of the Wilmslow strategy, all sites were Green Belt with one exception (ref. para. 2.22 of this draft strategy). Again we urge CEC to opt for lower overall housing figures which will require less greenfield land.</p>
RIPP45	Yes	
RIPP46	Comment	<p>Para. 2.2 does not do justice to the environmental aspect of sustainable development as described in the National Planning Policy Framework (NPPF). Paras. 2.5 to 2.8 fail to explain that local authorities have a degree of flexibility in the housing figures they aspire to. If these are lower, the 'buffer' requirement reflects this. Macc2020 note that, for the purpose of this interim policy, CEC are proposing to stay with the Regional Spatial Strategy (RSS) figures. These were substantial. We therefore urge CEC not to strive for unsustainable levels of housing beyond the RSS figures once RSSs are finally withdrawn. Para. 2.20 proposes that housing development should occur on parts of allocated employment areas in Crewe area. We urge CEC to also re-allocate employment land elsewhere (including in Macclesfield) where it is appropriate to do so - in line with the RSS recommendations. (N.B. Cheshire East and Cheshire West local authorities are currently holding too much land for employment uses).</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP64	No	<p>In general terms the content is a review of the position relating to the NPPF, and how consideration may have to be given to permitting sustainably located housing development outside settlement boundaries in certain circumstances where a 5 year housing land supply is lacking. The concerns over piecemeal planning applications being made for sites outside settlement boundaries is noted but this becomes inevitable in the absence of up to date Local Plans and where existing allocations have been developed or are under construction. This underscores the need to have an up to date Local Plan and site allocations to provide for the identified needs of all parts of the Borough. The current Interim Policy has resulted in housing being approved on several sites but few of those approved have yet been completed and there can be no guarantee that all of those will come forward in the 5 year required period. The developers can only respond to the housing market requirements over time. As set out below the aspirations set out in paragraphs 2.23 to 2.24 are unlikely to produce the intended effect.</p>
RIPP47	Comment	<p>The Annual Housing Requirements (paras. 2.9-10, page 5) Managing the 5 year Supply (paras. 2.11-26, pages 5-8) [these are dealt with together] The annual land supply seems to need 2 elements to be met: a] for the time being, the Regional Strategy 2010 level of 1,150 net additional dwellings per annum is retained [para. 2.9 & 10] b] the NPPF requirement to have a rolling 5 years land supply through policy proposals or planning permissions [para.2.12] which Cheshire East fails to meet [para.2.11] The NPPF calculation appears to need housing needs to be met with an additional buffer of 5% to ensure choice and competition or a buffer of 20% where there has been a persistent under delivery of housing [para. 2.5]. The draft document does not set out the calculation for Cheshire East: is a buffer 5% or 20% included? Whilst the area delivered 1150 dwellings annually for the last 10 years [para.2.9], this seems to have been less than the area needed to ensure 5 years constant supply so amounting to persistent under-delivery. Maybe the Regional Strategy annual figure by chance incorporates the higher buffer. The detailed calculation should be given & explained in the final document to ensure transparency. Para 2.13 The draft refers to land owners/developers submitting applications that would be difficult to refuse it is unlikely that a land owner could demonstrate that the land would certainly be developed in the 5 year period so the high risk of approval by appeal wouldn't apply. Maybe, to avoid encouraging unnecessary applications from solely owners, this paragraph should only refer to 'developers' who will be in a better position to guarantee delivery. I support the revised interim policy preventing permissions on appeal for greenfield land outside settlements as they would prejudice & distort the plan-led process. Para. 2.16 I agree that no sites between Crewe & Nantwich should be released under this revised interim policy. Para.2.17 I agree to the revised interim policy encouraging development of sites within settlements, including Nantwich, but</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>preferably before any greenfield sites in the locality are released. Para.2.22 I support the avoidance of greenfield development before the local plan has been prepared in towns other than Crewe. Towns in green belt alone should not be protected by this policy at the expense of towns, like Nantwich, in the south as implicated in Policy paragraph Location 3.3 criteria 1]. These too should not be permitted to expand until the local plan has been prepared. Paras.2.23 & 24 This proposes the release of sustainable 'small' sites as not being prejudicial to the local plan preparation. However they could have adverse impacts on the local town, like its character, traffic, precluding other land uses on the site etc.& the utmost care will be needed even with the criteria listed in the policy. It should be made clear that these criteria are not exhaustive. Para 2.26 There is a danger of inappropriate development being approved if the interim policy is implemented 'with immediate effect' and in advance of the town strategies becoming material consideration after their consultation process has been undertaken. A way needs to be found to ensure that this is avoided.</p>
RIPP48	No	
RIPP49	Yes	
RIPP57	No	<p>Paragraph 2.5 : If the Council is going to refer to the NPPF in support of the IPP it needs to apply the policies clearly and effectively. It would be helpful and help clarify the Council's position if the IPP established which buffer referred to in Paragraph 47 of the NPPF applied to Cheshire East. As it stands paragraph 2.5 is rather meaningless. Paragraph 2.6 : Although this correctly sets out the implications of Paragraph 49 of the NPPF, it needs to be made clear that the IPP cannot change the requirements of Paragraphs 49 and 14 as it affects existing Development Plan policies for housing applications, until the Council can demonstrate that it has a 5 year supply of deliverable sites. As written it infers that the IPP will in some way mean that Paragraph 49 will not apply to Cheshire East which is patently wrong and hence should be clarified. Paragraph 2.11 : As the Council's justification for producing the IPP is to address the significant shortfall in the deliverable 5 year housing land supply, it is essential that the IPP identifies the scale of the shortfall so that the effectiveness of the policy approach can be assessed. Setting aside whether the Council's calculation of its deliverable 5 year supply of housing land is sound as evidenced by the 2011 SHLAA, it is incorrect for the IPP to report the supply as being 3.94 years as the NPPF has been published and the implications are known. Therefore the precise post NPPF figure needs to be set out in paragraph 2.11. Paragraph 2.12: This refers to Paragraph 14 of the NPPF which states that where relevant policies of the development plan are out of date (which applies to housing policies where a 5 year housing land supply cannot be proven) then permission for housing proposals should be granted unless any adverse effects of doing so significantly and demonstrably outweigh the benefits . . . In Paragraph 2.12 the word "demonstrably" has been excluded and as it is an important</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>consideration in Paragraph 14 of the NPPF, the word should be included to give a full and proper reading of the requirement. 2.15 : Although the Council has used the adopted IPP to encourage developers to submit housing schemes on the edge of Crewe, to-date not one single approval has been granted and the delivery of housing on these IPP favoured sites will not contribute to the number of completions within the 5 year period which the Council had intended and which is relied upon in the 2011 SHLAA. The failure of the adopted IPP to deliver completions to address the serious housing land supply position in Cheshire East has led to the Council accepting that the IPP policy has failed and that it now needs to be revised. This demonstrates how important it is for the Council to ensure that it manages the release of housing land properly to address the chronic housing land situation and to ensure that through proper development management procedures the required number of completions can be delivered. The adopted IPP has failed to deliver and the delay in bringing forward the new Local Plan has meant that the Council's approach to housing policies in Cheshire East is seriously failing to address the scale of the problem. The NPPF provides the appropriate policy framework within which housing policy in Cheshire East now needs to be applied and the failure of the adopted IPP should caution against adopting changes to the existing failed policy unless this will demonstrably address the scale of the problem. Paragraph 2.22 : The Council's approach to housing release is muddled and flawed by seeking to contend that the release of major non Green Belt housing sites on the edge of towns "other than Crewe" would pre-empt decisions on the future development strategy for the Borough. This is nonsensical since the Council sees no harm to the future development strategy of releasing major housing sites around Crewe, even though the Local Plan has firstly yet to define a housing requirement for the District or to establish a spatial distribution which may be different to that in the RSS and then to determine the infrastructure requirements to deliver this growth and where the most sustainable locations would be to accommodate it. As such the Council's approach through the adopted IPP has already compromised the future strategy for Crewe, albeit in the context that the Local Plan has not been advanced from the Issues and options stage and that the District has a chronic housing land supply shortage. This requires a strategy to deliver significant housing numbers in sustainable locations albeit outside of the emergence of a new spatial strategy for Cheshire East but that in itself does not negate the need to bring forward deliverable housing land in sustainable locations applying the policies in the NPPF. It does not need an IPP that will not deliver the required growth, as the IPP has been developed outside of the emergence of a new spatial strategy and therefore it contributes nothing to addressing this issue. Unfortunately the revised IPP seeks to apply a spatial strategy to the District which doesn't exist by differentiating between Crewe and the rest of Cheshire east by applying a strategy based</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>upon the unplanned incremental growth of the other towns in the District. There is no justification for adopting a different strategy to the release of housing land in Crewe from that of the other main towns, especially as this strategy will not address the scale of the problem and that the small-scale release of sites cannot represent the most sustainable form of housing strategy. In effect, the Council's failure to advance its Local Plan cannot be used as justification to implement an Interim Policy that will neither address the scale of the problem or will produce a pattern of land release that is planned or sustainable. Paragraph 2.23 : In addition to the afore-mentioned concerns, the scale of the housing land supply problem in Cheshire East would necessitate the delivery of over a 100 small sites on the edge of settlements. Setting aside that this strategy is neither deliverable or sustainable, small sites will not deliver the necessary level of affordable housing, community benefits or contribute towards major infrastructure constraints that larger housing sites would deliver. This will prejudice the proper delivery of infrastructure and affordable housing within Cheshire East. Paragraph 2.24 : The 5 criteria pertaining to sites proposed for release, not only excludes Crewe for reasons that are not justified, but it will also preclude sites coming forward on settlements that are constrained by Green Belt and/or Green Gap. This will further severely limit the effectiveness of the policy approach.</p>
RIPP50	No	
RIPP52	No	
RIPP53	No	<p>The NPPF is a document drawn up largely by builders for the benefit of builders. This information is in the public domain. Anyone who has waded through the draft document in order to comment on it at the public consultation stage will know that it is strongly biased in favour of maximum development. But it is also very woolly, and therefore Cheshire East should not be caving in so easily; you should be employing legal experts to advise how you can avoid all this pointless and unwanted development. There is no proof in your document of any 'need' for any of this housing; it seems you are just doing it because you have been told to. And don't forget, once there are houses we will need the infrastructure to go with it too!!! What exactly is the 'Green Gap'? This doesn't seem to be explained anywhere. We should not build on any green land whatsoever. If 'affordable' housing is required (and I would question this) then build affordable housing ONLY. To aim for 30-35% of a development to be affordable is pathetic, and we all know that the developers will reduce this to more like 10% anyway. Cheshire East should NOT allow ANY houses to be built that are not 'affordable'. YOU should be calling the tune! I think that you are proposing to give far too much away far too easily; once land is earmarked for development there is no way you will be able to prevent it happening even if there is a massive drop in the population! The developers are way too powerful. So PLEASE show some resistance now!!!</p>
RIPP54	No	
RIPP55	No	

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP56	No	I note that it was calculated that there was 3.94 years of supply at 1.4.11 and therefore believe that the current suggested additional sites for housing are totally unnecessary
RIPP58	No	
RIPP59	Yes	Paragraphs 2.1 - 28 Support the approach of the Council with regard to the new guidance under the NPPF. Paragraphs 2.9 - 2.11 Suggest review of housing figures and on-going supply in light of considerable reduction in provision over the past 5-year period and questions that have been raised in respect of the deliverability of a number of sites in the SHLAA.
RIPP60	Yes	
RIPP61	Comment	Partly would be a more considered response. Allowing developers to build on small sites could be seen as the thin end of the wedge unless strictly enforced. Use of the word "should" in para.2.24 "developments should be small scale" is utterly meaningless - if the council want only small scale housing must state "developments must be small scale""Locations must be sustainable should be defined including reference to where people will work - no good building where there are no suitable jobs - not sustainable (more road infrastructure required / use of car etc. Consideration must be made first of brownfield land or allocated land which isn't being used.
RIPP62	No	As above. There is nothing in this document to suggest that any development is needed in Cheshire East at all. Please do not plan to destroy our countryside with unnecessary and unwanted housing. Challenge Government housing targets rather than force them on us. Arguments about 'affordable' housing are not convincing when you do not insist on 100% affordable for new developments.
RIPP63	Comment	Why is the figure for the 'current' housing supply assessment so out of date? By my reckoning, Cheshire East have granted permission for approximately 3,000 dwellings since 1 April 2011 (~1150 full permission, ~1850 outline). As such the current figure would be much closer to the necessary 5 years and may well even exceed it. It is essential that Cheshire East maintains an up to date housing supply figure rather than making policy and application decisions based on data over 12 months old. I agree with the other aspects, especially the need to promote new housing in Crewe and to avoid major developments in other towns impacting the viability of achieving this essential aim.

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP130		<p>One of the core principles that is set out in the NPPF which would underpin plan making and decision taking is as follows; - to actively manage patterns of growth to make fullest use of public transport, walking and cycling , and focus significant development in locations which are or can be made sustainable; and It is noted that this is not repeated in full in your published policy draft, which has in general paraphrased the underlying NPPF core principles which have been identified. This should not be allowed to detract from the objective, which the Highways Agency has very much in mind, to promote development to genuinely accessible locations so as to further discourage dependency on the car and to maximise potential for attractive alternatives via a choice of public transport, cycling or walking. It is suggested that this would best be applied to all new housing development, with the possible exception of occasional small windfall or infill sites and which would help to support the rural economy, for example. Reducing the need to travel/ car dependency is indeed a laudable aim but to be successful people need attractive alternatives, such as an improved bus service or Park and Ride schemes. In the event that there is only one mode, such as cycling as an alternative, this may not necessarily be attractive or feasible to most. It is accepted that public transport alternatives still produce carbon emissions but potentially such emissions would be lessened. There are linkages to areas which lie adjacent to your local authority area, and which perhaps may be usefully included here, to provide wider context. Most notably, there is important interaction between Cheshire East and the areas of both Greater Manchester and Stoke & the Potteries. This dimension would also reflect the importance of finding a way forward on promoting longer distance commutes by more sustainable modes, where possible. In the context of both the changes which flow from the recent Localism Act 2011, as well as the streamlining of national policy through the NPPF, the Highways Agency therefore wishes to emphasise the mutual benefits of pro-active engagement at an early stage of the Plan-making process. A final point is thrown up also in relation to how the interim policy on the release of housing land may be integrated into the neighbourhood planning initiatives being taken by your Council and which is not mentioned.</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP119		<p>We note that paragraph 2.15 of the consultation document states that the IPP has been operating successfully since its adoption and has led to an increase in the supply of housing as developers have submitted planning applications on a number of sites adjacent to the settlement boundary of Crewe, resulting in the approval of about 1,150 additional homes. Whilst this may be the case, it is important to note that given the council's failure to demonstrate a 5-year housing land supply; these sites would be acceptable within the provisions of paragraphs 69 and 71 of PPS3 and subsequently paragraph 49 of NPPF, regardless of the IPP. Moreover, it is incorrect to state that the IPP has been operating successfully. Firstly, the purpose of the IPP is to maintain a 5-year housing supply. The IPP has failed to achieve this. In fact, the housing supply has decreased from 4.58 years at 1st April 2010 to just 3.94 years at 1st April 2011. Secondly, the IPP has not prevented permission being granted on greenfield land outside of the areas identified within it. The recent appeal at Elworth Hall in Sandbach (LPA ref: 10/2006C, PINS ref: APP/R0660/A/11/2145229) demonstrates this.</p> <p>Additional buffer</p> <p>We note that paragraphs 1.2 and 2.5 of the consultation document make reference to paragraph 47 of the NPPF and the requirement for local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their requirement plus an additional buffer of 5% or 20% depending on their record of delivery against requirements. As the council has persistently under delivered against its requirement every year since and including 2008/09, the IPP needs to state that it must demonstrate a 5-year supply plus an additional buffer of 20%.</p> <p>Annual housing requirement</p> <p>We note that paragraphs 2.9 and 2.10 of the consultation document set out the council's housing requirement of 1,150 dwellings per annum in line with policy L4 of the RSS. However, the IPP also needs to state that owing to the shortfall in delivery between April 2003 and March 2011 the residual annual requirement to 2021 is 1,215 dwellings per annum.</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP138		<p>In my view, there should be an additional, short statement that sets out to prohibit, or at least makes it very difficult, for developers/land owners to act as 'predators' and submit speculative large scale housing, planning applications whilst the Core Strategy is in progress, as per the LDS, and also in the absence of a 5 year supply of housing. In my view, applicants for large scale housing planning applications, as registered/validated with CEC, and/or in the pipeline, are unable to demonstrate any meaning benefits to the local community and also the Borough of Cheshire East Council. This new approach could possibly be successfully included at Paras 12.12/13 which seek to broaden the current interim policy to modest developments, and would therefore become a new, important safeguard to potential large scale developments in the open countryside.</p>
RIPP135		<p>Page 7, Section 2.21 and Page 11 Section 3.7 requires developers to take into account the layout, design and balance of uses with site specific considerations and that the design of new developments must ensure that they are appropriate to the character of the area. We believe this needs to be more explicit and include examples. Specifically, it needs to be very explicit that if a proposed exceptional green gap site being considered for development has more than 50% of detached housing within 100m of it, then it would be not be permissible to build semi detached housing.</p>
RIPP134		<p>2.4" In any new development, the opportunity should be taken to design highways and other infrastructure to reduce dependence on motor transport and encourage cycling and walking. In any residential development a speed limit of 20mph should be the norm"</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP84		<p>Section 2: Background. We acknowledge the need to release housing sites in towns other than Crewe. We believe that it is appropriate to release sites where there are acceptable in terms of impact upon the local area and that such sites should be released in sustainable settlements. However, we believe there is no useful purpose in imposing upper limits on the numbers of units because this may artificially constrain logical sites which are otherwise appropriate in terms of location, lack of environmental or technical significant impacts and which are capable of delivering sustainable development. We also consider that it is inappropriate for the draft RIPP to be used as a consideration with immediate effect and that it should not be used until such time as any representations in respect of the document have been considered and resolved. It should be noted that the guidance is informal and does not have the weight of a Development Plan policy. Furthermore it is not supported by any Development Plan policy. We do believe that in certain situations a site of significant scale could be released for development so that an initial phase can be brought forward to help to contribute to five year housing land supply with the remainder of the site being held back to provide housing later on in the plan period. We note that the draft RIPP does contemplate such a scenario and we refer to paragraph 3.4 which states that sites which require a longer period for development may be restricted to the grant of planning permission for the first phase of development. We believe this approach has merit, but that this approach should not apply to Crewe.</p>
RIPP117		<p>Cheshire East Council has not achieved a 5-year supply of housing land in recent years and there is an argument that the additional 20% could apply to Cheshire East and certainly an additional buffer of 5%. We propose that the second sentence of para. 2.5 should read as follows: "In Cheshire East an additional buffer of at least 5% will also be provided to ensure choice and competition in the market for land."</p>
RIPP143		<p>1. In section 2.16 you refer to the Green Gap without explaining what this is. 2. In section 2.30 mention is made to Firstly without subsequently moving on to Secondly etc 6. I have also noticed a couple of typos: in section 2.15 there is a comma at the beginning of the last line but it should be at the end of the previous line, and within the shaded box on page 9 there are spurious spaces within paragraph 2.</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP128		<p>I do not necessarily accept the need for 1150 units /year and that we therefore have 3.94 years of supply. Paragraph 2.9 (P.5 background) says "This figure reflects the level of house building in the Borough that was delivered in the ten years up to April 2010." On the basis of that, the Council has agreed 1150 net additional houses per annum based on that past demand figure. I contend 1150 is wrong and out of date. I would like to know what the average build calculation would be based on the 10 years ending April 2011 or indeed in the 10 years ending April 2012. I am either would produce a lower figure and wonder why this more up to date figure shouldn't form the base figure to determine the true supply level.</p>
RIPP65	No	<p>The 1,150 net additional houses per year figure stated represents current RSS. The Council's own Options proposals consider this figure to be at the low end of the scale in terms of future need and its aspirations for "supercharged growth". In addition, the 20% buffer introduced by the NPPF is clearly relevant to Cheshire East. If the Council intends to utilise an interim policy to deliver development, then these factors need to be fully addressed and taken into account in devising the Revised Interim Policy. Whilst I welcome the LPA's acknowledgement that it does not have a 5 year housing supply, in common with many other parties I have severe reservations about how the LPA has calculated its latest housing land supply figures. I cannot therefore accept that the 3.94 year figure as at 1/4/11 is correct. I believe this figure to be very much on the high side with the actual supply being 2.5 - 3 years. If the LPA is not prepared to listen to feedback on the supply side then the whole basis of this Revised Interim Policy is clearly flawed. The actions proposed will not adequately address the shortfall in supply and the interim policy will be of little use in defending appeals against premature large scale proposals that undermine the local plan preparation process. The Interim Policy has not been operating successfully as it has led to greater confusion and indeed was largely dismissed as irrelevant by the appeal inspector in respect of the Richborough and Fox Land schemes at Sandbach. It is apparent that Members do not understand or accept the implications of the policy as exemplified by the recent refusal of the Bloor Homes application at Gresty and the confusion surrounding the Copenhall East and Parkers Road approvals. Even where consents have been agreed, applications are still awaiting completion of S106 Agreements and therefore delivery of housing development has been delayed.</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP102		<p>I believe the 5 year supply requirement, based on 1150 per annum is a policy left over from regional strategy, which was itself subject to development pressures. A move toward greater sustainability dictates this figure now needs to be revised down to a more realistic figure 950 Para 2.13 is misleading in that it implies that a lack of 5year supply is the single or major factor in delivering sustainable decisions on speculative housing applications whereas the question of sustainability should be equally if not the senior determining factor in deciding speculative applications. Para 2.22 I recognise that if the plan is to achieve its aims it must clearly must manage housing releases. I reiterate my fundamental disagreement with the excessive housing number provision required to catering for a significant proportion of net inward migration. The land releases for housing must be based on clear priorities and this means accepting the need for restraining development in some areas. I suggest the first priority to be the re-use of land (Brownfield Sites) second priority, mixed development, where housing brings forward land for employment purposes.</p>
RIPP75		<p>The IPP was initially published in February 2011 and has been revised to take into account changes in circumstances, particularly the adoption of the National Planning Policy Framework (NPPF), since February 2011 to ensure that new housing development takes place in appropriate and suitable locations. The main thrust of the NPPF is the presumption in favour of sustainable development and paragraph 14 states: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that: - Local Planning Authorities should positively seek opportunities to meet the development need of their area; -Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted. For decision taking this means: - approving development proposals that accord with the development plan without delay; and - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted. Based on the above presumption in favour of sustainable development there is a need for Local Planning Authorities (LPAs) to plan positively and seek opportunities to meet the development needs of their area. It is in this context that the IPP should be prepared.</p>
RIPP70	Comment	See below
RIPP66	Yes	

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP96		<p>Paragraph 2.4 As a principle we strongly support the recognition that small sites on the edge of settlements can often be brought forward quickly and this can assist the Council in meeting their identified housing land supply shortfall. Moreover, we support the recognition that settlements other than Crewe, such as Congleton have an important contribution to make in bringing such sites forward and they are not likely to prejudice the development plan process in doing so.</p>
RIPP97		<p>Paragraph 2.4 We agree with most of this paragraph but we are concerned that the Policy as drafted does not demonstrate how the identified outcomes would be delivered. As stated at the first bullet, the NPPF is clear in its requirements for people to be involved in the plan making process and there is no reason why this principle should not be part of the decision making process, as in this case, before a plan is adopted. We consider this to be a serious oversight that needs to be addressed if the document is to conform to the NPPF. To meet the requirements of the first two bullets we would want to see a requirement on all developers under this Policy to consult with the public before submitting their planning application, preferably at an early stage, so that the public's views and ideas can be incorporated in the development. Not only would this bring the Policy into conformity with the NPPF it would begin to overcome the current adversarial approach to planning whereby local people view the developers and the council with high levels of distrust. Surely it would be better if the developers and the council were seen to be working collaboratively with local people to benefit the local community. In addition, the outcome of such an exercise could result in resolving many objections which could result in savings of developers, council officers and council members' time and money and significantly reduce the likelihood of appeals. While welcoming the third bullet it is vague on what constitutes a sustainable development. More detail comments on this are given later in our response. Paragraphs 2.6 and 2.7 Again these paragraphs quote from the NPPF that there is a presumption in favour of sustainable development and that to achieve this developers need to demonstrate that they meet all the requirements of the NPPF. If it is your intention that all developments under this Policy are required to meet all the requirements of the NPPF this must be clearly stated at the start of the Policy itself at Section 3; alternatively, you can set out specific sustainability requirements along the lines we suggest later in our response. Paragraph 2.12 Again it is not clear what you require in respect of sustainable development; if it is as stated above, that all developments must fully comply with the NPPF then this must be stated. But what happens if the development fails to meet just one of the NPPF requirements, would this be grounds for you to refuse planning permission even if you are not meeting your housing targets? Perhaps it might be better to set out specific sustainability criteria that developers are required to meet. Paragraph 2.13 We are very disappointed at the negative approach to appeals. A decision on whether to grant permission or not must</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>be taken on a full knowledge of the site including, in particular, the sustainability of the location and design of the development. It is for your officers to obtain this information from the applicant or other departments within Cheshire East as appropriate. To enable you to achieve this, the application must include a sustainability assessment produced by the applicant and the need and requirements for such a sustainability assessment must be clearly set out as part of this Policy. To follow such a course should result in a sound defensible decision with perhaps only the grounds of less than a five year housing supply being the possible cause of an appeal if the decision is to refuse permission. However, following this course of action would ensure that the Council has robust and defensible reasons for refusal. Paragraph 2.14 We are concerned that if most, if not all, new employment is to be at Crewe then housing development in surrounding towns, such as Congleton, without the delivery of a proportionate number new jobs to these towns could result in these towns simply becoming dormitory towns to Crewe with workers commuting to Crewe to find employment. This is completely unsustainable and in contravention of the NPPF and must, consequently be strongly resisted. The Policy must be re-worded to provide for employment elsewhere in the Borough in addition to Crewe, particularly within the towns identified at Part 3 of the Policy. Paragraph 2.22 We too are very concerned that the release of major non Green Belt housing sites on the edge of towns other than Crewe would pre-empt decisions on the future development of these towns and of the Borough as a whole. This paragraph and the Policy itself need to be re-drafted to ensure that this does not become a possibility. Paragraph 2.23 We disagree that small greenfield sites are unlikely to cause harm to the countryside. Any greenfield site will cause some level of harm, to address this, paragraph 2.23 should be amended to require any developer of a greenfield site to include mitigation measures to overcome the harm. As the enhancement of biodiversity is a key requirement to sustainable development in the NPPF, where the mitigation measures proposed by the developer are inadequate or cannot be made adequate then the site should be deemed unsustainable and permission should be refused. Section 2 general comments At no point in Section 2 is there anything on brownfield sites. The NPPF is quite clear on the importance of brownfield sites in the delivery of sustainable development (paragraphs 51 and 111 in particular). It is very important that best use is made of all previously developed land within the existing urban area to avoid the blight of derelict and under-used land. In addition, being closer to facilities, brownfield sites are generally much more sustainable than greenfield sites. While the Policy itself includes for brownfield development we consider this needs to be significantly strengthened to give the flexibility to maximise the contribution brownfield sites can and should make to meeting housing targets under this Policy. We have suggested amendments to this part of the Policy and strongly urge you, for the reasons set out above, to</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		amend the Policy as suggested or in other wording to achieve the same outcome. In addition, we would want to see paragraphs in Section 2 on the development of brownfield sites to support this amended Policy.
RIPP129		The Cheshire East SHLAA (updated March 2012) states that the Borough currently has a 3.94 year housing supply. Taylor Wimpey agrees that this is a significant shortfall and an urgent need to provide a policy response is required to rectify this position. Whilst the RIPPRHL acknowledges the absence of a five year supply, the interim policy makes no attempt to define the supply. We consider that CEBC have persistently under delivered in each of the last 3 years, which is considered to represent persistent under delivery in terms of national policy ¹ . If the additional buffer was applied to the 5-year requirement the shortfall would be 2,506 dwellings, which represents a 3.28 years supply. To comply with the requirements of the Framework [47] and the need to provide an additional buffer of 20% (due to the record of persistent under delivery of housing in Cheshire East) the LPA should clearly set out details of the current housing supply in the RIPPRHL. The RIPPRHL [2.7] recognises that where there is not a demonstrable five year supply in the Borough, the LPA states that favourable consideration should be given to planning applications for housing development on sites outside of settlement boundaries. The presumption in favour of sustainable development, as supported by the Framework, means that where an application can demonstrate that the proposal will perform a positive economic, social, and environmental role and comprises sustainable development, such applications should be granted planning permission. This is an approach that is fully supported by Taylor Wimpey as it will help to ensure that the housing requirements of the community are met.
RIPP71	No	green belt is sacrosanct and should not be built on if it is the damage cannot be undone the rectory fields are a glorious natural space in the centre of the village an should stay as such
RIPP68	Yes	
RIPP69	Yes	
RIPP67	Comment	2.3 any development must be sustainable and in particular safely accessible by walking particularly where there is affordable housing

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP110		<p>The Strategic Housing Market Assessment (SHMA) which was published in September 2010 is the most up to date evidence base of housing needs in Cheshire East. Accordingly this should be a material consideration in the determination of planning applications for residential development. The SHMA concludes that in the 'Former Macclesfield' area there is an annual demand for 5500 market houses and 857 affordable houses. Furthermore table 5.1 of the SHMA shows (see figure 1) that there is an annual shortfall of 1417 market houses and 455 affordable housing in the former constituent of Macclesfield, with a shortfall of 2,753 across the entire Council. Furthermore the Office of National Statistics household projections (2006-based) forecast that the number of households in Cheshire East is set to increase from 154,000 in 2006 to 191,000 in 2031, representing an increase of 24% over the plan period. This equates to an average annual increase of 1,480 households, 330 households higher than the RSS build rate of 1,150 each year. This therefore provides compelling evidence that the housing requirement within Cheshire East should be substantially higher than the 1,150 units per year to address the need for housing across the District. One of the Government objectives is to ensure that the planning system delivers a flexible and responsive supply of housing land. Accordingly Local Planning Authorities are required to assess and demonstrate the extent to which they can maintain a rolling five year supply of deliverable land for housing. This has been reinforced by the NPPF in paragraph 47. Accordingly based on the soon to be abolished Regional Spatial Strategy (RSS) figures the five year housing requirement for Cheshire East is set at an additional 5750 dwellings (1150 per annum). Cheshire East Councils Annual Monitoring Report provisionally calculated Cheshire East Councils five year supply of housing land at 1st April 2009 at 4.06 years worth of supply. However since then a full review of potential sites has been carried out in conjunction with the preparation of the Strategic Housing Land Availability Assessment accordingly this assessment has indicated a supply of only 3.95 years as of 1st April 2011. However, a recent assessment undertaken to complement planning application no. 10/3471C has challenged the Council's 5 year housing land supply. The assessment demonstrated that across the Borough there is only actually a 2.66 year supply, with Macclesfield only having a 1.44 year supply of deliverable housing. This shows that the numbers of homes to be delivered over the 5 year period from 2010 - 2015 is 3,054, representing a supply of 2.66 years when compared against the 5 year requirement of 5,750 homes. However perhaps more disconcerting is the significant shortfall of housing supply in Macclesfield of 1,714 units. This is a substantial shortfall in supply and consequently the provisions of the NPPF determine that applications and allocations should be considered favourably outside of existing settlement boundaries. Furthermore, an assessment undertaken to support planning application no. 10/2608C reaffirms the findings of the above</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
		<p>planning application. Indeed this assessment demonstrated that across the Borough there is actually only a 2.95 year supply. This calculation shows that the number of homes needed over the preceding 5 year period is 5,737, whilst the actual amount forecasted to be delivered is 3,384, representing a net undersupply of 2,353 dwellings. Furthermore a significant under supply is seen across both Macclesfield and Congleton, with a plethora of housing delivered in Crewe & Nantwich far greater than that of demand. Accordingly growth should be geared towards Macclesfield, Congleton and its surrounding rural areas with applications for residential development favourably considered where they are shown to be sustainable and inline with the Core Planning principles of the NPPF. This representation has challenged and provided evidence that the Councils own assessment of their 5 year housing supply is overly optimistic. Accordingly to allow for the sufficient release of housing land to meet housing needs across the whole of the district the Councils need to consider favourably planning applications which are before them that will make a meaningful contribution to the shortage in housing supply, as advocated in the NPPF. There should be a particular focus in meeting the acute and critical shortfall of housing in the Macclesfield and Congleton districts to ensure a sustainable mix of housing across the Borough, as presently the surplus of housing supply in Crewe implies that people only want to live in Crewe. These imbalances need to be addressed in the adopted interim Revised Planning Policy on the Release of Housing Land.</p>
RIPP112		<p>It is however paragraph 2.20 that raises most concern, as although the provisions of this paragraph allows some scope for the release of allocated employment land for housing, this only appears to encourage housing development where this can be brought forward alongside employment development where it is demonstrably necessary to achieve a viable development and contribute to necessary infrastructure costs. The provisions set out in this paragraph therefore continue to be restrictive and are contrary to policy set out within the National Planning Policy Framework which clearly sets out at paragraph 22 that:"Planning policies should avoid long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities "And continues at paragraph 173 to emphasise that;"Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened..."</p>

ID	Do you agree with the Background? (Pages 4 to 8)	Please provide any comment (please indicate the paragraph number that any specific comments relate to).
RIPP114		It is refreshing to see formal recognition (by the council's own definition) that the council's housing land supply is insufficient to provide up to 5 years worth of housing capacity against its own housing requirements, for example, as at April 2011, housing land provision has capacity for 3.9 years. This under provision of housing land is indicative of the low supply of net housing units coming forward against the council's own housing targets (set at 1,150 units per annum), a widening cleavage that has been increasingly marked over the last 4 years: - 2008-2009 741 net units (under provision of 409 units, delivering 64% of the annual housing target) - 2009-2010 634 net units (under provision of 516 units, delivering 55% of the annual housing target) - 2010-2011 466 net units (under provision of 684 units, delivering 40% of the annual housing target) Taking account of the persistent under provision of housing supply, paragraph 47 of the National Planning Policy Framework (NPPF, 2012) states Local Planning Authorities should also set aside a buffer of 5% (to the 5 year land supply) to ensure there is choice and competition in the market place for housing land, and, in cases where there is a persistent delivery of under provision an additional 20% buffer is advised, which is likely to be the case for Cheshire East.
RIPP124		Ref: 2.24 - I feel that the sustainability factor should be further emphasised by including direct reference to SUDS.
RIPP144		Cheshire East Council in the Draft Revised Interim Planning Policy: Release of Housing Land states at section 2.19 that the main thrust of the Interim Planning Policy should remain the same but that 'additional provisions are included in relation to allocated employment areas and in respect of housing development in other towns in the Borough.' It is not clear however what 'additional provisions' CEC are referring to, unless this relates to section 2.24.
RIPP145		Textual glitches at section 2.7 and pp 9 - 10 (where is 1 in the text of the draft policy?)

Do you agree with the Interim Planning Policy on the Review of Housing Land (as set out on pages 9 and 10 of the draft document)?

Yes: 17

No: 34

Comment: 18

No tick box completed: 73

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
RIPP2	Yes	
RIPP3	No	<p>In section 3 part 1 regarding Crewe, there is no reference to the statement 'Is accessible by walking to a wide range of local services', whereas this does apply to the developments in other towns. This should apply to Crewe too, as traffic is a major issue in Crewe. I don't agree with differentiating between development around Crewe and development around other towns. It is simply a way of this council dumping all the new homes into Crewe because that way they won't lose their seats. It is ill-conceived, unsustainable (both environmentally and economically) and seems to me to be just a lazy way of the council being seen to have developed a plan without actually having put much work into it. It seems to me that a housing plan should look at demand for housing, and need for housing. Demand is clearly higher in other areas of the borough, to the North particularly. This is demonstrated by the higher house prices and the lower level of empty or incomplete properties in the North. Crewe has a plentiful supply of affordable housing, a plentiful supply of empty houses, and a plentiful supply of incomplete developments, so it makes no sense to dump all the planned houses there.</p>
RIPP4	Yes	
RIPP5	No	<p>Page 9 2. This statement gives a carte blanche to give planning permission to whoever the council pleases, for example, the Council could grant planning permission to a large supermarket which wants to set up in a town centre and could argue it supported the provision of employment, town centre and community uses. page 9 3. "No more than 30 net additional dwellings" - this is not a modest or small development. page 10 - "A minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing". Crewe's affordable housing quota was 30%, Macclesfield and Congleton - 25%. Now by this all sites will have to have as a minimum 35%. This does not take into account the different character and roles of towns and villages across Cheshire East - some sites are more suitable than others. Again the Localism Act is designed to get rid of this type of blanket housing requirement being imposed from "above". Justification bottom page 10 - is simply a repetition of earlier information.</p>
RIPP6	Yes	
RIPP7	Comment	<p>Any development should be as close as possible to facilities. We should assume that we may not have as ready access to as many</p>

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
		cars running on fossil fuels in the future.
RIPP14	No	
RIPP8	Yes	
RIPP9	Yes	
RIPP10	Comment	<p>What constitutes a sustainable development is defined in a footnote on page 10. Under this definition being within 500m of a cashpoint, post box, bus stop, public open space (i.e. waste ground) and within 1,000m of a pub constitutes a sustainable site. There are very few places in Sandbach that fail to meet these criteria are and if churches and church halls count as local meeting places, then most of the outskirts of Sandbach is covered for this as well. The definition as it stands is an open door to developments on every greenfield on the outskirts of Sandbach This definition should be amended to say at least 4 out of Primary School (1,000m), child care facility (nursery or creche) (1,000m), playground (500m), medical centre (1,000m), leisure facilities (1,000m) plus at least 5 of the following : a shop selling food or fresh groceries (500m); Post box (500m); Post Office (1,000m); bank or cashpoint facility (1,000m); Pharmacy (1,000m); Local meeting place/community centre (1,000m); Public House (1,000m); Public Park or village green (1,000m); Public open space (500m); Bus stop (500m); Railway Station (2,000m) Employment sites on the outskirts of towns should be maintained if the towns are not to become dormitories for commuters working elsewhere.</p> <p>A new bullet point under 3 on page 9 should be is not within an allocated employment area; this is already included in the Crewe section.</p>
RIPP11	Comment	<p>I have great concerns with regard to any development on the fields adjunct with the Bollin Valley at Areas Ba Bb and Bc. Corridors such as these form crucial links between wildlife sites, they facilitate wildlife moving from open land to more densely populated areas. It is necessary to safeguard them from development and to enhance their value by creating additional corridors rather than build upon the existing ones. I would want to see evidence of how the council can even consider these fields in respect of the Habitats Directive and the three tests. There are satisfactory alternative sites for building purposes. There is no imperative overriding public interest served in building upon these fields so close to a SSSI designated area. There is a very real danger of flooding. There is a very real chance that disturbance of Bat breeding and resting sites will occur. The use of good practice by a developer will no longer form a defence, when disturbance of this nature affecting the survival chances of breeding success or the reproductive ability of a protected species leads to a reduction in the area surrounding the Bollin Valley i.e. areas BaBbBc. I have no doubt that the council will take my comments into accounts when making their final decisions and will follow the codes of practice and guidance in respect of the destruction of breeding sites and general deterioration of sites.</p>

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
RIPP12	Yes	3.3 It is essential that applicants for housing developments meet ALL the criteria, most particularly, - " Is not within the Green Belt of the Green Gap" - the countryside/green spaces have to be protected. There are sufficient brown field sites available to achieve the 5 year supply of housing land, accessible to transport systems and amenities.
RIPP13	Yes	
RIPP15	Yes	
RIPP16	No	Whilst the logic behind small scale new developments is understandable against the threats posed by national requirements, it is open to abuse by developers and could lead to a piecemeal and non- cohesive approach to development. A more comprehensive approach to land allocation for development purposes which meets national requirements including a buffer would be preferable. Central government policy, which is essentially a top down approach, creates an unenviable position for both officials and elected members in terms of their accountability to local communities.
RIPP17	No	There is no need for new housing in Wilmslow.
RIPP18	No	
RIPP19	No	I think the criterion "Is accessible by walking to a wide range of local services" is not discriminatory (and certainly not clear to members of the public). A very large number of locations, including many rural locations, will at least FIVE of the following close by Post box + playground/amenity area + Leisure facilities + Local meeting place/community centre + Public House + Public Park or village green + Public open space + Primary School + child care facility Is the distance walking or as the crow flies? - please be clear. Does it have to be on 'pavements' or along roads and tracks across fields? - please be clear. What is the difference between an "amenity area", a "public park/green", a "leisure facility", and an "open space"? Does a playing field with a swing and a pitch count three times? Does a community centre with a nursery and a play area count three times? This criterion is very important and it is open to extremely broad interpretation.
RIPP20	Comment	No mention of the essential contribution to housing within the derelict town centre of Macclesfield. No mention of the essential need to replace all existing housing within a sustainable lifetime. At the present rate of building it will take hundreds of years to replace the whole housing stock, which is unsustainable as existing houses are not built to last that long and are totally inadequate from the point of view of energy conservation and use. Generally, there is no mention of the need to replace housing to increase the standard of design, layout, amenities, safety, appearance and community worth.
RIPP21	Yes	
RIPP22	Comment	I do not agree with the release of green belt or green field land for housing, it should remain protected as a natural habitat for wildlife and for future generations.

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
RIPP23	No	<p>We desperately NEED a Brownfield v's Greenfield Sequential Test to ensure that our brownfield sites (and stalled developments) are developed prior to the destruction of greenfield land. The present system is not working, with real life Cheshire East examples of where greenfield has been built upon where brownfield sites have been trying to gain development for years! This is particularly important given this documents importance of sites that are developable within 5 years - developers WILL try and argue that brownfield sites are undevelopable within 5 years due to contamination etc...which is simply untrue!! Definitions are needed for: "very closely related", "sustainable". For example ALL greenfield development is unsustainable - as to continue with this course of development into future years would result in no greenfield space being left. However, once all brownfield and redeveloped sites have been developed greenfield development may be the only option - whilst not sustainable this is the only option hence may be permitted if the benefits outweigh the costs. The statement "capable of being fully developed within 5 years" is pointless - all sites, particularly of the size outlined, are developable within 5 years. The statement "That it will not pre-empt or prejudice the future scale and direction of development within the individual town." is also pointless - as often this is inevitable.</p>
RIPP24	Comment	<p>The overall policy approach appears sound bearing in mind it is an interim policy pending finalisation of the LDF. Agree approach for Crewe and for sites in town centres. For other settlements the criteria of acceptability are fairly strict and I suspect they would be challenged as such on appeal though i would support a strict approach, after all panic measures are not be encouraged ! More guidance needed for the consideration of applications within the settlement boundaries but on land allocated for other purposes, such as employment. This would be consistent with the thrust of the NPPF. Some of the criteria in part 3 of the policy are particularly applicable for example not sub-dividing larger sites and relationship to existing/emerging patterns of land uses. The aim should be very much to prevent pre-emption of the LDF process of option evaluation and public participation.</p>
RIPP25	Yes	
RIPP26	Comment	<p>Without some scale example it is had to understand what 30 dwellings a hectare means Is less than 1 hectare in size or has the capacity for no more than 30 net additional dwellings; That the density of the site is appropriate to its location and is no less than 20 dwellings per hectare; Does not represent the subdivision of a larger site; and That it will not pre-empt or prejudice the future scale and direction of development</p>
RIPP27	Yes	
RIPP28	Yes	
RIPP29	Yes	
RIPP30	No	<p>I object on the basis that this policy is not based on any rigorous analysis of local need.</p>
RIPP31	No	

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
RIPP32	No	I am not satisfied that this document has been drawn up WITHOUT a thorough and consolidated report on a) better qualified researched evidence on the need for housing in the town... 1500 ?? 1200?? 900? there is no real fact basis for the numbers in the report b) I would like to see a well researched and detailed report on ALL the brownfield sites in the area and the potential number of housing units which that could be built there c) I would like some form of respect given in this report to the current residents of Wilmslow We chose to live here because of its semi rural environment , this has to be maintained at all cost and therefore the number houses built should be determined by brownfield availability and not a socialistic number plucked from the sky
RIPP33	No	
RIPP34	Comment	2:24 All ideas good - high ideals - "on foot" wow - wouldn't it be good if current housing was this far away from facilities on foot!!!!!! P 10: 3 - these distances are- would be - like a dream come true - note the word "DREAM"
RIPP36	No	
RIPP35	No	
RIPP37	No	Alsager's long term housing plan can be met by utilising the 2 large brown field sites (Twyfords and MMU). The controversial sites in Alsager are the playing fields and green field sites that will be covered by this document. This strategy will basically allow all the playing fields and greenfield sites to be built on before the 2 large sites can be considered as they will be held up waiting for the full plan. The criteria to be used to decide if permission for the site is granted are irrelevant. The point is that this plan does not take into account the 2 large sites that should be built on first as they are brownfield sites.
RIPP38	Comment	As part of it's Strategic Housing Market assessment has the council made any assessment of the need for self build housing. In particular on larger development sites setting an allocation of self build plots (as with the 35% affordable requirement) whose infrastructure will be provided as part of the wider development. This would give local people the opportunity to build their own properties to suit their specific needs and should help people buy into the idea of development in their local area rather than opposing it. The Housing minister has very recently said that he wants self build to take off and make a significant contribution to the supply of new housing. If this is to happen then self build needs to move from simple one off replacement dwelling which by and large it has done to a strategy where self build forms part of a planned development with new plots served by new infrastructure. I accept that Self Build is more likely to form part of the longer term strategy and the Local Plan but surely there should be some mention about it as part of the Interim Strategy?

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
RIPP39	No	Under point 3 page 9, you say not within green belt yet local Sandbach plan shows development on green belt site reference A Land adjacent to Junction 17 of the M6, north west of Congleton Road on page8 of that plan. On Page 10 I'm very concerned with the criteria used at the bottom namely at least 5 of the following Post Box (500m) etc. This criteria would include all of Sandbach, it will end up as a total open door to developers to build wherever they like. Change it to this at least 4 out of Primary School (1,000m), child care facility (nursery or creche) (1,000m), playground (500m), medical centre (1,000m), leisure facilities (1,000m) plus at least 5 of the following : a shop selling food or fresh groceries (500m); Post box (500m); Post Office (1,000m); bank or cashpoint facility (1,000m); Pharmacy (1,000m); Local meeting place/community centre (1,000m); Public House (1,000m); Public Park or village green (1,000m); Public open space (500m); Bus stop (500m); Railway Station (2,000m)
RIPP40	No	
RIPP41	Yes	
RIPP42	No	No definition of 'Green Gap' This is simply a charter for greedy land owners and national developers to apply for permission to develop green field sites around towns such as Congleton and Macclesfield as the definition relating to local amenities is so broad that virtually every green field site adjacent to the built up area will comply. Indeed, much of the land has already been purchased by Developers! Additionally, the presence of a primary school within 1000m does not necessarily mean it has capacity!! Defining a defensible boundary as a substantial hedgerow will only serve to reduce available and attractiveness of habitat for nesting birds. No account is taken of flood risk, highway capacity etc. For example, Congleton town centre is already extremely congested, and encouraging further traffic into and through the town centre will negatively impact the health and wellbeing of residents and users of the town centre. This contradicts one of the core principles of the NPPF to support local strategies for improving health, social and cultural wellbeing. No evidence of any strategy to incentivise the development of brownfield sites as a priority. For example The Silk Mill in Congleton has been earmarked for development for at least 10 years and is still an eyesore for anybody entering the town. The policy should include some evidence of how the developments on brownfield sites will be incentivised.

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
RIPP43	Comment	<p>(i) We believe that bullet three of the first part of the policy should be phrased the opposite way around to how it is phrased in the draft. It should say: 'is within an allocated employment area if that area is deemed suitable for housing'</p> <p>(ii) We object strongly to the proposed generalised statement in the third part of the policy where it is proposing to sanction housebuilding adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow). Although the policy goes on to flag up exceptions, including building on Green Belt, it says nothing about impacts of building on land immediately adjacent to Green Belt, nothing about building on brownfield land first, nothing about Sites of Biological Importance (SMIs), nothing about the Jodrell Bank exclusion zone and nothing about flood plains or playing fields. There must be a requirement for sequential tests to be applied to land use. The policy as it stands is wide open to abuse.</p>
RIPP44	No	<p>Although our client does appreciate the need for the Council to rectify the significant five year housing land supply position in Cheshire East Council, and which is regarded as being so severe that the Council is subject to the 20% addition identified in National Planning Policy Framework, we believe that the RIPP does not go far enough in enabling the authority and landowners to bring forward appropriate parcels of land which can provide a lasting solution to the problem. In this context we believe that the RIPP should be amended to allow for the release of larger sites in the main towns where to do so would help to assist in the delivery of sustainable development on sites which are capable of providing other benefits, such as the provision of infrastructure and which would be of benefit to the overall delivery of economic and social objectives for the individual settlements. In this case this may mean that some of the larger sites need to be released which will also help to bring forward much needed infrastructure in the larger towns. Although some of these sites may not be capable of being delivered in full within a five year period, their release will nonetheless make a contribution in the five year period and with the provision of other benefits will help to release other economic opportunities of benefit to the objectives identified in the emerging Development Plan.</p>
RIPP45	Comment	<p>The definition of "Is accessible by walking to a wide range of local services" is too loose. The requirements should be split into 2 or 3 categories and then a minimum requirement set for each category. I approve of the restriction on size of development, but the requirement that it "does not represent a subdivision of a larger site" will be difficult to enforce.</p>
RIPP46	No	<p>The policy should be re-phrased to indicate that it is in order to allocate employment land for housing (i.e. according to the RSS). Macc2020 do not support the text which (as a general rule) supports housebuilding "adjacent to the settlement boundary of Macclesfield and the Key Service Centres" even though it mentions</p>

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		<p>Green Belt as an exception. The text should be stressing the need to prioritise urban regeneration, building on brownfield land first and making better use of existing buildings, e.g. setting targets for bringing empty homes back into use and converting more existing premises to housing, including mill buildings and accommodation over shops.</p>
RIPP64	No	<p>The policy under Part (1) is very similar to that of February 2012 save that some relaxation to allow enabling development in employment allocations around Crewe is proposed. It is assumed that some new proposals will come forward on appropriate sustainable sites in Crewe though with the potential housing numbers it is difficult to see how existing and proposed sites will be built out within the 5 years stipulated and that the housing market can absorb the numbers proposed to be produced in that time. The policy under Part (2) is the same as before and is logical though the contribution from this source may be quite small, for example in Macclesfield the town centre regeneration scheme is unlikely to produce any real net increase in residential properties. The policy under Part (3) is the new content and cannot be supported for a variety of reasons. Ten towns are identified where the policy will apply and a set of criteria will be used to assess the acceptability of any such proposals. The first criterion (not Green Belt or Green Gap) in other circumstances may seem to be a proper concern until the facts are examined. Historically, in the former Macclesfield Borough, the green belt boundary was drawn tightly around the existing settlement boundaries. That has been the case for some 25 years and in the meantime allocated sites from Local Plans have been developed and much infill and redevelopment has taken place within the settlement boundaries. Virtually every site that could have been brought forward in accordance with policy have been in that time. Effectively, from the list at the top of this part of the proposed policy the settlements of Macclesfield, Handforth, Knutsford, Poynton and Wilmslow can all be discounted as being suitable for the application of the Interim Policy for this reason. The policy simply does not apply to half of the mentioned settlements based on this criterion. Those settlements contain 34% of the population of Cheshire East. Additionally housing supply for many years in those settlements have not met local need or demand having failed to provide completion rates to meet the former targets for Macclesfield Borough and having had a restrictive housing policy for some 4 years from around 2003 to 2008. In addition to this there are considerable parts of the settlement boundaries of Congleton and Alsager that would be unable to be considered in view of this Green Belt constraint. This would focus development towards Crewe, Nantwich and Sandbach where at Crewe and Sandbach considerable housing development has been approved recently or may be in the pipeline awaiting a final planning decision. The second criterion, addressing the relationship to the built area of a settlement, is a fair guideline to take in assessing sites. The third</p>

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		<p>criterion, requiring defensible boundaries, on the face of it seems logical but would preclude part of a larger area of land even where all other criteria are met. The fourth criterion, accessibility to a range of services, relating to walking distances is generally acceptable as contributing to a sustainability test. The fifth criterion is that relating to full development taking place within 5 years. That should be more capable of being met given other restrictive criteria regarding site size currently proposed. The sixth criterion, about providing a mix of housing to improve choice, quality and supply in the town, is accepted as a way of addressing the Strategic Housing Market Assessment. The seventh criterion, limiting site size to a hectare, will create difficulties and much reduce the opportunities to bring forward sustainable sites around the settlement boundaries of some towns that are not set in the green belt. Whilst 1 hectare or 30 dwellings is an easily identifiable marker, development sites do not come in neatly packaged sizes. This, taken with criterion 9, means that some more sustainable sites will not be developed whilst less sustainable sites further from facilities could be. The eighth criterion relates to density and can broadly be supported though there may be instances relative to the character of an area where a lower density would be more appropriate. The ninth criterion, preventing sub division of a larger site, would rule out a large proportion of sustainable sites around settlement boundaries. Most land around those boundaries are fields or are in some other low key use and will exceed 1 hectare. This requirement not to sub divide a site will preclude many such sites adjacent to settlement boundaries that may otherwise meet the criteria and contribute to addressing any shortfall. The tenth and final criterion, on pre-emption of future decisions on growth is somewhat vague and has to be considered against the other criteria. At the scale proposed in the policy (1 hectare) this is unlikely to happen. There is no criterion relating to sieving out locally protected sites of environmental, ecological, historic or other importance. The additional requirements above the normal policy levels relating to 35% affordable housing and designing to Code for Sustainable Homes Level 4 and Building for Life Silver Standard are not appropriate and should properly be addressed at a national level when trying to address a pressing problem and will deter sites from coming forward.</p>
RIPP47	Comment	<p>The policy should reiterate the priority for brownfield sites being developed before greenfields with the exception of needy area of Crewe. Certainly sites adjacent to key service centres should not be assumed to be released if such sites remain available. All attempts should be made to stimulate the development of sites within towns, often nearest to the areas of local housing need.</p> <p>Location 1 Crewe I support the continuation of Crewe being the focus of growth. The list of criteria should include the requirement for a minimum of 35% affordable housing as per para. 2.16.</p> <p>Location 2 Mixed Development within Settlements In seeking certain uses, this seems to omit the phrase 'of the site'</p>

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
		<p>or 'within the site' compared with para 2.14 & in the town centre delivery requirement so needs amending for accuracy & consistency.</p> <p>Location 3 Adjacent to the boundary of Key Service Centres These are presumably the 'sustainable small sites' of paras.2.23 & 2.24 judging by criteria 7; but this needs to be made clear. The 10 Criteria [the bullet points are numbered] I agree with listing criteria but wish to ensure they are clear, sound & robust as these interim ones are likely to lead to their being used in the final local plan. I support the principle of all criteria being met before development is permitted.</p> <p>Criteria 1 the implication of protecting green belt sites, almost exclusively in the north of Cheshire East, is that the brunt of development will be adjacent to towns in the south. This will prejudice the local plan preparation which should review green belt where there is a need for housing to meet needs either local or from neighbouring areas such as Greater Manchester & also assess the intrinsic character of all non-green belt & green belt towns in an even handed way.</p> <p>Criteria 2 the meaning of 'closely related' should be specified as it is such a loose a term that most sites 'adjacent' to towns could be argued to fit here.</p> <p>Criteria 3 I support the criteria of development being self-contained but not the list of defensible boundaries as they would allow further encroachments into open land to the next similar boundary feature. For example, hedgerows are too frequent to be barriers to further development which would reach the next hedgerow & many sites in the SHLAA exercise are already beyond waterways & roads so, by this criterion, should not be permitted. Existing boundary features are very important in reflecting the 'contained character' of some towns, like Nantwich, & it is precisely these features that lead local people to oppose inappropriate town extensions. It would be better to omit the list in favour of individual assessments of each proposed extension.</p> <p>Criteria 4 I very much agree in principle that developments should be 'accessible by walking' but regarding the distances specified: it should be stated that this means direct routes that are safe & pleasant & not along busy roads - Distances should be specified in miles as well as metres, which are not readily visualised by everyone 5 local facilities seems an arbitrary minimum requirement. Some seem more important than others & could be specifically required such as children's facilities, bus stop, post office [especially for the elderly]. If these do not exist, surely the development is unsustainable & should not be permitted? The distances to some of the facilities seem too long e.g. especially those for young children & frequently visited ones where walking is encouraged for improved health</p> <p>Additional walking criteria - in addition, it is important that settlements with a small compact town character are allowed to remain so. Distances to other residential areas on the other side of</p>

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
		<p>town should be kept within walking capability so friends & family can visit on foot [or cycle] passing through other neighbourhoods so that residents retain a close knowledge with all parts of the town. Once a town grows beyond this size, [as is the risk for Nantwich] the emotional character changes completely & identification with its whole is lost with consequences for anti-social behaviour, isolation etc. I also hope that this criterion will be adopted in the local plan process.</p> <p>Criteria 6 I agree that the type of housing should meet local needs but feel that more precision is required virtually all schemes will fit this wording to someone or other! Perhaps insert as assessed by the local community or recent housing needs assessment surveys including any special needs.</p> <p>Criteria 7 I agree that developments should be small but, to avoid incremental growth, it would be more forceful to list criteria 9 [not a subdivision] & 10 [not pre-empting] immediately after this one. All these criteria together will enable local communities to prevent large scale growth of towns with a small compact character.</p> <p>Criteria 8 I support density appropriate to setting.</p> <p>Criteria 9 I strongly support this criteria against incremental creep.</p> <p>Criteria 10 I strongly support avoiding prejudicing the local plan process whereby local people may prevent extension to their town.</p> <p>Additional criteria suggested: a] where a town has taken significant growth in the last 10-15 years [like in Nantwich], no further schemes will be permitted in advance of the local plan in order to leave a period of rest so that the community can assimilate that change before considering if further development can be absorbed without adversely affecting the town's character. b] development should be designed to be appropriate to the character of its surroundings.</p> <p>The 4 Delivery Criteria I agree with the need to provide 1 a minimum of 35% affordable housing on green field sites, including in Crewe. 2 open space & community facilities 3 improving highways/ public transport &, especially safe footpaths & cycleways & 4 sustainable building standards. On urban mixed use developments, the lower affordable housing delivery criteria of 30% may be understandable in many cases. However it is unlikely that any developer, other than a social landlord, will agree to provide the full 35% without being pressed to do so. Yet the locations of these sites are probably exactly where affordable housing is most needed. The test for viability of the scheme needs to be specified & must be revealing & robust enough & preferably undertaken independently.</p> <p>Justification Para 3.4 I support the need for developers to demonstrate an acceptable start date & that the development will be completed within 5 years so that there is not an oversupply of ad hoc housing sites. However I feel that a condition to that effect should [not 'may'] be imposed on all approvals during the life of the interim policy. I feel this should be part of the policy rather than being merely in the justification. The reference to the possibility of phased permissions is ambiguous in relation to the criteria for small greenfield developments [Location 3.3 criteria excludes phased</p>

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		development], therefore it should be made clear that this possibility will apply only to developments in settlements like Crewe [Location 3.1] & mixed developments [Location 3.2]. Para. 3.6 I support the justification for regeneration of sites. Para. 3.7 The requirement for schemes to be of high design standard appropriate to the character of the area should apply to all new development not just to heritage areas. This should be contained in the policy wording.
RIPP48	No	
RIPP49		
RIPP57	No	<p>The concerns that have been set out in commenting upon the background sections of the IPP, demonstrate that the review will :</p> <ul style="list-style-type: none"> - Repeat the failings of the adopted policy by being ineffective in addressing the scale of the District's chronic housing land supply position. - Provide an unjustified and muddled approach to housing supply within Cheshire East by adopting completely different strategies for Crewe and for the rest of the District. - Represent a continuation of an unplanned strategy for Crewe that will neither deliver the number of dwellings to address the District's chronic housing land shortage and nor will it deliver housing within a strategy that seeks to address the significant infrastructure issues affecting the town. - Constitute a flawed approach to housing delivery in the 10 largest settlements outside Crewe. It will preclude the release of land under the terms of the IPP in settlements such as Macclesfield, Handforth, Knutsford, Poynton and Wilmslow where tight Green Belt boundaries mean that the policy cannot deliver housing numbers. Taking account of the limitations of Green Belt and Green Gap that further constrain many of the remaining towns, the policy approach will provide insufficient opportunities to bring forward sufficient sites required to help address the serious housing land shortfall. The flawed and muddled approach under the 3rd element of the policy where it relates to the 10 named towns other than Crewe, is further evident in the last two bullet points where sites considered acceptable under the terms of the policy preclude sites that would represent the subdivision of a larger site and where the release would prejudice the future scale and direction of the settlement. Firstly this strategy differs to that adopted for Crewe without any justification. Secondly, as championed under Paragraph 52 of the NPPF, the supply of new homes can sometimes be best achieved through planning for larger scale development such as extensions to existing settlements. This reflects the sustainability objectives enshrined in the NPPF. As planning decisions for housing proposals have to be made in accordance with the principles embodied in the NPPF and that development needs to be sustainable, a policy relying upon the small-scale uncoordinated release of housing sites on the edge of a few towns within the District, is unlikely to accord to the NPPF as it represents an unsustainable approach to land release. The threat to sustainability objectives far outweighs any perceived concern that decisions

ID	Do you agree with the Policy (pages 9 and 10)?	Policy Comment - Please provide any comment
		could prejudice the future scale and direction of individual settlements. The fact that the Council has not been able to bring forward its Local plan timescale to provide a context to housing land release, cannot be used to justify an approach that is flawed as it will not deliver what it is required to deliver and that will fail to ensure that a sustainable approach to housing delivery can be pursued. The Council has an evidence base of sites in the SHLAA which provides a pool of potential sites that have been considered to be satisfactory and available. It would be far more effective and sustainable to encourage the bringing forward of SHLAA sites around the larger towns and villages in Cheshire East where the policies in the NPPF can be applied to ensure they are sustainable and deliverable, than implement policies in the IPP that will neither address the scale of the problem nor which represents a considered and sustainable approach to housing land release.
RIPP50	No	
RIPP52	No	
RIPP53	No	This section include circumstances under which you would allow development on greenfield sites. THIS IS COMPLETELY UNACCEPTABLE!!! We all know that our persuasive local developers always prefer this option! See previous comments above on wildlife protection, 'affordable' housing and Green Gap.
RIPP54	No	just opens the door to developers
RIPP55	No	
RIPP56	No	I do not accept the reference to "key service centres' as towns such as Congleton are not, in my view, suitable for significant expansion and do not have the infrastructure in place to support it
RIPP58	No	
RIPP59	Yes	Page 9 Support in principle, however, comments as per first question apply in respect of references to a 5-year supply of housing land.
RIPP60	Comment	The proviso that new developments should not be built on green belt or green gap land should be widened to include safeguarded land.

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RIPP61	Comment	<p>Partly. Not sure that the policy is strong enough to stop speculative developers from targeting the small towns such as Sandbach from more building. Size definition is crucial together with subdivision clause as otherwise sites will be seen as easy prey eg - locations surrounding Sandbach. Developers are willing to build many of the local services in return for building 750 houses - this would destroy a small town such as Sandbach and therefore size limitation must be paramount to the policy. Definition of sustainability needs to be fully explained - for example it's not really very sustainable building large housing estates on greenfield land away from places of employment and without consideration on the local road network which is often grid locked at peak times. Why no inclusion of consideration of brownfield sites first rather than assumption that building will be on green fields around periphery of settlements - this is making it far too easy for developers and will not rectify brownfield sites within towns. This is a very large oversight.</p>
RIPP62	No	<p>Protection for our wildlife and countryside is completely inadequate. This land should never be built on. See all comments in previous 2 sections.</p>
RIPP63	Yes	
RIPP103		<p>Our main objection to the Policy is that it should only be applied to those sites on the edge of Crewe and the 10 Key Service Centres in the District, and therefore excludes potential housing sites in and adjacent to some of the smaller but equally sustainable villages in the district. We have previously submitted representations to the Core Strategy Issues and Options making the case that Wybunbury should be classed a Local Service Centre due to it having between 2 and 4 of the essential services identified by the Council to be considered a Local Service Centre. We note that the revised Interim Policy at the fourth bullet point of Section 3 also identifies a number of services and facilities that should be accessible by walking when considering the suitability of proposals. In respect of our client's sites at Wybunbury, these are all within walking distance of a shop selling food or fresh groceries, a post office, a primary school, village hall, public house and bus stops and therefore fulfil the requirement of being within walking distance of at least 5 of these. Wybunbury clearly has a good level of existing service provision within the village for residents not to have to rely on Nantwich and Crewe for their basic day to day needs. Notwithstanding this, the addition of modest new housing development will help create sustainable communities where residents' needs are catered for in the settlement they live as opposed to them having to travel to larger towns with a greater range of service provision. Guidance in paragraph 55 of the NPPF endorses this approach stating that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Whilst not all out commuting would be addressed by directing growth to some of the smaller settlements, the impacts of development such as additional traffic would be spread over a wider area thus dissipating the impact as opposed to concentrating</p>

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RIPP126		<p>it in one particular area. Guidance in paragraph 54 of the NPPF states that local planning authorities should consider allowing some market housing in rural areas in order to facilitate the provision of significant additional affordable housing to meet local needs. The release of land around Wybunbury for such purposes could help to increase the supply of housing but also deliver much need affordable housing in rural areas. We contend that some of the smaller settlements in the District, such as Wybunbury, are sustainable in their own right and could accommodate modest levels of new housing development. Development here would not undermine the overall spatial development objectives of the District, whilst at the same time helping to increase the supply of new housing in sustainable settlements. We therefore believe that the scope of the Policy should be widened so that applications for housing development on sites in other parts of the district, particularly in rural areas and the smaller settlements such as Wybunbury, should also be considered potentially suitable, subject to the same considerations outlined in Section 3 of the Policy as currently drafted.</p>
		<p>We do not accept your premise that the overwhelming proportion of future development should be in Crewe and the surrounding villages. - You know that this is the strongly held view of those who have attended your meetings and workshops. - Indeed, whilst we would all support realistic proposals to create employment opportunities, the stated intention to create 12000 additional jobs was conceded to be merely an aspiration - and is underpinned by no coherent plan - There is no evidence of success - Much of the industry for which the area was noted has been lost - In so far as the private sector has created employment, this is largely part time and/or is staffed predominately by agency workers and therefore is not by any rational definition sustainable employment requiring significant residential development. Having said that, we do accept that a Development Plan is necessary if only to exert a measure of control over what might otherwise be uncontrolled development and we note that:</p> <ul style="list-style-type: none"> - Reusing brown field sites should be encouraged in fact, we would urge that it should be mandated; - Sites released should not be within the Green Gap; - That the planning should be plan led, giving people the power to shape their surroundings..... - We are concerned that ease of development outside of Crewe on green field sites could lead to a loss in the centre of the town. We do not believe that the views of the people urging the permanent retention of the Green Gap could have been more consistently and forcible expressed and we urge the Council to respect those views.

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RIPP135		<p>There is much in the Policy that we support, specifically that potential developments/sites:- Should be small scale, (no more than 5 dwellings should be stipulated) Should not be within the green belt or green gap Should not represent the sub-division of a larger site Should minimise any impact on the countryside Should be sustainable There are, however, omissions and areas that are not sufficiently clear, that will, if left unaddressed, encourage opportunistic and inappropriate interim development by planners. We make the following specific points that we would like included:- The most obvious omission from the policy is the need to take into account the identified needs of local communities. We are great supporters of the Localism Bill and the desire to give local residents and Parish Councils more say in the matters that affect them, such as planning. It is essential that this Interim Policy makes explicit reference that the case for any proposed development on a rural exception site should be based on the explicit housing need solely for that Parish. You should also stipulate that an up-to-date survey of all residents of a Parish must be undertaken to support any application and explicitly, that it cannot include residents from adjoining Parishes, unless the settlement boundary is unequivocally connected by residential development. Page 7, Section 2.21 and Page 11 Section 3.7 requires developers to take into account the layout, design and balance of uses with site specific considerations and that the design of new developments must ensure that they are appropriate to the character of the area. We believe this needs to be more explicit and include examples. Specifically, it needs to be very explicit that if a proposed exceptional green gap site being considered for development has more than 50% of detached housing within 100m of it, then it would be not be permissible to build semi detached housing. On Page 10, Section 3, open space and community facilities are included in your definition of sustainable development and the Policy lists criteria that should be applied, whereby 5 of the facilities listed need to be relevant for a site to be considered to be sustainable in terms of community facilities. We are concerned that some of these facilities are, in reality, duplicates. For example, the inclusion of a Village Green and Public Open Space as two separate criteria are in practice one and the same things, as they both provide residents access to green space. Only one of these should be included. With regard to the reference to the provision of a Bus Stop, this is far too narrow a descriptor. We believe that you should add that the Bus Stop is serviced by a route that as a minimum allows residents to reasonably fulfil an employment contract and/or to attend local schools, with a regular weekday service which starts on or before 7am and finishes on or after 7pm. With regard to reference to a Shop, it needs to be clear that it only qualifies if it sells a sufficient range of produce to meet the needs of a normal household's weekly shop. For example, a local garage selling hot savouries and a few regular provisions would not meet that requirement. Page 11 Section 3.4 maintains that "For sites that will require a longer period</p>

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		<p>than the five years for development, permission will only be granted for the first phase". This contradicts the earlier point made in the document that sites cannot be sub-divided. In effect, this would allow for subdivision of plots and part development and consistently expanding development. If a site cannot be developed within five years, then it should not be approved. Furthermore, the policy ought to stipulate the need for applicants to illustrate that the developer has sufficient funds to carry out the development within the 5 years and that a proportion of the sale of the land proceeds, we recommend 50%, should be held in escrow (or monetary bond) to ensure that there are sufficient proceeds both to start and to complete the development within this timeframe or at least to contribute towards its completion, should a developer run out of funds. Page 11 Section 3.5 The policy refers to the fact that a contribution should be made towards transport networks if they are insufficient. This contradicts one of the hurdles that needs to be overcome that there is sufficient infrastructure to support the sustainability requirement The alternative would be to stipulate that the development of any site would require the developer to provide public transport that would allow residents to reasonably fulfil an employment contract or to attend local schools, with a regular weekday service which starts on or before 7am and finishes on or after 7pm. The developer must be required to provide this for a minimum period of say 10 years.</p>
RIPP122		<p>Although this Council understands that under the new National Planning Policy Framework Cheshire East as the local planning authorities is required to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, Rope Parish Council reiterates its prior views on the use of existing Green Gap which it strongly feels should be preserved.</p>
RIPP116		<p>The Parish Council of Sutton wish to register their support primarily for the protection of the Green Belt/Gap areas against residential development adjacent to the settlement boundary of Macclesfield as outlined in the consultation document.</p>

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RIPP136		<p>We do not accept your premise that the overwhelming proportion of future development should be in Crewe and the surrounding villages and you will know that this is the strongly held view of those who have attended your meetings and workshops. Indeed, whilst we would all support realistic proposals to create employment opportunities, the stated intention to create 12000 additional jobs was conceded to be merely an aspiration and is underpinned by no coherent plan. Much of the industry for which the area was noted has been lost and, in so far as the private sector has created employment, this is largely part time and/or is staffed predominately by agency workers and therefore is not - by any rational definition - sustainable employment requiring significant residential development. Having said that, we do accept that a Development Plan is necessary if only to exert a measure of control over what might otherwise be uncontrolled development and we note that: . - Reusing brownfield sites should be encouraged - in fact, we would urge that it should be mandated; - Sites released should not be within the Green Gap; - That the planning should be "plan led, giving people the power to shape their surroundings..." We do not believe that the views of the people urging the permanent retention of the Green Gap could have been more consistently and forcibly expressed and we urge the Council to respect those views.</p>
RIPP134		<p>3.6 "Where developers are required to contribute to the development of the local transport network: consideration should be given to modifying existing highways to facilitate safe cycling"</p>
RIPP106		<p>Whilst we broadly support the Draft Interim Planning Policy changes, we do have 2 concerns as set follows: Policy Statement 3: Adjacent to the settlement boundary of We are concerned about the lack of clarity in the definition of "adjacent", and to what extent this encroaches on neighbouring parishes. Despite the additional criteria stated, we feel this lack of definition may provide a free for all approach to raid any pocket of land within neighbouring rural parishes resulting in unwanted growth by stealth. Policy Statement 3, bullet 4, note 2: We believe that since walking distances is stated for each criteria, the limit of meeting just 5 of the criteria is insufficient. All criteria is relevant for any prioritised sustainable housing development within a rural environment. Applicants should demonstrate that ALL criteria can be met, or they should be required to provide the means to achieve them.</p>

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RIPP137		<p>Anwyl welcomes the Council's initiative in bringing forward this Interim policy to address its serious housing land shortage. However, it does consider that the policy makes a serious attempt to address a substantial shortfall. Only allowing more than modest developments of more than 30 dwellings on the edge of Crewe or part of redevelopment/regeneration will not solve the very acute housing land shortage. Under 3 if a development meets all the criteria except the last bullet point (ie there is a 5 year shortfall and the site is less than 30 dwellings) on what basis is it reasonable to refuse an application that it would not pre-empt or prejudice the future scale and direction of development within an individual town. In any event it is necessary to set out the criteria to assess any pre-emption or prejudgement. Has there been an approved/agreed Development Appraisal that supports 35% affordable Housing on all but mixed use schemes- especially as the Council also requires (i) unknown and unspecified improvements to strategic and other highway, public transport and pedestrian/cycles routes and (ii) Code for Sustainable Homes level 4 or higher etc . Have the costs of these requirements been factored in especially as national planning guidance now specifies that viability and deliverable are important material planning considerations.</p>
RIPP147		<p>I have read the draft document and am pleased to fully endorse its contents for the reasons following. I am writing as a concerned Sandbach resident living close to the Hind Heath Road and Abbeyfields planning appeal sites now under determination by the Secretary of State. I attended most days and spoke at both appeal inquiries. My support for the R.I.P.P is largely in the context of preventing the development of these sites but I assume there maybe others throughout Cheshire East, wherever opportunistic developers and landowners see the possibility to force planning consent under the 5 year deliverable housing land shortfall argument, without regard to a rational Local Plan for the entire Cheshire East council area. The criteria (section 3) for consent to small developments adjacent to existing settlement boundaries in the nine Key Service Centre Towns ad-interim are sensible and would certainly exclude the two huge developments above i.e.r - They are within the green gap between villages (and they are not brownfield sites). - Sandbach town centre (or the railway station) is not accessible by walking except for the most athletic residents so there would be almost 100% travel by car. Also, the substantial proportion of 'affordable homes' are occupied by those least able to afford higher travel costs. - They are many times in excess of 1 hectare size and 30 net additional dwellings - They would severely pre-empt, prejudice and prejudice proper consideration of the future scale and direction of development within the individual town. It is vital that the Secretary of State gives maximum weight and full support to Cheshire East as it nears adoption of the Local Plan. It is vital that inappropriate developments in scale, location and timing are dismissed so as not to prejudice proper consideration of the development strategy within the (Crewe/Macclesfield plus Key</p>

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RIPP100		<p>Service Towns) core strategy. Finally, although I'm sure it is a politically incorrect sentiment, we all know that the 5 year housing demand calculation is deeply flawed in the current environment. The economy IS derelict, the banking system is broken with mortgage lending at record low; there are hundreds of unsold houses on local estate agent's books; 300,000 mortgagees are in arrears with their mortgages and almost everyone fears for their jobs. Developers are always pushing to achieve planning consents (which have substantial intrinsic value) but they will only build at a snail space while there, is not a 5 year deliverable supply of financially credible buyers. The supposed demand IS merely aspirational', not practical and deliverable.</p> <p>* Strongly support the protection for the existing Green Gap around Crewe, this also needs to include the Green Belt land to the SE of Crewe. Would also take this opportunity to support the extension of the Green Gap around Crewe to include additional land on the southern edge of Haslington through to the Crewe Hall estate as referenced in previous submissions relating to the Local Plan process.</p> <p>* Support the protection of land for Leighton Hospital</p> <p>* Support the concept of only granting permission where the development will be achieved within 5 years i.e. addressing the current shortfall in sites - without jeopardising a coordinated Cheshire East wide approach for the medium term to be provided by the impending Local Plan.</p> <p>* Support the allocation of sites relating to Macclesfield and the other 9 Key Service Centres to spread both the burden and benefits within the whole community of Cheshire East.</p> <p>* Concern at the use of "a railway line" as a defensible boundary - this is acceptable for retail, commercial, education or other employment sites but NOT for residential where the adverse impact of noise and vibration results in a substandard environment for living. [The latest high speed electric and diesel trains are increasingly noisy and poor neighbours (the fact they are quiet for passengers is not relevant)]</p> <p>* Concern at the use of Post Offices and medical centres as part of the measure for suitable sustainable development. Post Offices are closing at a rapid rate and are increasingly not used in the provision of benefits and essential services to the community, Medical provision is increasingly being centred in large centralised centres requiring road transport for existing patients let alone potential new residents.</p>

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RIPP84		<p>We have the following comments to make on the actual policy contained in Section 3 of the Consultation Document:</p> <p>Subsection 1, Bullet point 2. We believe that reference to green gap should be deleted and that all such designations should be capable of being re-examined on their merits.</p> <p>Subsection 1, Bullet point 5. We do not believe that all sites need to be capable of being fully developed within five years. The local authority has already resolved to grant permission for sites which will take more than five years to develop. It may be appropriate to consider granting phases of development but there should be no upper limit on the size of site release at Crewe.</p> <p>Subsection 1, Bullet point 3. We do not endorse the release of employment land at Crewe.</p> <p>Subsection 3, Bullet point 1. We believe the reference to green gap should be removed.</p> <p>Subsection 3, Bullet point 5. Again we believe that the entirety of the site may not have to be developed within a five year period.</p> <p>Subsection 3, Bullet point 7. We object to the reference to a restriction on the size or capacity of individual sites. There would seem to be no reason why this should be imposed and sites should be released in terms of their relationship to the settlement and the physical factors identified in the policy.</p> <p>Subsection 3, Bullet point 9. We see no reason why elements of a larger site should not be released. This is simply a phasing matter. Sites should be assessed on the basis of their sustainability, environmental and physical credentials. We consider that sites of up to 170 dwellings could be released to satisfy the housing shortfall without prejudicing the emerging Core Strategies or Development Plan process.</p> <p>Reference to minimum 35% affordable housing. At this stage we have not seen a justification for this and believe that until a formal Cil has been produced then this should be deleted and reliance made on the Council's adopted policy of 30%.</p> <p>Code for Sustainable Homes level 4. We consider this to be a building regulation issue and should not be included in the statement. Other methods should be considered as an alternative.</p> <p>With regard to the reference to the accessibility to local services, we suggest that the policy is amended to allow for the possibility of these being provided as part of a development.</p>

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RIPP107		<p>Sport England would like to take this opportunity to point out that the National Planning Policy Framework (NPPF) also provides key planning policy guidance for both the protection of sports facilities and the need to understand and plan for the sport and recreation needs of local communities. The NPPF provides protection against the loss of existing sport and recreation land and buildings. Paragraph 74 states that open space, sports and recreation facilities (including playing fields) should not be built on, unless an assessment has clearly shown the facility or space to be surplus to requirements; or an equivalent or better replacement is provided; or that the proposal is for an alternative sporting use the need for which outweighs the loss. This protection is afforded not only to playing fields, but also to all land and buildings that are used for sport and recreation, or as open space. In light of the above, Sport England would recommend that the criteria for the interim release of housing land are amended to reflect the protection offered by the NPPF, ie that sites used for sport and recreation should not be considered for housing unless an assessment has clearly shown the facility or space to be surplus to requirements, or an equivalent or better replacement is provided.</p>
RIPP117		<p>We firmly support the development of Crewe as fundamental to the development strategy for the Borough . We believe however that Shavington village should be considered as part of Crewe urban area and that one or two sustainable housing sites on the edge of the village , excluding those in Green Gap, can make a significant contribution to meeting Crewe's housing requirement. Shavington is in close proximity to the existing and expanded employment areas on the south side of Crewe (Basford East and Basford West strategic employment sites) , Manchester Metropolitan University, Crewe Town Centre and Crewe Railway Station. Shavington has an extremely broad range of services and facilities associated with an urban rather than a village environment. Its social infrastructure is shared with Crewe urban area, including Shavington Sports and Leisure Centre and the High School, and its pattern of day to day movement is an integral part of that of Crewe. We propose therefore that the phrase "on the edge of Crewe" be rephrased as "on the edge of Crewe or Shavington" outside the Green Gap etc. Releasing parts of allocated employment areas for housing, purposes in order to achieve a viable development and to contribute to necessary infrastructure cost could be problematic. In some instances housing and employment located together on allocated employment areas will mean that each is relying on the other to make development viable thus not achieving the benefits envisaged by the Council. We consider it better to approve high quality developments such as that at East Shavington which are more able to contribute to infrastructure costs generally through CIL which can generally help to bring along employment sites more positively. Para.1 We strongly support Cheshire East Council 's identification of Crewe as the focus for new development where there is less than a 5-year supply of housing land. We believe</p>

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		<p>however that Shavington village should be considered as part of Crewe urban area and that one or two sustainable housing sites on the edge of the village, excluding those in Green Gap, can make a significant contribution to meeting Crewe's housing requirement. Shavington is in close proximity to the existing and expanded employment areas on the south side of Crewe (Basford East and Basford West strategic employment sites), Manchester Metropolitan University Cheshire, Crewe town centre and Crewe railway station. Shavington has an extremely broad range of services and facilities associated with an urban rather than a village environment. Its social infrastructure is shared with Crewe urban area , including Shavington Sports and leisure Centre and the High School and its pattern of day to day movement is an integral part of that of Crewe. We propose that the sentence "Adjacent to the settlement boundary of Crewe ... " be replaced by "Either adjacent to the settlement boundaries of Crewe or Shavington ... ". After the 5th bullet point a 6th bullet point should be added as follows:- "For sites that will require a longer period for development, permission will only be granted for the first phase of the site. "This reflects the last sentence of para. 3.4 of dRIP. Para. 3.2 We strongly support Crewe as the principal focus for future housing development in the Borough as envisaged in the Crewe Vision. We consider however that the village of Shavington should not be excluded as a settlement since it can deliver new housing to meet the overall amount and direction of growth for the Crewe urban area. Although a village. Shavington clearly functions as part of the urban area of Crewe for the reasons set out in our response to para. 1 of the Policy and where we suggest a wording change. Para. 3.5 There is no reason why the development of a greenfield site adjacent to a settlement boundary should be considered as "exceptional development". NPPF does not state that greenfield sites are exceptional. Greenfield land ranks alongside previously developed land as a source of supply for new housing. This is recognised in Cheshire East's SHLAA.</p>

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RIPP120		<p>The broadening out of the interim policy to include potential locations for new housing development outside existing settlement boundaries but in sustainable locations other than Crewe is welcomed. However, it is considered that the limitation of size of sites to under 1 hectare or a maximum of 30 dwellings is unduly restrictive and there appears to be no logical justification for this, especially since the Council has already breached its own draft guidelines by approving a development of 39 dwellings on a greenfield site of 1.29 hectares in Hassall Road, Sandbach outside the settlement zone line. Such undue restriction is likely to result in insufficient numbers of dwellings being brought forward to contribute to the 5 year housing land supply. This is particularly so if potential strategic sites are excluded as the Draft Interim Guidance implies. There are a number of sustainable sites in separate land ownerships on the edge of Congleton which are part of larger sites deemed deliverable in the SHLAA and which are under consideration for strategic allocation. Parts of these sites could be developed at an early stage without the need for any major infrastructure development and without prejudice to the overall Cheshire East Local Plan. It is suggested that there should be no prescribed site area for the release of greenfield sites adjacent to the towns specified in the Draft Interim Guidance and that decisions on the suitability of sites should be made on a case by case basis, in a similar way to the site at Hassall Road Sandbach, where it was clear that the benefits of the proposed development were sufficient to override the draft guidance.</p>

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RIPP121		<p>The broadening out of the interim policy to include potential locations for new housing development outside existing settlement boundaries but in sustainable locations other than Crewe is welcomed. However, it is considered that the limitation of size of sites to under 1 hectare or a maximum of 30 dwellings is unduly restrictive and there appears to be no logical justification for this, especially since the Council has already breached its own draft guidelines by approving a development of 39 dwellings on a greenfield site of 1.29 hectares in Hassall Road, Sandbach outside the settlement zone line. Such undue restriction is likely to result in insufficient numbers of dwellings being brought forward to contribute to the 5 year housing land supply. This is particularly so if potential strategic sites are excluded as the Draft Interim Guidance implies. There are a number of sustainable sites in separate land ownerships on the edge of Congleton which are part of larger sites deemed deliverable in the SHLAA and which are under consideration for strategic allocation. Parts of these sites could be developed at an early stage without the need for any major infrastructure development and without prejudice to the overall Cheshire East Local Plan. It is suggested that there should be no prescribed site area for the release of greenfield sites adjacent to the towns specified in the Draft Interim Guidance and that decisions on the suitability of sites should be made on a case by case basis, in a similar way to the site at Hassall Road Sandbach, where it was clear that the benefits of the proposed development were sufficient to override the draft guidance.</p>
RIPP82		<p>We strongly support the focus within Draft Revised Interim Planning Policy of allowing new housing proposals within and on the edge of Crewe and also towards using housing to make employment sites more viable and hence deliverable. In addition to the spatial benefits of focusing housing upon Crewe as the largest town within Cheshire East and the regeneration benefits of improving the housing stock and facilitating the delivery of employment sites through using housing as a higher value cross enabler of infrastructure, we also consider that the Draft Revised Interim Planning Policy supports more sustainable forms of development through supporting the co-location of jobs and homes within Crewe to address existing imbalances. Crewe has evolved over time based upon the rail industry. Due to its historic evolution, housing within Crewe has been focussed to the north and west of the settlement whilst employment provision has generally been located to the south and east of the centre. This historic segregation of uses does not contribute towards a walkable or well-balanced and sustainable settlement. The Draft Revised Interim Planning Policy and ultimately the Local Plan provides the opportunity to rebalance Crewe spatially in order to allow a better co-existence of jobs and homes. This would result in co-locating employment and housing uses alongside each other to form sustainable urban extensions. Paragraph 9 of the NPPF supports this approach. We therefore strongly support the Draft Revised Interim Planning Policy of</p>

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		<p>allowing housing on parts of employment sites to achieve viable development as it reflects advice in the NPPF but also will help to achieve the requirements of 'All Change for Crewe' and the 'Ambition for All' Sustainable Community Strategy 2012. The Draft Revised Interim Planning Policy, as set out on pages 9 and 10 and paragraph 3.2 of the consultation document, sets out that where a five year supply of housing land cannot be demonstrated certain development (controlled by criteria) adjacent to the settlement boundary of Crewe should be allowed. We strongly support that the focus for future housing should remain within Crewe as detailed in paragraph 3.2 of the consultation document. In relation to the proposed criteria, we generally support these controls (subject to the comments below) but would emphasise that the priority for development should remain within the Local Plan settlement boundary of Crewe, where possible, and only if sites within the settlement boundary are not available then sites adjacent the settlement boundary should then be considered. Goodman consider that the Basford West site can support a comprehensive strategic, mixed use, sustainable urban extension to Crewe. The site is available, achievable and deliverable and capable of being brought forward within the next 5 years as required by the Draft Revised Interim Planning Policy paragraph 3.4 developers will be required to demonstrate as part of their planning application that the development is deliverable within 5 years. In the short to medium term the comprehensive development of this area of Crewe will bring a range of economic benefits including a range of construction jobs. In the long term once the developments have been completed there are likely to be increased benefits for the future and existing communities within Crewe. The development of the Crewe Green Link, Basford West site and Basford East site will allow for greater connectivity within the area, create employment opportunities, bring about community benefits and provide housing to meet identified need within the area. Employees of the newly created employment units and future residents of the sites will benefit from the connections offered by the Crewe Green Link. Access to existing local services, access into the mixed use sites to access housing, community and retail facilities as well as the opportunity to commute to work and undertake business more conveniently will be some of the direct benefits on offer. The comprehensive development of the area will also allow jobs and homes to co-exist within acceptable walking and cycling distances. This would generate significant benefits for the area as a whole. Paragraphs 2.16 and 3.5 of the Draft Interim Planning Policy on the release of housing land refer to the development of greenfield sites adjacent to settlement boundaries and identify that where sites are considered to be acceptable for development they will also be expected to: - be of a high design standard; - deliver 35% of the development as affordable housing; - incorporate open space and community facilities; - contribute toward improvements to the strategic and local transport networks and public transport. Whilst</p>

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		<p>we support the principle of greenfield sites delivering the above, the nature of the Interim Policy recognises the viability constraints of delivering employment sites in the current market and hence the need for housing as a higher value use to shoulder some of the burden of the infrastructure costs. The prescriptive nature of the affordable housing element of the Draft Interim Policy could put that viability in doubt. Given the complexity of bringing some employment sites forward, it is necessary to consider that contributions to affordable housing should be balanced against other costs such as infrastructure and so be assessed in relation to the viability of the overall scheme. It is considered that the delivery of such contributions should not hinder the ability to bring a scheme forward which would deliver significant regeneration benefits. Where this is a concern then schemes should be subject to an economic viability assessment as outlined within paragraph 2.14. As such, we consider that the Policy should be amended in this respect to include reference to viability and hence read seek to achieve 35% of the development as affordable housing unless an economic viability assessment indicates otherwise. The Draft Interim Policy also includes a criterion in relation to delivery: is capable of being fully developed within five years of the granting of full or outline planning permission. The largest employment sites such as the Basford sites in Crewe are unlikely to be able to confirm Full development within five years. This requirement would not reflect the market realities of housing and employment take up rates. We do however understand and accept the need to review the viability of large schemes on a periodic basis and hence accept that review mechanisms could be built into legal agreements for these large sites. We therefore propose the following amendment:- is capable of being fully developed within five years of the granting of full or outline planning permission or is subject to a review mechanism as part of the legal agreement. Basford West Site Basford West along with Basford East have been identified as sub regional employment priorities for which Development Briefs were adopted by Crewe and Nantwich Borough Council in April 2004. The majority of the urban settlement of Crewe is situated to the north of the site, to the south is open countryside, the A500 and beyond are the small settlements of Shavington, Basford and Weston. To the east is the Crewe / Stock railway, which links to the West Coast main railway line and to the west is residential development, which fronts Crewe Road. The Basford West site was formerly open agricultural land however this now has the benefit of an outline planning permission for warehousing and distribution (B8), manufacturing (B2) and light industrial/office (B1) development, construction of access roads, footpaths and rail infrastructure, import of soil materials, heavy goods vehicle and car parking and landscaping/habitat mitigation which was granted on 13 May 2008. In connection with this planning application, Cheshire County Council commissioned a Highway Delivery Study prepared by Atkins Transport Planning when assessing the sites for</p>

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		<p>which ultimately has to be paid back. Therefore Goodman need the funding support from the higher value uses to bring the wider Basford West site forward and to confirm their contribution towards the Crewe Green Link Road. The sale of land for higher value uses would be used to offset the significant future infrastructure costs associated with the delivery of this site. Without this higher value use support, Goodman cannot justify any further investment in bringing the site forward unless there is a significant upturn in the market, or a significant pre let is secured. Whilst Goodman are committed to the employment led development, they consider that there are opportunities to consolidate the existing residential areas with further residential infill and that the area around Gresty Road could form a logical, comprehensive urban extension to Crewe which can deliver residential development as well as the committed employment, infrastructure and sustainable community benefits. A mixed use scheme that included residential elements would promote sustainable development by locating new homes in close proximity to both new and existing employment opportunities to start to re-dress the imbalance in the location of current houses in relation to the existing employment areas of Crewe. In addition the higher value housing development would assist in funding the infrastructure improvements necessary to realise the full economic benefits of the employment development. The adoption of the Draft Revised Interim Planning Policy on the release of housing land, May 2012 as identified on pages 9 and 10 would allow sites such as the Basford West site to come forward for development and deliver much needed employment development and seek to address some of the short fall in housing within the area. The scheme would continue to be delivered as an employment led development with the provision of housing enabling the delivery of employment and related infrastructure which is required. This approach is supported in 'All Change For Crewe' and draft Local Development Framework Core Strategy documents which state that Crewe is a key focus for both employment and housing growth within the Authority Area. We strongly support this approach and have made representations to the emerging Core Strategy as we consider that the Basford West site can support a comprehensive strategic, mixed use, sustainable urban extension to Crewe. Basford West will remain an employment led development however Goodman are seeking ancillary higher value uses that can help bring the site forward. The delivery of the Crewe Green Link road is noted as a fundamental objective in achieving 'All Change Crewe' which is a key component of this growth aspiration. Our previous representations to the SHLAA have sought to more closely spatially align the need for more housing with the delivery of the regionally significant Basford sites and also the Crewe Green Link Road. We believe that there is a need for significant urban extensions within Crewe to meet the housing needs and that such urban extensions should be utilised to facilitate a sustainable co-location of jobs and homes but also to enable the delivery of key infrastructure through</p>

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RIPP80		<p>using the higher value uses to enable the delivery of infrastructure that cannot otherwise be viably delivered through employment uses on their own. The site will assist in the delivery of a high quality business and logistics park in addition to a potential new residential element of the site coming forward. This could comprise up to 300 dwellings which could be delivered on site as part of a mixed use development.</p> <p>Incorporate open space and community facilities; contribute toward improvements to the strategic and local transport networks and public transport. Whilst we support the principle of greenfield sites delivering the above, the nature of the Interim Policy recognises the viability constraints of delivering employment sites in the current market and hence the need for housing as a higher value use to shoulder some of the burden of the infrastructure costs. The prescriptive nature of the affordable housing element of the Draft Interim Policy could put that viability in doubt. Given the complexity of bringing some employment sites forward, it is necessary to consider that contributions to affordable housing should be balanced against other costs such as infrastructure and so be assessed in relation to the viability of the overall scheme. It is considered that the delivery of such contributions should not hinder the ability to bring a scheme forward which would deliver significant regeneration benefits. Where this is a concern then schemes should be subject to an economic viability assessment as outlined within paragraph 2.14. As such, we consider that the Policy should be amended in this respect to include reference to viability and hence read seek to achieve 35% of the development as affordable housing unless an economic viability assessment indicates otherwise. The Draft Interim Policy also includes a criterion in relation to delivery: is capable of being fully developed within five years of the granting of full or outline planning permission. The largest employment sites such as the Basford sites in Crewe are unlikely to be able to confirm Full development within five years. This requirement would not reflect the market realities of housing and employment take up rates. We do however understand and accept the need to review the viability of large schemes on a periodic basis and hence accept that review mechanisms could be built into legal agreements for these large sites. We therefore propose the following amendment:- is capable of being fully developed within five years of the granting of full or outline planning permission or is subject to a review mechanism as part of the legal agreement. Basford West Site Basford West along with Basford East have been identified as sub regional employment priorities for which Development Briefs were adopted by Crewe and Nantwich Borough Council in April 2004. The NPPF but also will help to achieve the requirements of 'All Change for Crewe' and the 'Ambition for All' Sustainable Community Strategy 2012. The Draft Revised Interim Planning Policy, as set out on pages 9 and 10 and paragraph 3.2 of the consultation document, sets out that where a five year supply of housing land cannot be demonstrated certain</p>

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	<p>development (controlled by criteria) adjacent to the settlement boundary of Crewe should be allowed. We strongly support that the focus for future housing should remain within Crewe as detailed in paragraph 3.2 of the consultation document. In relation to the proposed criteria, we generally support these controls (subject to the comments below) but would emphasise that the priority for development should remain within the Local Plan settlement boundary of Crewe, where possible, and only if sites within the settlement boundary are not available then sites adjacent the settlement boundary should then be considered. Goodman consider that the Basford West site can support a comprehensive strategic, mixed use, sustainable urban extension to Crewe. The site is available, achievable and deliverable and capable of being brought forward within the next 5 years as required by the Draft Revised Interim Planning Policy paragraph 3.4 developers will be required to demonstrate as part of their planning application that the development is deliverable within 5 years. In the short to medium term the comprehensive development of this area of Crewe will bring a range of economic benefits including a range of construction jobs. In the long term once the developments have been completed there are likely to be increased benefits for the future and existing communities within Crewe. The development of the Crewe Green Link, Basford West site and Basford East site will allow for greater connectivity within the area, create employment opportunities, bring about community benefits and provide housing to meet identified need within the area. Employees of the newly created employment units and future residents of the sites will benefit from the connections offered by the Crewe Green Link. Access to existing local services, access into the mixed use sites to access housing, community and retail facilities as well as the opportunity to commute to work and undertake business more conveniently will be some of the direct benefits on offer. The comprehensive development of the area will also allow jobs and homes to co-exist within acceptable walking and cycling distances. This would generate significant benefits for the area as a whole. Paragraphs 2.16 and 3.5 of the Draft Interim Planning Policy on the release of housing land refer to the development of greenfield sites adjacent to settlement boundaries and identify that where sites are considered to be acceptable for development they will also be expected to: - be of a high design standard; - deliver 35% of the development as affordable housing; - incorporate open space and community facilities; - contribute toward improvements to the strategic and local transport networks and public transport. Whilst we support the principle of greenfield sites delivering the above, the nature of the Interim Policy recognises the viability constraints of delivering employment sites in the current market and hence the need for housing as a higher value use to shoulder some of the burden of the infrastructure costs. The prescriptive nature of the affordable housing element of the Draft Interim Policy could put that viability in doubt. Given the complexity of bringing some</p>

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RIPP85		<p>RPS objects to the restriction in the first paragraph of the policy to sites 'adjacent to the settlement boundary of Crewe'. Other locations including sites adjacent to the settlement boundary of Nantwich should also be included where development is able to secure the delivery of important local infrastructure for which there is evidence of significant local support. This approach is considered to be entirely consistent with the Coalition Government's 'localism' and presumption in favour of sustainable development agenda. The scale of development on the edge of Nantwich should not be restricted to sites of not more than 1 hectare or 30 dwellings. 15. The fifth bullet should also be amended to refer to sites being capable of substantial development within five years of the grant of planning permission. There is a risk that piece-meal development will result from the policy as currently written which can be avoided if an element of flexibility is introduced whereby sites can be permitted where they can make a significant contribution towards extending the housing land supply in the District. Paragraph 3.4 requires to be amended to reflect this suggested change to the policy. It is noted that at Coppenhall East the policy recommended by RPS was applied in practice as that site is not capable of full development within 5 years. 16. The protection of Green Gaps is strongly supported as there are opportunities to extend housing supply at Greater Crewe and Nantwich which do not require any erosion of the identified and protected Green Gaps. 17. The affordable housing policy target should be reduced to a minimum of 25% to reflect realistic viability considerations and the lower proportional level of need in the former Crewe & Nantwich Borough Housing Market Area as advised in the Council's SHMA. In addition, the policy should recognise that other viability considerations may apply especially where contributions are being sought in respect of strategic transport infrastructure. Paragraph 3.5 should be amended to include reference to any variation from the proposed level of affordable housing provision being subject to evidence of viability. 18. The criterion referring to contributions towards transport infrastructure is supported. Land at North West Nantwich is particularly suited to contributing effectively towards local road improvement schemes as identified above. 19. NPPF paragraph 52 clearly states that the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.</p>

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RIPP88		<p>14. RPS objects to the restriction in the first paragraph of the policy to sites 'adjacent to the settlement boundary of Crewe'. This, as stated in paragraph 3.2 of the consultation document, expressly seeks to exclude sites adjacent to the settlement boundary of Shavington. However, no explanation is given as to why sites adjacent to Shavington should be excluded. The policy should be extended to include Shavington within a policy relating to Greater Crewe. 15. The fifth bullet should also be amended to refer to sites being capable of substantial development within five years of the grant of planning permission. There is a risk that piece-meal development will result from the policy as currently written which can be avoided if an element of flexibility is introduced whereby sites can be permitted where they can make a significant contribution towards extending the housing land supply in the District. Paragraph 3.4 requires to be amended to reflect this suggested change to the policy. It is noted that at Coppenhall East the policy recommended by RPS was applied in practice as that site is not capable of full development within 5 years. 16. The protection of Green Gaps in part 1 bullet 2 is strongly supported as there are opportunities to extend housing supply at Crewe and Shavington which do not require any erosion of the identified and protected Green Gaps around the Crewe urban area, including land south of Newcastle Road in Shavington and Wybunbury. 17. The affordable housing policy target should be reduced to a minimum of 30% to reflect realistic general viability considerations as advised in the Council's SHMA. In addition, the policy should recognise that other viability considerations may apply especially where contributions are being sought in respect of strategic transport infrastructure. Paragraph 3.5 should be amended to include reference to any variation from the proposed level of affordable housing provision being subject to evidence of viability. 18. The criterion referring to contributions towards transport infrastructure is supported. Land at Shavington is capable of contributing effectively towards improvement of the A500 corridor between Crewe and M6 Motorway. That road scheme will provide significant benefits for the future growth of Crewe through the implementation of the Core Strategy. 19. The extension of the previous policy to include sites of up to 1 hectare or 30 net additional dwellings on the edges of other settlements is noted. It is not considered that this will make a suitable contribution towards sustainable development in Cheshire east or be an effective means of adding to the supply of available and deliverable housing to address the identified shortfall. 20. A more appropriate approach is to widen the search to include sites in the Greater Crewe area, consistent with the Council's preferred development strategy. 21. NPPF paragraph 52 clearly states that the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.</p>

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RIPP125		<p>The policy now also provides a number of criteria that a housing proposal located adjacent to the additional settlements must adhere to, before the Council considers the development acceptable. These criteria are far more specific than those set out for proposals adjacent to Crewe and include: - Very closely related to the existing built framework of the settlement - Self contained - Capable of being fully development within the 5 years of the granting of full or outline permission - Is less than 1 hectare in size or has the capacity for no more that 30 net additional dwellings - Does not represent the subdivision of a larger site These criteria and the phrasing of the policy may create uncertainty amongst developers and investors and hinder the delivery of suitable and deliverable sites which satisfy the general development criteria for determining applications for housing which are set out in the NPPF but do not meet the specific criteria set out in the policy document. This could undermine the objective set out at paragraph 2.11 of the Interim Policy Document of addressing the forecast shortfall in deliverable sites. Paragraph 47 of the NPPF states that in order significantly boost the supply of housing, local planning authorities should meet the full needs for market and affordable housing and update the supply of deliverable sites, sufficient to provide five years worth of housing. The sub-text to paragraph 47 at the bottom of page 12 also provides specific criteria, within which sites are assessed as being deliverable and developable. Paragraph 49 then goes on to state that housing applications should be considered in the context of the presumption in favour of sustainable development. By restricting the areas within the Borough where housing will be looked at more favourably than others, the policy document is contrary to the positive thrust of national policy, which clearly states that local authorities should be planning and responding positively to market signals and boosting the housing supply and should be considering applications in the context of the presumption in favour of sustainable development. Should the Council wish to bring forwards such policy guidance, it should be done through the formal Development Plan Document (DPD) route rather than informal guidance such as this, as supported by the NPPF. Our understanding is that it is not intended to form part of the Local Development Framework either as a DPD or Supplementary Planning Document. Therefore, it must be made clear that the guidance within this document is not intended to preclude residential development on suitable sites outside of Crewe and that all development will be assessed in accordance with paragraph 150 of the NPPF which states that planning decisions must be taken in accordance with the development plan, unless material considerations indicate otherwise. We therefore recommend that the policy wording is revised to promote a more even-handed approach to planning positively for housing development and should not be used to prevent housing development coming forward on suitable windfall sites in areas other than adjacent to Crewe, even if the specific criteria set out in the Interim Document</p>

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RIPP133		<p>are not all met. We consider that it is important that the Council maintains ambitious targets for house building in order to help to provide certainty for the development industry and encourages economic growth, which goes hand in hand with housing growth.</p> <p>I feel that a number of points should be made, the principle one being that statistic predictions seldom fall in line with actual events and such predictions merely give an indication within a snapshot of time. There are indications that some elements of the government's new housing build plans that may have been over estimated, however it is important that a general plan supported by local town plans are lodged as soon as possible to prevent financial speculation and inappropriate development. To provide sustainability within East Cheshire it is therefore essential that the social well-being of residents and that the protection of the environment is maintained as well as planning for controlled economic growth within the locality. There have been many examples up and down country where unsustainable development has taken place only for those areas to fall into decline two decades later. Rural and semi rural development must take into account the well-being of people who live in to area and protection of the environment as well as economic expansion. Therefore land released for housing development should be aimed at meeting needs of that area and not as a commuting location. for nearby towns. In short, develop employment and prosperity then provide the appropriate housing expansion based on inner town development and regeneration of brown field locations. This form of expansion encourages local employment, increased prosperity on our high streets and stronger communities and discourages sprawling commuter belt development that contributes little to the local economy.</p>

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RIPP143		<p>I am pleased you are acting so swiftly to pre-empt any speculative proposals for developments outside settlement boundaries. Overall it seems to me to be appropriate and well thought out, however there are a few instances where it is less than clear: 3. In the shaded box within section 3, there is surely no need for any proposal to demonstrate that it does not impact on any Offshore Marine Site? I am aware that technically this may be so, and I would agree that these marine sites should properly be mentioned for completeness in section 1.9, but would posit that inclusion here smacks of bureaucratic obscurity. 4. Also within the shaded box, I assume that the distances in brackets refer to the distances for the 5 local services. However I think this should be made clearer, especially to say that for each of the proposed dwellings the distance to the service must not be exceeded. 5. In section 3.4, when built out is mentioned, does this in fact mean completed? If so why not use the more common word, if not what is meant? Furthermore, could I suggest that penalties be specified and implemented if such completion is promised but not achieved? 6. I have also noticed a couple of typos: in section 2.15 there is a comma at the beginning of the last line but it should be at the end of the previous line, and within the shaded box on page 9 there are spurious spaces within paragraph 2.</p>
RIPP141		<p>Whilst I broadly support your Interim Planning Policy and its desire to prevent opportunistic interim development by planners, it does seem to me that the document has one glaring omission: there is no mention of taking the wishes of local communities into consideration. This has been a point reiterated frequently by government ministers, and David Cameron himself has, on several occasions, vigorously expressed the view that local communities should ultimately decide what is, and is not built. The views of local Parishes are therefore of great significance in this matter.</p>
RIPP139		<p>I do not see any need to amend your proposals in regard to the draft Revised Interim Planning Policy for the Release of Housing Land.</p>
RIPP128		<p>I am very much in support of the suggested revisions to the interim policy to accommodate house building within allocated employment areas where that will facilitate the development of those sites predominately for employment purposes. I also support the proposal to allow for modest development on sustainable sites on the edges of towns other than Crewe. I very much want to see green gaps protected as they are the primary tool in ensuring that our towns and villages retain a sense of identity.</p>

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RIPP65	No	<p>There are two key aspects that I cannot agree to in this amended Interim Policy: 1. Para 1, Bullet point 3 - A very clear message must be established that the Regional Employment Allocations at Basford are not to be developed for housing, either in part or as a whole. These are longstanding allocations of Regional Importance. Such sites can take time to achieve their development. To allow housing development on the grounds of viability of the delivery of the employment development is a very dangerous approach to follow. It undermines established strategic employment commitments on land that would not otherwise have been allocated for development on the scale proposed. It will therefore undermine the Local Plan preparation process if any part of these strategic Employment allocations is released for housing development. 2. Para 3, Bullet point 7 - I believe that larger, sustainably located sites adjacent to the boundaries of the key service centres could be allowed to be brought forward to address the shortfall in housing supply. The limit of 30 dwellings proposed will not address the housing shortfall on a sustained basis. The lead-in and set up timescales associated with a large number of small scale developments represents an inefficient approach to addressing the shortfall. A more appropriate scale for development would be circa 150 houses. Developments of this scale would not undermine emerging Local Plan strategy, could be reasonably implemented within the 5 year time horizon and provide short to medium term continuity in housing delivery. In addition to the above specific points, I would welcome the review of the Green Gap to proceed as a priority. From my own local knowledge, there is clearly capacity within the Green Gap to accommodate significant levels of development without undermining the integrity of the designation.</p>

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RIPP95		<p>The draft Revised Interim Planning Policy does not make provision for any housing development within or on the edge of any of the smaller settlements in the Borough. In our opinion this not only places unnecessary restrictions on the number of suitable sites that could come forward to help meet the housing land supply but does not meet sustainability objectives. Allowing small development sites within or on the edge of other smaller settlements would help to meet the housing land supply and ensure that there is a good choice of housing available spread throughout the Borough. As with the sites adjacent to the Key Service Centres they would have to meet certain criteria and sustainability targets. The Council has already stated in the draft Revised Interim Planning Policy that a key benefit of smaller sites is that they can be developed quickly and without major infrastructure requirements - and provide a good opportunity to improve the housing land supply for the Borough. It is therefore important that development in and on the edge of smaller settlements is not overlooked. The draft Revised Interim Planning Policy briefly covers sustainability issues in particular that development in Crewe will support sustainability objectives as it has a good range of jobs , shops and services and a high standard of accessibility by means of travel other than car. A number of planning applications have already been received for sites adjacent to the settlement boundary of Crewe some of which have been approved resulting in about 1,150 additional homes. By only allowing larger sites in Crewe and small sites in Key Service Centres housing would be unfairly allocated and too much emphasis is being placed on development adjacent to Crewe. Many smaller settlements could also provide sustainable housing sites which would help to maintain and enhance the shops and services within those settlements. It is not felt that Crewe requires any further housing to maintain the level of services already available but some of the smaller settlements would greatly benefit from an appropriate level of housing provision. The draft Revised Interim Planning policy refers to the National Planning Policy Framework (NPPF) which requires Local Planning Authorities to identify and update annually housing supply sufficient to provide five years worth of supply against their housing requirements with an additional buffer. Cheshire East LPA is aware that they currently cannot demonstrate a 5 year supply. The NPPF also sets out that there is a need to deliver a wide choice of high quality homes, widen opportunities for home ownership and to create sustainable and mixed communities. Housing allocation should reflect local demand. It is not considered that the draft Revised Interim Planning Policy will fully meet these objectives set out in the NPPF as it limits people's choice of where they can live and will not help to sustain communities in the smaller settlements. Furthermore there are only limited suitable sites on the edge of Crewe and the Key Service Centres and by including appropriate development in smaller settlements it will help to ensure an adequate level of housing supply. The NPPF also refers more specifically to promoting</p>

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		<p>sustainable development in rural areas in that housing should be located where it will enhance or maintain the vitality of rural communities. It also recognises that development in one village may support services in a village nearby. The Crewe and Nantwich Replacement Local Plan 2011 sets an objective of having a wide range of good quality housing sites and that a limited amount of development appropriate to the size and character of existing settlements is acceptable in rural areas. It also acknowledged that development of unallocated or windfall sites can make an important contribution to housing provision. The draft Revised Interim Planning Policy is contrary to this objective and precludes any housing development away from Crewe and the Key Service Centres. It is our conclusion that the draft Revised Interim Planning Policy is too reliant on development adjacent to the settlement boundary of Crewe with some limited development adjacent to the settlement boundaries of the Key Service Centres. There are a limited number of suitable sites that will fulfill the criteria set out in the Policy and the Council runs the risk of not being able to meet housing requirements. By including for limited development within and on the edge of smaller settlements it would ensure that there are not suitable sites elsewhere that have been overlooked which could make important contributions to the housing land supply. These smaller sites could also prove to be valuable in terms of delivering quickly and with few infrastructure requirements. It would also ensure that a wide range of housing type can be provided spread across the Borough and not just in limited locations. Many smaller settlements require limited development to help maintain existing services and to support a prosperous rural economy. In relation to our client, one such settlement is the village of Hankelow, which could easily sustain some further organic growth. To conclude it is considered that the draft Revised Interim Planning Policy should include provision for limited housing development within and adjacent to development boundaries of smaller settlements in addition to Crewe and the Key Service Centres.</p>

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RIPP102		<p>The take up of employment land should also be used as a regulatory device for the release of further housing land in order to introduce a degree of balance between local population and local employment, The existence of local employment capacity engenders local identity and community spirit, vital ingredients for improved quality of life. Such policies, aid in avoiding the development of dormer towns and in achieving targets for cutting carbon emissions. The local Authority housing numbers and release of land should not be in splendid isolation. Simply increasing housing to allow a significant net inward migration into the Cheshire East area will draw resources away from the conurbations to the north and South of Cheshire. Preserving indeed encouraging increased vitality of these areas both north and south is an essential component in the economy of Cheshire as a whole. Many businesses and local employers depend of trade with these conurbations for their wellbeing. No local community interest Planning Economic or Social is served by competing with these areas. In specific reference to note 1 (Defensible Boundary) I do not accept a 'substantial Hedgerow' has the substance to be a defensible boundary. My experience leaves me with a concern that a hedgerow designated as such a boundary is always liable to constructive erosion? Unless protected by suitable means i.e. hedgerow conservation and or public ownership with a fund and brief for its maintenance it would be very vulnerable.</p>
RIPP75		<p>The policy states that when it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by the National Planning Policy Framework, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations (each part of the policy is discussed in turn): 1 " Adjacent to the settlement boundary of Crewe The first location where residential development would be permitted in accordance with the Revised IPP is on sites adjacent to the settlement boundary of Crewe subject to 7 criteria being met. Whilst it is acknowledged that focusing development towards Crewe is consistent with the Council's aspirations outlined in the emerging Core Strategy and is supported, objection is raised that solely focusing on Crewe could preclude other sustainable sites from coming forward across the Borough. It is also evident that Crewe on its own will not deliver the Borough's housing supply requirements and therefore the IPP had to be extended. There is support therefore for the inclusion of other locations across the Borough, which is discussed later. 2 " Part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses Whilst this part of the policy seeks to direct residential development to town centres and regeneration areas, greater clarity is required in relation to what defines a "regeneration area. The Council should not rely too heavily on mixed use town centre and regeneration schemes in terms of delivering new homes. These types of schemes often involve the delivery of apartments for which</p>

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		<p>there is currently limited market demand. There are also normally a higher number of site constraints associated with such sites including ground contamination and the demolition of existing buildings. The Council should therefore be mindful that whilst this approach may deliver residential development, it is unlikely to do so at the rates required to identify the shortfall in provision. Additional sites such as those within or on the edge of Key Service Centres will also be required to assist in meeting demand for housing. Furthermore, the initial IPP (2011) had this allowance and since its introduction has not generated any significant new residential development so therefore cannot be relied upon to any great extent to improve housing supply in current market conditions. 3 Adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow) subject to a range of criteria Part 3 is an addition to the Revised IPP. In principle there is support for the inclusion of additional areas that are deemed suitable of delivering residential development. It was highlighted in comments submitted to the initial IPP that the focus for future housing was too restrictive. Unlike part 1 of the policy which refers to Crewe, there is no provision to support residential development on existing employment land. This is a serious omission, and is inconsistent with the NPPF. The NPPF is clear at Paragraph 22 that in instances where there is no reasonable prospect of a site being used for its employment allocation policies should avoid long term protection. It also identifies that applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Given that the IPP engages only when the Council cannot demonstrate a 5 year supply of housing, when there is clearly by this fact an urgent need, the IPP is overly restrictive. The policy should allow for allocated employment sites, where it can be demonstrated that they would best serve alternative uses, to be released in their entirety for housing. Any requirement to maintain an element for employment, or indeed any other additional use, could prejudice much needed residential delivery. The Council is therefore urged to be more positive, in the spirit of the NPPF, to encourage the delivery of housing. This is particularly important in areas like Knutsford that are tightly constrained by the Green Belt. There are very limited opportunities for residential development within the town and the Local Plan will need to address this serious constraint to the sustainable future growth of the this part of the Borough (for housing, employment and other needs) by making appropriate changes to the Green Belt boundary. The Tatton Estate look forward to working positively with the Town Council and the Borough Council to determine the best outcomes for the town for the new plan period. In addition, there are a number of concerns in relation to the criteria that these additional sites which the policy encourages to come forward and which they must meet where we</p>

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		<p>wish to offer a comment on a criterion, this is taken in turn and addressed below. Is very closely related to the existing built framework of the settlement Connections and linkages with facilities within a settlement are important in assessing the sustainability of a site for future residential development alongside a good relationship with existing development. However, there are instances where sites that are not immediately adjacent to a settlement boundary that can still display good sustainability credentials and be suitable locations for residential development. It is therefore recommended that the words very closely are deleted to provide some flexibility in allowing the most suitable sites to come forward. No definition is provided as to what very closely related constitutes and therefore the test should relate to sustainability of a site and good planning. Is self contained within clear defensible boundaries This requirement is more akin with reference to Green Belt sites and it should not be necessary for sites outside of the Green Belt to have to be surrounded by defensible boundaries as they are not allocated to function in the same manner as Green Belt sites. Sites should be allowed to create such boundaries if considered necessary. Whilst physical features such as boundaries are part of the material planning considerations, they are not the only consideration and therefore it is important to view the wider context of a site and not refuse residential development just because a site fails to meet one of the criteria. Is accessible by walking to a wide range of local services The allocation of settlements as Key Service Centres confirms that there are sufficient facilities to meet existing demand from local residents and also to cater for additional future residents in locations such as Knutsford. In November 2010 Local Development Framework Report: Determining the Settlement Hierarchy was published. In this Report Knutsford was identified as a Key Service Centre settlements with a range of services and opportunities for employment, retail and education that serve a catchment area and contain good public transport links. Whilst it is important that sites are sustainable and future residents can easily access a range of services and facilities, it is considered too restrictive to set out strict distances to a prescribed list of facilities. Sites will differ on their level of sustainability and whilst not all are within walking distance of a significant level of services they may be in close proximity to a good public transport network which would allow easy access to facilities. Likewise cycling is also relevant as a non-car mode of transport and should not be ignored. A site needs to be viewed in the wider context and not just assessed solely on the walking distance from a predetermined list of facilities. In addition, urban extensions by their very nature can be further away from certain facilities but form an important part of the evolving urban area which adapts over time. Is capable of being fully developed within 5 years of the granting of full or outline planning permission This is supported, as the aim of the Revised IPP is to act as a short-term measure to address the housing need and the shortfall in housing across Cheshire East until the adoption of the</p>

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		<p>Local Plan Core Strategy. Provides homes that improve the overall choice, quality and supply of housing within the relevant town</p> <p>Delivering high quality housing schemes that provide a good mix and choice of dwellings is important. However, as discussed further below, by limiting the size of sites and development densities that are able to come forward, this will directly relate to limiting the choice and mix of houses that can be delivered, making this criterion hard to achieve. Is less than 1 hectare in size or has the capacity for no more than 30 net additional dwellings</p> <p>The restriction on the size of site adjacent to Macclesfield and the Key Service Centres that are able to come forward under this policy is not supported. Imposing restrictions such as this does not demonstrate efforts to positively seek opportunities to meet the development needs and therefore is contrary to the objectives of the NPPF. These restrictions are also contradictory with the background information outlined in the earlier chapters of the Revised IPP; paragraph 2.18 of which states the lack of a 5 year supply of deliverable housing sites means that the Council should continue to take proactive steps to manage the situation. It is considered that placing onerous restrictions on the size of site and density of development that will be permitted to address the shortfall of the 5-year housing supply are not proactive steps. The success of this approach in actually addressing the shortfall in housing supply across the Borough can be questioned. Small sites with development density restrictions are often not attractive to house builders who from a viability perspective need larger sites to make the development worthwhile. NPPF requires the delivery of a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities therefore requiring a range of site sizes to come forward. This requirement for a range of site sizes to be developed is also considered to be the best way of attracting both local and national house builders to invest in Cheshire East. There is a high probability that these small sites will therefore remain undeveloped as they are not attractive to developers and will not contribute to addressing the shortage of housing. There is also no evidential justification for this threshold being imposed. The LPA recently supported a planning application at The Green Middlewich (LPA Ref: 11/4545C) for 63 dwellings in February 2012 and this is evidence that sites should be assessed on a site by site basis as this site is over the 1 hectare threshold but was still considered to be able to deliver a valuable contribution to the housing land supply position. The bold statement made in paragraph 2.23 of the Revised IPP can also be questioned, with the assertion that small sites can be developed quickly and without major infrastructure requirements. The infrastructure requirements of a site should not be viewed as a reason for refusing development, as it is possible to mitigate and legally enforce that necessary improvements are made. Paragraph 203 of the NPPF highlights that LPAs should consider whether otherwise unacceptable development could be made acceptable through the</p>

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	<p>use of conditions or planning obligations. There are therefore national and legal mechanisms in place that would remove any problems of larger sites requiring infrastructure improvements and should not be considered as a reason for deterring and prohibiting larger sites coming forward. A frequent complaint and concern by Members raised at Planning Committee is piecemeal development that doesn't have good linkages and does not represent the delivery of a comprehensive scheme and also the limited benefits to the local area. Allowing only small sites to come forward has the potential to increase piecemeal development with small pockets of housing being widely dispersed. In addition, small sites are unlikely and in most cases unable to generate significant benefits to the local community. For example, the amount of affordable housing generated by a scheme of 30 houses is minimal and unlikely to make a notable contribution to the shortage of affordable units. By permitting large schemes to come forward monies could be generated to contribute to providing community facilities and making improvements to public transport. This would not be possible from a scheme for 30 dwellings. In summary, this is considered to be an onerous restriction on the sites that are being encouraged to come forward to address the shortage of housing and does not represent a proactive or positive approach. Limiting site size also limits the wider benefits to be gained from the development and it is questioned whether these sites would even be viable for house builders to bring them forward. It has also been the larger house builders on larger sites that have been most active in Cheshire East delivering consents recently and therefore it is very counter productive to have a policy that effectively favours smaller sites only as it potentially precludes developers from assisting in meeting the LPAs housing targets. That the density of the site is appropriate to its location and is no less than 20 dwellings per hectare Similar arguments to those outlined above are relevant to this criterion and again there is objection to the restrictions being placed on bring development forward. It is important that density is appropriate to its surrounding location; however this should be determined on a site-by-site basis taking into account site and surrounding circumstances. Does not represent the subdivision of a larger site The likely intention behind this criteria is to prevent sites coming forward 1 ha at a time, however as objections have been raised to the size limit of sites able to come forward, consequentially this criterion is not deemed to be required. Requirements of Housing Developments on Greenfield Sites In addition to the above criteria, housing developments on greenfield sites that have been permitted through the Revised IPP will also have to adhere to additional requirements. These remain the same as in the initial IPP, and we have previously raised objections to them on behalf of a number of clients. These are reiterated below. A Minimum of 35% Affordable Housing in Accordance with the Interim Planning Statement on Affordable Housing The requirement for the provision of 35% affordable</p>

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		<p>housing is not supported. There is no mention in the Interim Planning Statement on Affordable Housing of the requirement for greenfield sites to deliver 35% affordable housing. There is no justification provided as to why the Council are seeking to demand a higher level of affordable housing on sites which are required to be released in order to make up the current shortfall in housing. In these difficult economic times development should be encouraged and not deterred or hindered by onerous requirements such as high levels of affordable housing. The viability of delivering a scheme should be crucial in determining the additional requirements that will be sought as part of a development. This assessment should be undertaken on a site by site basis and take into account factors such as individual site characteristics, constraints and local needs. Improvements to the Strategic and Local Highway Network, Public Transport, Pedestrian and Cycle Routes It is acknowledged that new development must address the affects of the development on the local highway network, and encourage the use of public transport and where valid contribute to this provision as identified by the Transport Assessment accompanying an application for development. Objection is raised however to the requirement to provide improvements to the strategic highway network as the Borough have not yet adopted the Community Infrastructure Levy (CIL); there is no evidence base and no policy mechanisms for requiring such contributions. Therefore this policy would pre-empt the conclusions of the evidence gathering. Consideration must also be given to viability and the implications such requirements would have on the realistic delivery of housing at a site. A high quality designed development to Code for Sustainable Homes Level 4 or higher and Building for Life Silver Standard or higher The Code indicates the direction for future amendments to Building Regulation requirements, with step changes in maximum permissible CO2 emissions being tied closely to the various Code Levels with Code 4 Levels coming into force from 2013 onwards. As Code 4 Levels will not be introduced until 2013 it is considered unreasonable to request Code Level 4 on developments prior to 2013. It is also important to highlight that the Code is voluntary and not mandatory and is being implemented through Building Regulations and therefore development (by according with Part L which is also in line with the Government's programme of implementation of the Code requirements). The Council's Economic Viability of Affordable Housing Requirements Report (2010) acknowledges that land values are already likely to be constrained by increasing building costs, with the introduction of Code Level 3. Research undertaken on behalf of the Homes and Communities Agency suggests that the introduction of Code Level 4 is likely to add a premium to construction costs of around 12.7% above current building regulation compliance. Code 3 represents a 5.1% increase above current building regulation compliance. From Code 3 to Code 4 therefore corresponds a 7.6% increase in build costs and market research suggests this is unlikely to result in an increase in the</p>

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		<p>sale values and is an additional cost developers will have to account for on their balance sheets.³ The Report goes on to state that the impact of Code 4 could significantly affect the viability of development⁴. Imposing requirements such as Level 4 of the Code for Sustainable Homes will impact upon the viability of developments and thus the provision of other Section 106 offers such as affordable housing provision. This IPP is about delivering development in order to maintain at least a 5 year supply of housing land and it is considered that imposing a requirement to achieve Level 4 of the Code could impede this. The Development Industry fully supports the Governments approach to Building Regulations, and taking the above into consideration, the Council are requested to amend the Revised IPP to reflect that the identification of the Code for use in housing developments is a matter for Building Regulations and the staged introduction or requirements to provide the Code will be dealt with through this regime. Furthermore, there is no statutory Development Plan Policy in place requiring compliance with Code Level 4; therefore the weight to be attached to this requirement is negligible. As already highlighted if the restrictions on site size and development density that are suggested in the earlier part of this policy are adopted then it is highly unlikely that these small greenfield sites will be able to deliver the additional requirements and benefits outlined above. Requirements of Mixed Use Redevelopment Sites The final part of the IPP sets out 3 requirements which housing development on mixed use redevelopment sites will be expected to deliver. These requirements are expressed to be subject to economic viability considerations, which are supported. A minimum of 30% affordable housing in accordance with the interim planning statement on affordable housing The requirement for 30% affordable housing is in line with the Interim Planning Statement on Affordable Housing (2011), however it is important that viability is taken into account in all cases and assessments are made on a site-by-site basis taking into account individual site constraints and the merits of the scheme. Code for Sustainable Homes Level 3 or above. Please see the comments above about imposing targets/requirements for new development to achieve certain levels of the Code.</p>
RIPP140		<p>I have studied the documents enclosed. They appear to be a reasonable plan for the needs of the area. It would be reasonable, I feel, to continue to respect the village and town boundaries so that these areas are not swallowed up into one vast conurbation, People choose to live in certain areas because they meet a familial or work related town or village. The prospect of one vast urban area of Nantwich-Crewe-Shavington-Wybunbury-Haslington-Sandbach etc would be a nightmare. These areas need an area of separateness and identity. Affordable Housing is a necessity; build more homes for these members of the population, and stop the building of these 'gated' or similar homes that are unaffordable to most.</p>
RIPP70	Comment	See below

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RIPP66	Yes	<p>Need more robust defence of the boundaries of the towns within Cheshire East. Brownfield sites must be considered as part of the solution. Re-use of allocated vacant industrial areas should be used for housing rather than green field sites. Definition of small development must be tightened so no developer can appeal on refusal with expectation that they will have their appeal overturned. Finally - listen to the residents of Cheshire East and not the developers/landowners whose only interest is money for themselves.</p>
RIPP96		<p>Whilst the interim policy has laudable aims to bring forward sites for development, it relates principally to the release of green field sites and whilst we support the use of green field sites there should nevertheless be recognition within the policy that where brown field sites exist on the edge of settlements the Council will in accordance with the core principles of the National Planning Policy Framework 'encourage the effective use of land by reusing land that has been previously developed' . At present the policy fails to do so. We have other concerns regarding the overly prescriptive criteria that the Council is seeking to apply to the release of housing sites. Taking them in order; - Firstly, the policy requires 'all ' of the criteria to be met in order for development to be supported, this in itself will act to constrain the very sites the Council is seeking to allow to come forward and this in turn will defeat the objective of the interim policy. There may be very good planning reasons to support the delivery of a site, where it contributes towards housing land supply and is in a sustainable location and reuses brownfield land for example; but under the criteria of the interim policy it would not be allowed to come forward if it were marginally in excess of 1 hectare or delivers a slightly higher number of units. Whilst on the one hand the Council wishes to endorse the development of small sites on the edge of the settlements the policy is not likely to deliver. There needs to be a more flexible approach to the policy wording as a result in order to not unreasonably constrain sites from coming forward. We therefore object to both the threshold imposed on the size of site and number of units as the policy is not sufficiently flexible to respond to changing circumstances. The ability of a site and a settlement to accommodate development may also vary depending on site specific circumstances and its location and to rigidly prescribe the size and number of units may constrain sites from coming forward which would otherwise contribute towards the Council's objectives of promoting sustainable development and increasing the supply of housing immediately. There needs to be greater flexibility and a reasonable planning balance in assessing the suitability of a site for development. The NPPF promotes a presumption in favour of sustainable development and this should be the only test required rather than the rigid application of size thresholds this policy is seeking to introduce. Land at Forge Mill Congleton is a good example of a site that has been previously developed that should be given priority in looking for the early release of housing sites. It comprises a developable area of some</p>

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		<p>1.5 hectares of former industrial land. Its reuse for housing would provide approximately 45 units. There is also an additional parcel of land on the west side of Forge Lane which is also within our Client's ownership which could deliver up to 24 units which is a Greenfield site. Both are available immediately for residential development. It is rather perverse that under the terms of the interim policy the main site which is previously developed would not classify as an early release site as it is slightly larger than the required threshold, yet the Greenfield site would. It is contrary to NPPF advice to encourage the reuse of brownfield land and it is clearly sensible that best use is made of the existing site and a positive new use for this site found as a priority alongside the Greenfield parcel as appropriate. This explains why the policy should be amended.</p> <p>Affordable housing We object to the application of the affordable housing policy which seeks to apply different thresholds where small sites are expected to deliver 35% but on mixed use development sites this has been reduced to 30%. The council has not justified the application of different standards in different developments. Equally small sites may be affected by site viability issues and there needs to be the ability for such matters to be taken into account when considering development proposals.</p> <p>Sustainability criteria Whilst we understand the aspirations of the policy, the Council cannot seek to impose Code for Sustainable Homes level 4 when this exceeds current building regulations standards. This can only be an aim when current regulations require building to Code 3. This has cost implications for housing developers and may affect site viability, particularly on the smaller sites. Finally, the Council has failed to justify or explain the distances they are seeking to apply in considering accessibility to facilities and why some are required to be 500 metres away and others 1000m. For example the same distance to a post box of 500m is applied to a food shop 500m. When we would suggest food shopping is the more relevant accessibility criteria. It does not suggest any rigorous assessment has been undertaken to determine whether this is realistic or achievable. Again this may vary across the individual settlements according to circumstances.</p>
RIPP97		<p>Part 1 Crewe In line with our comments above we would want all developments to be subject to a sustainability assessment, details of which we give as part of our comments to Part 3 of the Policy.</p> <p>Part 2 Brownfield development We believe this is particularly weak and lacking to such an extent that it fails to conform to the requirements of the NPPF. Our general comments on the importance brownfield sites should and must play in the delivery of sustainable development under this Policy are given above. Further, we are very disappointed that the current draft only covers brownfield sites in town centres and (presumably) identified and designated regeneration areas. We believe it should</p>

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		<p>cover all brownfield sites within the full built area, including, if appropriate, edge of town. We are, however, concerned that the possible development of brownfield sites for housing should not impinge on the provision of employment, retail and community uses, particularly town centre and edge of centre sites. To address this significant concern we suggest the following revised wording of Part 2 of the Policy: 2. Previously developed land within any part of the existing urban areas including edge of town sites. Change of use would be acceptable provided a robust case can be made to demonstrate that the proposed site is no longer viable in its current use. Mixed developments in town centre and regeneration areas to support the provision of employment, town centre and community uses is encouraged. In addition, as with all sites coming forward under this Policy, we want all developments to be subject to a sustainability assessment, details of which we give as part of our comments to Part 3 of the Policy.</p> <p>Part 3 Greenfield development In addition to Congleton, a number of the towns identified in the first paragraph of this part of the Policy either have or are working towards Transition Town status. This means we are all committed to working constructively to lower the carbon footprint of the towns. This Policy must be fully cognisant of this fact and must accommodate the expressed desire of the residents of these towns to follow this course. To this end, we are concerned over the potential increase of out commuting from these towns to employment sites elsewhere in Cheshire East, principally, as expressed in our comments above on Paragraph 2.14, Crewe. In addition while, in accordance with the NPPF, all development needs to be sustainable, this is all the more important at Congleton and the other Transition Towns. The NPPF is quite clear that ALL development must be sustainable. Therefore, in order to comply with the NPPF, it must be a necessary requirement for ALL sites coming forward under this Policy (Parts 1 to 3) to demonstrate that the development is sustainable. We therefore ask that a sustainability assessment becomes a requirement for ALL developments coming forward under the Policy. One of the key requirements for a sustainable development that not only reduces carbon emissions but reduces traffic generation is to minimise journey lengths to key facilities. This is recognised at subscript 2 of bullet 3. This would provide a good start to a sustainability assessment, however we have a number of fundamental issues with subscript 2 as currently drafted also significant clarification is needed to turn it into a meaningful basis for an assessment. Our comments on this are as follows: As noted above, the NPPF is very clear on the need for sustainable development and we consider that meeting 5 out of 16 criteria is far from acceptable and totally fails to comply with the NPPF. To comply with the NPPF the level of criteria to be met in order for a development to be deemed as sustainable must be substantially increased. We would want the</p>

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		<p>criteria to be raised to 10 out of 16. The method of measuring the distances needs to be clarified. The distances should be along any public right of way (not as the crow flies) also from where in the development are the measurements be taken in order to meet sustainability requirements this should be from the dwelling that is furthest from the facility. The sustainability assessment must identify the distances to each of the facilities, the routes taken, with any steep sections on the route noted, and the level of service provided by each facility. We would want to see a minimum level of service set for each of the facilities. We give an example of this in relation to public transport (bus stops) below. If the minimum level of service is not met, then the criterion is not met. Steep routes can be a barrier to walking and cycling, consequently, where any route is particularly steep the quoted distances should be reduced. We suggest that where there is a rise or fall (it matters not as people walk there and back) of 1 in 10 for a 100m or more the distances should be reduced by 20%, e.g. 500m becomes 400m. We would want the Policy to allow for cycling as well as walking, this is particularly relevant for the facilities at greater distances (1,000m or 2,000m). The bus stop must be on a service that, as a minimum, runs throughout the working day Monday to Friday from 8.00am to 6.00pm (or according to the local work pattern, for example many businesses in Congleton start work at 8.00am, so a 7.00am start would be required here). While most if not all developments coming forward under Parts 2 and 3 will not meet the size criteria for a Transport Assessment/Statement as set out in Appendix B of the Guidance to Transport Assessments (GTA) if there is no bus stop with a level of service set out above, then it would fall within criteria 7 of other considerations and a TA or TS would be required. While the GTA indicates a TA in this case, the less onerous TS may be acceptable given the size of the development provided as a minimum, in order to meet the requirements of the NPPF, this sets out workable and deliverable proposals to minimise the trip generation from the site or alternatively, how the carbon footprint of the development as a whole can be reduced to balance the carbon emissions from car trips. Other criteria from the Thresholds based on other considerations in Appendix B of the GTA could apply to any of the sites coming forward under this Policy particularly, all the criterias set out at 5 and 7 of this Table. In addition to issues relating to sustainable travel and access to facilities identified above the sustainability assessment should cover items identified in the former Congleton Borough Council's (CBC) Supplementary Planning Document 4 Sustainable Development. We note that, currently this document is only relevant to the area covered by CBC. We consider this to be a good document that clearly and comprehensively sets out the principles of, and provides practical advice on, delivering sustainable development. This document would require little updating to bring it into conformity with the NPPF. We therefore strongly urge you to adopt this SPD, updated as necessary, or produce a new similarly comprehensive SPD so</p>

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RIPP129		<p>that the principles of sustainable development can apply to all development coming forward in Cheshire East including this Interim Planning Policy.</p> <p>The RIPPRHL recognises this opportunity for some of the housing meeting the five year supply to come forward in sustainable locations adjacent to identified Principal Towns and Key Service Centres, other than Crewe. In particular, Taylor Wimpey supports the development of sustainable greenfield release on the edge of Sandbach, such as land at Congleton Road. The Core Strategy Issues and Options Paper identifies Cheshire East's Principal Towns and Key Service Centres (Crewe and Macclesfield are identified as Principal Towns and Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow are all identified as Key Service Centres). These settlements are all identified as offering a range of employment, retail, education opportunities and services, as well as good public transport and are proposed as the focus for sustainable future growth. Taylor Wimpey therefore considers it appropriate that the RIPPRHL provides the mechanism to allow greenfield releases of housing land in locations other than Crewe. Whilst Taylor Wimpey supports the inclusion of widening the interim policy to allow for sustainable housing land release in towns other than Crewe, the criteria that needs to be met for a greenfield site to be released for housing under this policy is far too restrictive. It will prevent the policy from operating efficiently and assisting the Council in meeting its five year housing land supply and buffer. Site Size Restrictions The RIPPRHL notes that the release of major housing sites on the edge of towns (other than Crewe) could pre-empt the future development strategy that should be dealt with in the Local Plan. CEBC therefore considers that any release of greenfield land for housing should be restricted to small sites (i.e. less than 1ha or 30 dwellings). Taylor Wimpey objects to this restrictive criterion. The annual target for housing in Cheshire East has been set at 1,150 homes per year. Allowing the release of only very small sites for housing would not contribute the level of housing land required to meet the deficiency in the 5 year supply as well as more local regeneration objectives. In addition, the level of housing required in the Borough is significant and even developments of several hundred dwellings would not pre-empt the future development strategy of large towns, such as Macclesfield and Sandbach. For example, the development of land at Congleton Road, Sandbach to deliver up to 195 dwelling is not considered to predetermine the Local Plan process as it only represents around 10% of the proposed housing requirement identified in the Draft Sandbach Town Strategy. Whilst the Council has not fully determined the housing requirement for Sandbach we have used this figure as a mechanism for demonstrating that the impact of the release of Congleton Road will not predetermine the Plan process. The restrictive criterion under Part 3 of the RIPPRHL which states that development sites should not represent the subdivision of a larger</p>

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		<p>site, will also limit the supply of housing and undermine the purpose of the IPPRHL. Larger sites are required to ensure that CEBC can meet its housing requirements. Sites should be assessed on their ability to achieve sustainable development and contribute positively from an economic, social, and environmental perspective, in accordance with the Framework. In this context, Taylor Wimpey considers that it is inappropriate for the CEBC to include additional restrictive criteria to the interim policy, which is not in accordance with the provisions of the Framework. The Framework clearly states that housing applications should be considered in the context of the presumption in favour of sustainable development. The site size restriction proposed in the RIPPRHL will unnecessarily prevent highly sustainable housing developments from coming forward on the edge of the Key Service Centres, just because they exceed the 1ha site size or 30 dwelling limit. Sites of an appropriate scale in the context of the settlement, which meet the requirements of sustainable development, as set out in the Framework, would make a significant contribution towards local housing needs and delivering the Borough's housing requirement. Allowing the release of only very small sites for housing would not contribute the level of housing land required to meet the deficit in the 5 year supply as well as more local regeneration objectives. We acknowledge that there is a need for the LPA to have some level of control over the scale of development that could be permitted under the Interim Planning Policy so that it does not predetermine the plan process. The Council should undertake and define a clear criteria based approach to assessing the impact of greenfield release on the edge of Key Service Centres rather than simply constraining development to 1 ha sites or 30 dwellings which fails to take account of local circumstances or need. For example, the release of a greenfield site should be appropriate in terms of:- 1 Its scale in relation to the status of the settlement; 2 The overall housing requirement proposed for the settlement; 3 The sustainability of the settlement and the level of services available; 4 The realistic delivery of housing commitments in the settlement; and, 5 Its cumulative impact in the context of other permitted developments. This will enable appropriate sized developments to come forward on the edge of the sustainable settlements to meet the acute housing need. Land to the north of Congleton Lane, Sandbach represents a site that is suitable in accordance with the principals of sustainable development and meets with the key criteria of the RIPPRHL. The site is closely related to the existing built framework of Sandbach, it is highly accessible with good transport links and access to local services and facilities. It is self-contained, with clear defensible boundaries. Development of the site would help to meet local housing needs and would not represent an inappropriate level of housing development over the likely scale of development proposed for Sandbach. Such a development should be assessed under the new criteria suggested below, which will allow the delivery of such highly sustainable sites to come forward and make</p>

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		<p>a palpable contribution to the local housing requirement. Requested Amendment Taylor Wimpey requests that in respect of Part 3 of the Interim Planning Policy, the site size and dwelling number restrictions, together with the criterion on subdivision, are removed from the draft RIPPRHL. In their place, applicants should be required to demonstrate the following:- 1 The size of the proposals when assessed cumulatively with other approved housing developments will not pre-determine the plan process and it will not have a detrimental effect on the settlement and its proposed housing requirement; 2 The existing housing commitments are not deliverable; and, 3 The site is sustainable in accordance with the Framework. The application of this criteria based approach in the assessment of new development proposals under the Interim Planning Policy will provide the LPA with a mechanism to resist further development, over and above the likely scale of proposed housing at a settlement. Affordable Housing Provision The RIPPRHL states that housing developments permitted on greenfield sites under this policy will be required to deliver a minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing [IPPSAH]. However, the Cheshire East SHMA identifies a requirement for 30% affordable housing and this recommended level of affordable housing is reflected in the IPPSAH which establishes an affordable housing policy of 30%. The source of justification for a higher affordable housing requirement of 35% on greenfield sites is not apparent or justified by evidence. Taylor Wimpey strongly objects to the proposed policy requirement for greenfield sites to deliver a minimum of 35% affordable housing. It is a common misconception that greenfield sites do not have particularly high development costs. However, if contributions are going to be required to enable off-site highways improvements as well as open space and community facilities in accordance with Local Plan policy, a 35% minimum affordable housing requirement may have a significant impact on scheme viability. It is therefore considered that the affordable housing policy requirement for greenfield sites should be 30%, reflecting the IPPSAH and the Council's evidence base contained in the SHMA and Viability Assessment. Requested Amendments on Affordable Housing It is therefore requested in respect of the RIPPRHL that the requirement for 35% affordable housing on greenfield releases is replaced with a 30% requirement. This would ensure that the RIPPRHL is consistent with the IPPSAH, the Council's evidence base contained in the SHMA and prevent inappropriate viability impediments caused by policy. Energy Efficiency Requirements The RIPPRHL states that housing developments on greenfield sites will be required to meet Code for Sustainable Homes Level 4 or higher and Building for Life Silver standard or higher. Taylor Wimpey objects to these requirements as they are overly onerous and should be removed. The Framework states that in pursuing sustainable development, careful attention should be paid to viability and the scale of obligations or policy burdens that a</p>

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		<p>development is subject to, should not threaten the ability of a site to be developed viably. The Framework states further that, to ensure viability, the costs of any requirements likely to be applied to development, should provide competitive returns (when taking account of the normal cost of development and mitigation), to enable the development to be deliverable. The Interim Planning Statement does not set out local circumstances that warrant requirements which go beyond national requirements. Changes to policies relating to local requirements for sustainable buildings should normally be undertaken within this development plan, as opposed to a non-statutory document, so as to ensure examination by an independent Inspector. Taylor Wimpey does not consider that it is appropriate for CEBC to pursue a blanket Borough-wide policy approach outside of formal development plan examination processes. Overall, there is no policy justification for these sustainable building requirements, which go beyond national requirements and could have a significant impact on the viability of some housing developments, which is in conflict with the viability considerations in the Framework. Requested Amendments on Energy Efficiency Requirements It is therefore requested in respect of the RIPPRHL that the onerous requirement for housing developments on greenfield sites to meet Code for Sustainable Homes level 4 or higher and Building for Life Silver standard or higher is removed in accordance with the Framework. Developments should instead be required to comply with national standards (currently Code for Sustainable Homes level 3 or higher). Taylor Wimpey welcomes the opportunity to provide representations on the RIPPRHL, and is pleased that the Housing Market Partnership is also being consulted as part of this process. Taylor Wimpey is keen to assist CEBC in meeting the local housing requirement and affordable needs and respectfully requests that the Council considers and reflects these representations in the progression of the Interim RIPPRHL.</p>

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RIPP131	<p>It fully appreciates and supports the need and urgency of introducing an Interim Policy to retain a five year supply of Housing Land pending the production of the Local Plan for Cheshire East. My Council urges, however, that the following criteria be added to the area adjacent to the settlement boundary of Crewe on page 9 of your report, to help further protect the intrinsic character of the villages and hamlets which make up our Parish. - Bullet point 2 add Green Belt in addition to Green Gap - Is self contained within clear defensible boundaries. - Is very closely related to the existing framework of the settlement. - Is fully in accordance with the Open Countryside Policies contained within the Crewe & Nantwich Replacement Local Plan (2011), in particular policy NE2 - Is fully in accordance with the Conservation Area Policies contained within the Crewe & Nantwich Replacement Local Plan (2011), in particular policy BE7 My Council is very conscious of the views of residents within our parish which were expressed in our recently published Parish Plan in relation to Development and Housing “ 73% response. They recognized that given the development pressures that we’ve been subjected to over the last 15 years or so, our infrastructure is already overloaded, and they didn’t wish to see any additional development on Green Belt, Green Gap or Greenfield sites. Given the fact that draft proposals for Basford East are now just over the horizon, my Council requests that additional robust safeguards are put in place within your Local Plan to protect the character of our area which, albeit on the edge of Crewe, is not physically a part of Crewe. In particular we request that a critical examination is made of the Green Gap allocation and serious consideration is given to extending this allocation.</p>
RIPP93	<p>Overall, BAE Systems support the process which Cheshire East Council is undertaking to develop a strategy to manage the release of additional land for residential development through the consideration of planning applications to maintain a 5 year supply of housing. However, BAE Systems have some comments on the proposed policy in regard to future mixed use development proposals. Whilst paragraph 3.6 of the draft policy document refers to the potential of areas within town centres and older employment areas for regeneration and the opportunity for mixed use schemes to support the redevelopment of these sites. There is no reference to the opportunity for the development of greenfield sites as part of mixed use development. We believe that a reference should be made in the Interim Planning Policy to this effect. Older employment areas often come with the inherited problems of their former uses, such as significant contamination and difficult transport access. The development of adjacent greenfield sites for housing development could contribute towards overcoming the difficulties with older employment areas which would otherwise make redevelopment economically unviable. The promotion of the development of greenfield sites as part of comprehensive mixed use development is consistent with the National Planning Policy Framework (NPPF). In particular, the 'Core Planning Principles' set</p>

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		<p>out in the NPPF (referred to at paragraph 2.4 of the draft policy) which state that planning should 'proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units, infrastructure and thriving local places that the country needs'. BAE Systems are concerned that the restriction of sites less than 1 hectare could potentially constrain economic growth in areas outside Crewe and other town centres/settlement boundaries. This would certainly be the case if the Interim Planning Policy was in place for a significant amount of time in advance of the adoption of Cheshire East's Local Plan and Site Allocations should the adoption targets not be met. A further fear, if the Interim Planning Policy was in place for a substantial period, is the potential for a number of small-scale greenfield housing sites coming forward and the associated cumulative impacts. Small sites can contribute towards housing supply in a positive way. However, they will not necessarily deliver the strategic benefits that development of greenfield sites as part of a more comprehensive proposal could do. It is for this reason, we feel that the cumulative impact of small scale development could also pre-empt decisions on the future development strategy for the Borough. Cheshire East's intention to continue the Local Plan process is recognised, and BAE Systems will support this process. However, a balance needs to be struck between encouraging sustainable economic growth and delivering housing supply in the absence of a Local Plan. The NPPF makes it clear that planning should operate to encourage and not act as an impediment to support sustainable economic growth. Without appropriate mechanisms and flexibility, the Interim Planning Policy could impede sustainable economic growth. Flexibility could be delivered by amending Part 2 of the Interim Planning Policy proposals to include existing employment areas in or adjacent to Key Service Centres, which allows for the development of greenfield sites as part of a comprehensive mixed use development. The exceptions policy would have to ensure that development is sustainable and satisfy the policies within the NPPF. In addition, specific timescales and definition of how long the Interim Planning Policy will be in place for need to be identified by Cheshire East, including the circumstances which allow for the policy to be reviewed. Many employment areas in Key Service Centres have greenfield sites surrounding them which present an opportunity for sustainable mixed use development. Bringing adjacent greenfield sites forward for development could help in securing the future function of crucial industrial areas that contribute towards the Borough's employment land supply, both in terms of quantity and quality of provision available to existing businesses in the area and future businesses willing to move to the Borough.</p>

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RIPP83	No	<p>My client does not support the IPP given the context of the National Planning Policy Framework (NPPF) which clearly states at paragraph 14 that Local Planning Authorities should consider favourably proposals for residential development where the Development Plan is absent, silent or relevant policies are out of date. It is clear that the NPPF provides the necessary planning policy framework for determining planning applications where development plans are out of date and it would appear that the draft IPP as written would only further frustrate the acute shortage of market housing throughout Cheshire East. My client therefore objects to the need for the IPP and also objects to the following elements of the policy:</p> <ol style="list-style-type: none"> 1. It is noted the draft IPP refers to the council being able to demonstrate a 3.94 year supply of deliverable housing sites. This figure has been subject to much debate recently both within the Housing Market Partnership (HMP) meetings and during Planning Inquiries. It should be noted that the HMP has not agreed to the figure of 3.94. The Council should make available the full evidence base that underpins this figure given the importance that will be attached to this as housing completions start to come forward. 2. Whilst it is noted that the council acknowledges within the draft IPP that there is not a five year housing supply and makes reference to NPPF in terms of potentially including an additional buffer of between 5-20% which would result in a 5.25 – 6 year supply, the draft IPP does not appear to take this into account, however when considering recent rates of completions particularly from 2008 it is clear that the average annual requirement of 1,150 dwellings has not been achieved, in 2010/11 only 466 dwellings were completed. It would therefore seem that to be consistent with NPPF the council should consider a 20% buffer to ensure housing delivery and therefore emerging housing policy must consider the need to demonstrate a 6 year deliverable housing land supply rather than a 5 year supply. 3. The draft IPP should not seek to restrict the size of development that will be acceptable either by site size or the number of dwellings proposed. This restriction is not consistent with NPPF where there is not a five year supply of deliverable housing sites and furthermore such an approach will not result in the required level of housing completions necessary to tackle the undersupply. 4. The draft IPP seeks to impose considerable burden on development both in terms of affordable housing provision and Level 4 (Code for Sustainable Homes). Whilst it is acknowledged that the types of sites this draft IPP seeks to support are likely to be Greenfield, this does not result in strong viability in all cases. Such policy requirements should be considered on a site by site basis. In relation to affordable housing, such requirements should only be imposed where they reflect a proven local need and where there is adequate financial viability. <p>In conclusion, it would appear that the draft IPP as written is not consistent with the National Planning Policy Framework given the lack of 5 year supply and an out of date Development Plan. The IPP as written is considered to be too restrictive in terms of both</p>

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		<p>locations where growth will be supported and the overall quantum of development, furthermore other policy requirements such as affordable housing and Code for Sustainable Homes (Level 4). It is suggested that planning applications should be determined in accordance with the NPPF until such a time that a Core Strategy is fully adopted, however, should the council be minded to move forward with an IPP in the interim, my client requests that the content of these representations is taken into account when re-writing the IPP.</p>
RIPP71	No	<p>green belt is sacrosanct and should not be built on if it is the damage cannot be undone the rectory fields are a glorious natural space in the centre of the village an should stay as such</p>
RIPP99		<ol style="list-style-type: none"> 1. SCFOE welcomes the publication of an interim policy as we had become increasingly concerned about the number of speculative consultations being organised by developers in the recent months in Nantwich and a number of developments targeted at Green Gap land in Crewe and Shavington. 2. SCFOE is very concerned that there is no protection of agricultural land within the Policy. We believe that as the climate changes and Southern and Eastern areas of the country are no longer able to grow some staple foods such as potatoes and grass for dairy production, counties such as Cheshire will need to produce this food. We have a duty to protect the asset of our agricultural land for the 2020-30 decades. When this land has been built on we will no longer be able to produce food on it. 3. SCFOE are pleased that the policy provides protection for the principle of the Green Gap which was a much appreciated and valued principle from the old Crewe and Nantwich Borough Council. The segregation of the communities by Green land gives each community a distinct identity and pride. In most cases the Green gap also promotes the feeling within the community of not being part of an urban sprawl. 4. SCFOE understands and welcomes the idea of concentrating housing development in areas where employment will be targeted. We feel that this remove the pressure on more rural developments such as Nantwich which in recent years have been developed as dormitory towns exceeding the capacity of local services, facilities and infrastructure. 5. Point 2: We feel that much could be done to revitalise Crewe town centre by accepting that retail is moving on line and that the current space occupied by retail is no longer required. As a result it would make much more sense to allocate the land around ex MFI and Dunelm Mill and Chester Bridge, currently being targeted for yet another supermarket, to housing. This would help to give vibrancy back to Crewe and generate demand from a population in the town centre. Other towns have achieved this growth and Cheshire East should aspire to do so. 6. We believe that the above could also be the case for some of the other smaller towns. We know builders hold land within Nantwich town centre. There is sufficient of this to meet the annual needs of

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		<p>housing from Nantwich residents themselves for a few years. By shrinking the CBD of Nantwich, Sandbach and Middlewich and concentrating retail and business within the centres, the towns will look less run down and populated with Charity shops. Released (currently empty) retail could then be used for conversion to housing / infill which would generate business within the town.</p> <p>7. Point 3 Site Criteria. SCFOE is pleased that some attempt has been made to define local services. However we believe that there needs to be rigorous quality criteria added. The criteria shown are so weak that a developer would be able to demonstrate the site met 5 of the list of services in most of the rural areas and hamlets of East Cheshire.</p> <ol style="list-style-type: none"> 1. All services should be in safe walking distance, particularly schools and nurseries. We are aware that a few years ago houses were built as infill in Willaston, The only school was full and primary children were allocated a place in Wistaston Berkerley. This school, although an acceptable distance as the crow flies was along a rural lane with no pavements forcing parents to buy a second car or risk a dangerous and long walk. The same is currently happening in Nantwich where parents are being allocated places in primary schools where it is necessary for the children to be taken by car as there is no safe route to school. 2. Access to a shop should not involve the crossing of a busy road or walk along a de restricted road. This is particularly important where houses are being targeted at certain populations i.e. affordable for young families or sheltered housing for elderly. 3. Access to public transport is essential if a community is not to be isolated by the rising cost of fuel and motoring costs. Or in the case of younger / older populations, the inability to drive. Therefore the transport criteria should be a bus stop and suitable service i.e. 2 buses per hour. 4. The criteria for a shop selling food should be shop selling groceries including fresh food, fruit and vegetables along with milk and bread. Again meeting the criteria in points 1 & 2. 5. Post box, post office and cashpoint should be combined as criteria. Many post offices offer all 3 and therefore 3 of 5 requirements could be met from an isolated rural post office. 6. Leisure facility, meeting place, Public Park and public open space should be combined as criteria. It is possible in Hough or Wistaston to meet 4 of the 5 requirements within this category alone. 7. Medical centre and pharmacy should be combined as both can offer medical advice and following the re development of surgeries through out Cheshire the new surgeries usually have a pharmacy within the building. 8. There is no requirement for the applicant to prove that the development will not over whelm the existing infrastructure. Traffic

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		<p>density in Nantwich now means that it is difficult to get to and around the town for 8-10 and 4-6.30 pm. Traffic is so bad on Saturdays that we are aware that people no longer visit the town as they cannot reach the parking and cannot park when they get there. In Willaston and the Marsh lane area of Nantwich, additional infill has generated serious congestion with buses unable to pass in the case of Willaston and cars mounting the pavement in Marsh Lane. This makes those areas particularly dangerous for pedestrians and cyclists thus increasing the number of journeys by car. These issues should be identified and addressed with the applicant taking remedial measures as part of the development before any building is allowed.</p>
RIPP68	Comment	<p>The policy is welcomed and supported in so much as it provides a much needed opportunity for potentially sustainable housing sites to come forward in the key service centres of Cheshire East where there is a shortage of a range of housing choice, especially affordable or lower-cost units. Clear criteria are provided, which is useful for consultation guidance purposes, however we urge the Council, assuming this policy is adopted, to act flexibly in application of the criteria when considering individual applications for sustainable development sites in or on the edge of the key service centres. This flexibility of approach would be consistent with the NPPF and wouldn't preclude sites that are, for example: slightly larger or capable of bringing forward marginally higher numbers of housing units but which are otherwise acceptable. In addition we are concerned that the policy as written could preclude collaboration on a more comprehensive approach that could be beneficial for the local environment in some circumstances. The guidance does not make it clear how the developable area will be assessed. It is always difficult to apply rigid criteria to real world situations. For instance, sites do not, often, come in conveniently sized less than 1ha parcels and it would be unreasonable of the Council to expect this. The application of these criteria as written could impose poor designs on some sites, further emphasising the need for a flexible application of the policy. We suggest that a sensible policy objective is the achievement of appropriate densities - this should be one of the main tests of a site. This, together with a policy that directs the overall form and function of sites in such a way as to prevent major extensions to existing service centres, which is, we presume, the motivation for the size limitation. We contend the 1ha is, as a result, an arbitrary size limit. We further suggest that sites should be allowable in a range up to 1.5ha provided that density in the range 20 to 30 units per hectare is deliverable - this would be a more a useful guide that is likely to produce acceptable designs in most circumstances and would encompass a range of potential sites that could help the borough meet its housing needs.</p>

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RIPP69	Comment	<p>The policy is welcomed and supported in so much as it provides a much needed opportunity for potentially sustainable housing sites to come forward in the key service centres of Cheshire East where there is a shortage of a range of housing choice, especially affordable or lower-cost units. Clear criteria are provided, which is useful for consultation guidance purposes, however we urge the Council, assuming this policy is adopted, to act flexibly in application of the criteria when considering individual applications for sustainable development sites in or on the edge of the key service centres. This flexibility of approach would be consistent with the NPPF and wouldn't preclude sites that are, for example: slightly larger or capable of bringing forward marginally higher numbers of housing units but which are otherwise acceptable. In addition we are concerned that the policy as written could preclude collaboration on a more comprehensive approach that could be beneficial for the local environment in some circumstances. The guidance does not make it clear how the developable area will be assessed. It is always difficult to apply rigid criteria to real world situations. For instance, sites do not, often, come in conveniently sized less than 1ha parcels and it would be unreasonable of the Council to expect this. The application of these criteria as written could impose poor designs on some sites, further emphasising the need for a flexible application of the policy. We suggest that a sensible policy objective is the achievement of appropriate densities - this should be one of the main tests of a site. This, together with a policy that directs the overall form and function of sites in such a way as to prevent major extensions to existing service centres, which is, we presume, the motivation for the size limitation. We contend the 1ha is, as a result, an arbitrary size limit. We further suggest that sites should be allowable in a range up to 1.5ha provided that density in the range 20 to 30 units per hectare is deliverable - this would be a more a useful guide that is likely to produce acceptable designs in most circumstances and would encompass a range of potential sites that could help the borough meet its housing needs.</p>
RIPP67	Comment	<p>3. (page 9) accessible by walking - please see above 3. (page 10) footnote 2: the criteria need to be tighter in as much as these could be "satisfied" by the softer options eg post box without the essentials being available eg medical centre. The distance for a railway station appears to be too far - it should only be 1000m particularly as it is also qualified</p>

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RIPP127		<p>Section 3 of the Draft Interim Policy should be amended as follows:-</p> <p>1. Where land is within the existing (historic) green belt designation but the site does perform the function of green belt and in all other respects conforms to the interim draft policy (save for point 2 below) then such land should be considered for housing development. The reason is that some sites are in built up areas and have development up to existing boundaries i.e. they are infill plots. The development of such plots does not have a green belt role and should be considered for development and the green belt status removed.</p> <p>2. Clarity is required in relation to what constitutes the sub-division of a larger site. Redevelopment of a site in total should be permitted.</p>
RIPP109		<p>A Crewe centric spatial strategy continues to be promoted through the emerging Local Plan and this is reflected in the existing IPP. The revised IPP, however, sensibly takes steps to maintain and enhance housing supply elsewhere in Cheshire East, through the inclusion of locations adjacent to the settlement boundary of Macclesfield and the nine key service centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow). In these locations, housing development will be permitted providing the applicant can meet all ten specified criteria. These criteria place undue and unnecessary restrictions on development opportunities that help deliver housing growth in accordance with NPPF. We have concerns with three of the criteria as follows; Not within the Green Gap; Less than 1ha in size or no more than 30 dwellings; Does not represent the subdivision of a larger site.</p> <p>Not within Green Gap</p> <p>Following the publication of the NPPF, saved Policy NE4: Green Gaps is inconsistent with the Framework. The transitional arrangements provided in Annex 1 to the NPPF make it clear that in the case of saved development plan policies, weight should be attached to relevant policies according to their degree of consistency with the framework. NPPF continues to safeguard Green Belt land however the Green Gap designation is a local designation and is in the most basic sense, unprotected greenfield land. By virtue of the weight that must be given to the focus on housing growth within NPPF, the continued protection of Green Gap land is inconsistent with the core principles of the framework. Accordingly, in the consideration of housing development proposals it continues to be appropriate to exclude Green Belt sites; however the continued protection of Green Gap is trumped by the provisions of the NPPF relating to housing growth. Any reference to Green Gap within the IPP should therefore be removed.</p> <p>Less than 1ha in size or no more than 30 dwellings</p> <p>Our previous representation to the existing IPP raised concerns about the size threshold included within it. The criterion is carried over to the revised IPP and we maintain our original concerns. The</p>

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		<p>site size restriction within the IPP could enable less favourable sites (from a perspective of being available, achievable, viable) to be brought forward in advance of sites that have been identified in the SHLAA as being suitable in the short to medium term, purely on the basis that they are below the 1 hectare threshold. Such an approach does not conform with general provisions of promoting sustainable development as a site could be highly sustainable but discounted on the basis that it was too large, notwithstanding the benefits that it could bring to a settlement. Applying an arbitrary site size in this manner is a completely inflexible approach to facilitating short term housing growth. A more reasonable approach would be to consider development proposals on their merits; applying a proportionate approach to the size of the development in relation to the scale of the settlement to be extended. It is more critical to ensure development proposals do not pre-empt the direction of development within an individual town. The criteria should be redrafted to read: is approximately 1 hectare in size or having the capacity for approximately 30 net additional dwellings.</p> <p>Does not represent the subdivision of a larger site This criteria is not clear as worded. There is no further reasoning or justification provided in relation to this criterion. Whether a planning application for a smaller site is submitted in advance of proposals planned for a larger site is immaterial in planning terms. Approving a smaller housing scheme when the Council is of the opinion that it forms part of a larger site does not undermine their ability to resist larger development proposals where they would conflict with the provisions of the emerging development plan. Strategic scale housing proposals will continue to be promoted through the Local Plan process. Those sites that are acceptable will be included within the Local Plan, those that are not will be excluded. In the case of the latter, the Council will continue to be able to resist conflicting proposals that fall outwith the Development Plan, irrespective of whether they have previously approved a small section of the site as a result of its compliance with the IPP. Furthermore, neither can this criterion be related to the need to ensure that larger site comes forward in a well-designed, comprehensive fashion. At the time of determining a planning application for a smaller scheme, the Council will be able to ensure (possibly through the submission of an illustrative masterplan) that the wider site may also come forward in a well ordered manner. In summary on this issue, this criterion is not precise or necessary and should be excluded from the final document.</p>

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RIPP94		<p>The policy states that when it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by the NPPF, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations: 1. Adjacent to the settlement boundary of Crewe (subject to a range of criteria); 2. As part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses; and 3. Adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow) (subject to a range of criteria). The inclusion of sites adjacent to the settlement boundaries of Macclesfield and the nine Key Service Centres is an addition to the original IPP, as it was evident that Crewe on its own would not deliver the Borough's housing supply requirements and therefore the IPP had to be expended. In principle there is support for the acknowledgment that sites adjacent to Crewe and within town centres/regeneration areas alone cannot address the shortfall in housing across Cheshire East and that sites elsewhere are required. However, it is considered that sites adjacent to other settlements (in addition to those identified in the Revised IPP) in the Borough can also make a valuable contribution to the housing land supply position and should not be prevented from coming forward for residential development. For example, Goostrey has a number of services located within walking distance of sites adjacent to the settlement boundary, including a parade of shops which provide a Post Office, a hairdressers, butchers and newsagents. It is considered that attracting additional residential development within Goostrey, whilst also contributing to the current shortfall of housing, will attract more people to the area which will increase spending on local services and assist businesses in remaining operational. In terms of accessibility, Goostrey has a Train Station which offers journeys to a range of destinations including Crewe, Sandbach, Alderley Edge, Wilmslow, Stockport and Manchester. The number 319 bus provides a circular journey visiting Sandbach, Holmes Chapel Shopping Precinct, Goostrey Booth Bed Lane and Goostrey Train Station and runs at a frequency of 1 bus per hour during the morning and early afternoon. The tests for assessing the deliverability of a site remain as originally outlined in Planning Policy Statement 3 (PPS3) and are carried forward into the NPPF; sites must be available now, offer a suitable location for development and be achievable. It is these tests which should be used to identify suitable future housing sites. Goostrey should be viewed as a suitable location for future residential development and sites adjacent to the settlement boundary should be assessed on their suitability and sustainability rather than being discounted purely on the basis of the restrictive Revised IPP. It is evident from the publication of the NPPF that the Government are very keen for sustainable development to be encouraged. Based on the</p>

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		<p>information above, and taking into account the significant shortfall in housing land supply across Cheshire East, sites adjacent to settlements such as Goostrey should be considered for future residential development as they would make a valid contribution to the Borough's housing land supply targets. In conclusion, whilst the addition of other locations for future residential development is supported in principle, it is considered that sites adjacent to other smaller settlements not identified in the Revised IPP should still be able to come forward. It is therefore requested that the Revised IPP is amended to reflect this, as sites adjacent to settlements such as Goostrey are well placed and suitable to make a valuable contribution to the shortfall in housing across the Borough and should be able to come forward. A proactive and positive approach to residential development across Cheshire East should be adopted that is based on the NPPF and its presumption in favour of sustainable development rather than being onerous and restrictive. Sites should be assessed on their deliverability and their realistic prospects of delivering residential development to assist in meeting the housing shortfall across the Borough.</p>
RIPP101		<p>The articulation of a revised policy is welcome and in particular point 3 is supported however, the restriction to sites of less than 1 hectare in size and no more than 30 net additional dwellings is not sustainable or deliverable in many cases. If the purpose of the interim policy is to help the LPA effectively manage the release of housing land in advance of the Local Plan then a realistic assessment of larger sites based on the criteria in point 3 would help to address the underlying causes of the lack of a demonstrable 5 year supply. Indeed, as Cheshire East needs to make up the shortfall with the additional 5% and probably 20% buffer in the short to medium term then good sustainable edge of settlement sites are essential to avoid ad hoc applications coming forward. The NPPF is clear that the supply of specific, developable sites should be for 6-10 years and 11-15 years. Without recognising that larger scale sites offering a phased release can address the undersupply there will continue to be challenges. The articulation of a revised policy is welcome and in particular point 3 is supported however, the restriction to sites of less than 1 hectare in size and no more than 30 net additional dwellings is not sustainable or deliverable in many cases. The policy needs to recognise that larger scale sites offering a phased release can address the undersupply in the short, medium and long term.</p>
RIPP108		<p>The aim of the interim policy is to set out locations where residential development will be acceptable should the Council be unable to demonstrate a five year supply of housing. The third category covers adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow) subject to meeting a number of criteria. It is our view that this category should be expanded or an additional category inserted to include other sustainable villages in the Borough. Saved Policy</p>

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		<p>PS5 of Congleton's Borough Local Plan (First Review 2005) identifies Holmes Chapel as a village in the open countryside. Paragraph 2.63 of the Local Plan states: These settlements provide a basic level of community services which are used by the local population, including those parishes surrounding them, and are expected to absorb the bulk of the housing and employment requirements for the rural areas. Development in these settlements is considered important to maintaining the viability of existing local services and facilities although the scale of development will be limited to that which is necessary to meet local needs. Holmes Chapel is a sustainable village with a good range of service and amenities, including a train station with services to Crewe and Manchester Piccadilly. It would be a good location for additional housing provision. Paragraph 14 of the National Planning Policy Framework (NPPF) states that: Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. The Council acknowledges that it is currently unable to demonstrate a five year supply of housing (latest assessment shows 3.94 years). In addition a 20 % buffer is required where there has been a record of persistent under delivery. In order to ensure that the Policy has the flexibility to respond to rapid changes as required by the NPPF, allowance should be made in the Interim Policy to enable residential development on the edge of Holmes Chapel, subject to compliance with the identified criteria. This is appropriate given the sustainability of the village, and accords with the approach set out in Congleton's Saved Policies. This is particularly important in light of the significant persistent under delivery of housing since 2008, which is identified in the Annual Monitoring Report for 2010-2011.</p>

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RIPP110		<p>It is unclear why the policy position proposed allows the release of additional greenfield sites on the edge of Crewe. As can be seen in Table 5.1 of the SHMA market demand is least likely to be satisfied in the former Macclesfield area (74.2% of identified demand likely to be satisfied), followed by the former Congleton area (78.9%). Why therefore does the Interim Policy support the further release of greenfield land in Crewe, has over delivered on its five year housing target. The more practical approach for the Council would be to address the chronic shortfall of housing in Macclesfield and Congleton before allowing the further release of greenfield land for housing land in and the surrounding environment of Crewe where demand is currently being met. We make representations on the basis that the 35% affordable housing target does not have adequate regard for its impact on the viability, practicality and setting of housing developments as required by the NPPF, which states in paragraph 50, bullet point 3 that affordable housing policies "should be sufficiently flexible to take into account of changing market conditions over time". The added cost and/ or lower Gross Development Value (GDV) which results from significant proportions of affordable housing can tilt the balance of the viability of a residential development project. The decreased profit and increased risk involved becomes such that the project is not worth embarking on or at the very least affects land prices. Accordingly, expecting investors to accept a lower level of profit to accommodate the full range of policy and planning gain requirement is unrealistic and would serve to stifle housing development, an approach that cannot be seen to be sustainable since the 2008 economic and housing downturn. The mix of affordable and private housing often has a negative effect on the desirability of private homes and consequently their sale price. Whilst the integration of affordable and private homes may encourage a more inclusive society it is likely to have a significant negative affect on the value of upper market residential development schemes. Furthermore it may not always be appropriate for sites to accommodate a substantial element of affordable housing for a variety of reasons including sustainability of the development itself and the socio-economic welfare of the affordable component occupants. For some market schemes it may be unwise and unfair to place the affordable element in the same location if for example they were remote from local services and forced to be reliant upon private transport. Government guidance in the form of the NPPF has actively and rightly advocated the reuse of brownfield sites prior to the use of greenfield sites. This has further implications for the viability of affordable housing requirements. The costs of the redevelopment of brownfield sites are proportionally higher than greenfield sites, to expect the developer to both meet 35% affordable housing requirements and brunt the cost of remediating brownfield land ready for development is unreasonable and will see further development on greenfield sites coming forward. Consequently an open-minded approach is</p>

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		<p>necessary from all parties involved, this includes planners, purchasers, developers and perhaps most importantly, Councils who need to understand not only the socio-economic integration but the financial consequence of their stipulations. Indeed a more pragmatic approach would be to only insist upon such affordable housing requirements when it is the best use of the opportunities available. Whilst, it is understandable that affordable housing is an integral aspect of the UK property market especially with today house prices, the stipulation that over a third of all new development should be affordable housing is unrealistic and will stifle development. The Council should look at the requirement of affordable housing on a case by case basis and not look to be overly prescriptive in its stipulations. The planning system is after all meant to facilitate development. The prohibition on the redevelopment of green belt land cited in the Revised Interim Planning Policy Release of Housing Land is contrary to advice contained within the NPPF and will prevent further housing development being directed towards brownfield land. In view of this, paragraph 89 of the NPPF states that:"A local planning authority should regard the construction of buildings as inappropriate in Green Belt. Exceptions to this are: -...limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development". Therefore Cheshire East Council should look to introduce a caveat into green belt policy that still protects the green belt but allows development on previously developed land in 'very special circumstances'. Furthermore the extensive Green Belt that surrounds the Macclesfield area will inhibit the ability of the former Districts to meet its housing demand. As a result it is felt that through the introduction of a caveat into Green Belt Policy, the Green Belt can sustainably contribute to housing demand in Cheshire East with no further impact on their openness and permanence.</p>

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RIPP112	<p>It is clearly acknowledged within the revised Interim Planning Policy that the Council have a significant shortfall in their 5 year housing supply, calculated at 3.94 years as at 1 April 2011 and through this policy document recognised that further sites outside the settlement boundaries and within employment sites need to be released for housing, which is fully supported. In accordance with the provisions of the NPPF it is important that the IPP allows for greater flexibility for alternative uses on existing employment sites where it is demonstrated that there is no reasonable prospect of the site being used for that purpose, rather than still insisting that employment must come forward alongside any proposed housing on these sites. This approach is onerous and non compliant with the provisions of the NPPF. In deciding whether there is a reasonable prospect for a site to come forward, due consideration should be given to the costs involved in developing sites and their ability to be developed viably.</p>
RIPP113	<p>Similarly, in relation to the Interim Planning Policy on the Release of Housing Land, the Society would highlight the criteria which state that: - Residential development should not be within the Green Belt or Green Gap - Developments should include a minimum of 30% affordable housing. - Developments will not impact on European sites of nature conservation areas.</p>
RIPP114	<p>The Town Planning Company consider there to be limitations to this proposed new policy, if you could register these concerns and consider these comments when adopting any revised policy on the release of housing land we could be grateful. 1. Land Use Swap What if housing proposals are put forward as part of a wider land use swap? There could be benefits in allowing provisions to bring forward brownfield land for housing development if the existing use is relocated elsewhere within the same district but on a more appropriate site. This may be useful for unallocated employment or community sites. This principle forms a core part of the NPPF (2012) and adopted local planning policies, which vies for more flexibility in the planning system. This could allow more appropriate sites to come forward both for community benefits and the economic needs of business. On the other hand, there are many longstanding community use and employment land sites which may be better suited to the provision of housing land. 2. Eradicate the Blanket No Development In Greenbelt Proviso. There are undoubtedly exceptions to the release of green belt land for housing development, not only because of pressure to allow for new growth and limited resources on brownfield land, but, there are green field sites that may be deemed appropriate, or green belt sites that are not strictly green field, therefore the impact of a proposed development may pose an opportunity to improve on what already exists on the site in terms of height, scale and massing. Exceptions to the construction of new buildings in Green Belt are openly listed in paragraph 89 of the NPPF (2012), as loss of green belt may be considered appropriate for: i, limited infilling in villages, and limited affordable housing for local community needs</p>

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		<p>under policies set out in the Local Plan; or i, limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The 'no building on green belt/green gap' blanket policy comes across as inflexible, as there is a high proportion of brown field land in green belt which, if considered for redevelopment could be seen as an opportunity as opposed to a threat, so long as the proposed can be proven issue less of an impact. This policy restriction should be lifted to allow for a more flexible approach, where assessments are made on the basis of independent circumstance. 3. Sites Identified as Appropriate/Inappropriate via The SHLAA and Pre-planning Partnership Working SHLAA representations should have a bearing on a site's appropriateness for housing development, as this can offer proof of formal pre-application liaison. If a site is not considered appropriate, this should be expressed appropriately as to why and, provisions should be made to discuss how any restrictions may be overcome in a sensible way. Perhaps local group support, especially in the light of the new community lead planning system, could help to convince planners of the benefit of releasing sites they consider to be highly inappropriate (must allow the consideration of what local communities want, even if it is not in line with the academic views of planning policy).</p>
RIPP118		<p>In the first instance the Council's proactive approach through the introduction of this extended IPP measure is commended and supported. In particular the allowance for additional windfall sites to be promoted in other areas outside the settlement of Crewe. However unless the policy is robust and defensible it will not do justice to its purpose, this is the focus of these Representations. - Adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow), provided the applicant can demonstrate that the site meets all of the following criteria: In principle there is support for the inclusion of additional areas that are deemed suitable of delivering residential development. However objection is raised to only allowing development on the edge of the Key Service Centres this inadvertently advocates that other areas of the Borough are unsustainable and unable to accommodate any growth which is a considerable oversight by the Authority. There are a number of large villages which offer excellent facilities and services that could accommodate moderate growth, one such village is Willaston located within excellent proximity for both Crewe and Nantwich. The villages should not be deprived of investment and should provide an appropriate level of development to encourage young families to remain in the area. To do this however there needs to be an acceptance in policy and in development management that village settlements need to evolve. This in turn is vitally important in</p>

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		<p>safeguarding local services and improving the local economy, it is in reality only large developments that can aid this rather than piecemeal small scale developments. The promotion of sustainable development on the edge of village such as Willaston will support local needs and services allowing for moderate growth of the village and allowing it to continue to thrive and provide for the daily needs of its existing residents.</p> <p>- The Site is not within the Green Belt or the Green Gap Whilst the importance of such sites is acknowledged, in many instances and with particular regard to the Green Gap sites, these can often be in sustainable locations and be just as suitable for development as those sites adjacent to the built-up framework. Rather than adopting a blanket approach that excludes all Green Belt and Green Gap sites from the policy permitting residential development, it is suggested the policy is amended to allow assessment of Green Gap sites, on a site by site basis. This would reveal whether such sites are in fact sustainable and suitable and therefore indeed developable for residential development and would represent a deliverable option to assist in meeting the Boroughs shortfall in housing delivery.</p> <p>- Is very closely related to the existing built framework of the settlement Connections and linkages with facilities within a settlement are important in assessing the sustainability of a site for future residential development alongside a good relationship with existing development- this is supported.</p> <p>- Is self contained within clear defensible boundaries This requirement is more akin with reference to Green Belt sites and it should not be necessary for sites outside of the Green Belt to have to be surrounded by defensible boundaries as they are not allocated to function in the same manner as Green Belt sites. Sites should be allowed to create such boundaries through masterplanning if considered necessary. This should be amended to reflect this.</p> <p>- Is accessible by walking to a wide range of local services The allocation of settlements as Key Service Centres implies that there are sufficient facilities to meet existing demand from local residents and also to cater for additional future residents. Whilst it is important that sites are sustainable and future residents can easily access a range of services and facilities, it is considered too restrictive to set out strict distances to a prescribed list of facilities. Sites will differ on their level of sustainability and whilst not all are within walking distance of a significant amount of services they may be in close proximity to a good public transport network which would allow easy access to facilities. Sites need to be considered in the wider context and not just assessed solely on the walking</p>

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		<p>distance from a predetermined list of facilities. Yet as addressed above other settlements such as large villages such for example Willaston good facilities that can be accessed through modes other than private transport and these villages have well located parcels of land can be accessed by walking. - Is capable of being fully developed within 5 years of the granting of full or outline planning permission This is supported. The intention of the interim policy to support and encourage the release of housing land to meet an identified short term deficiency in land supply and the ability for the land to be developed within 5 years thus should require developments to physically deliver. -Provides homes that improve the overall choice, quality and supply of housing within the relevant town This is supported and is inline with the objectives of NPPF.</p> <p>- Is less than 1 hectare in size or has the capacity for no more than 30 net additional dwellings This is not supported. This conflicts with what the IPP is seeking to achieve i.e. contribute and ultimately meet the Boroughs 5 year housing land supply. Imposing restrictions such as this does not demonstrate efforts to positively seek opportunities to meet the development needs and therefore is contrary to the objectives of the NPPF. These restrictions are also contradictory with the background information outlined in the earlier chapters of the Revised IPP; paragraph 2.18 of the Revised IPP states the lack of a 5 year supply of deliverable housing sites means that the Council should continue to take proactive steps to manage the situation. It is considered that placing onerous restrictions on the size of site and density of development that will be permitted to address the shortfall of the 5 year housing supply are not proactive steps. Small sites with development density restrictions are often not attractive to investors or developers and the interim policy could in turn have a negative effect resulting in few additional sites being promoted. The sweeping statement made in paragraph 2.23 of the Revised IPP can also be questioned, with the assertion that small sites can be developed quickly and without major infrastructure requirements. The infrastructure requirements of a site should not be viewed as a reason for refusing development, as it is possible to mitigate and legally enforce that necessary improvements are made. Paragraph 203 of the NPPF highlights that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. There are therefore national and legal mechanisms in place that would remove any problems of larger sites requiring infrastructure improvements and should not be considered as a reason for deterring and prohibiting larger sites coming forward. A frequent complaint and concern by Members raised at Planning Committee is piecemeal development that doesn't have good linkages and does not represent the delivery of a comprehensive scheme and also the limited benefits to the local area. Allowing only small sites to come forward has the potential to increase piecemeal</p>

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		<p>development with small pockets of housing being widely dispersed. In addition, small sites are unlikely and in most cases unable to generate significant benefits to the local community. For example, the amount of affordable housing generated by a scheme of 30 houses is minimal and unlikely to make a notable contribution to the shortage of affordable units. -That the density of the site is appropriate to its location and is no less than 20 dwellings per hectare Density is a matter that should be considered on a site by site basis and this is often dependant upon site constraints and indeed influenced by the market. This should be removed from the interim policy.</p> <p>- Does not represent the subdivision of a larger site No comment.</p> <p>- That it will not pre-empt or prejudice the future scale and direction of development within the individual town No comment.</p>
RIPP123		<p>This representation specifically relates to point 2 of the draft policy which identifies residential development will be permitted in the following locations: As part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses No clarity is provided to detail what constitutes a regeneration area, however the justification at Paragraph 2.14 (when referring to the original IPP) makes reference to the fact that housing can come forward as part of mixed use redevelopment schemes within settlements to support the development of the site for employment, town centres and or other uses. Paragraph 2.17 confirms that the draft Revised Interim Planning Policy will also continue to allow for mixed use developments in other settlements (outside Crewe) in the Borough. The NPPF is clear at Paragraph 22 that in instances where there is no reasonable prospect of a site being used for its employment allocation policies should avoid long term protection. It also identifies that applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Given that the IPP engages only when the Council cannot demonstrate a 5 year supply of housing, when there is clearly by this fact an urgent need, the IPP is overly restrictive. The policy should allow for allocated employment sites, where it can be demonstrated that they would best serve alternative uses, to be released in their entirety for housing. Any requirement to maintain an element for employment, or indeed any other additional use, could prejudice much needed residential delivery. The Council is therefore urged to be more positive, in the spirit of the NPPF, to encourage the delivery of housing. Point 2 of the draft IPP should therefore be redrafted to reflect this.</p>

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RIPP124		Ref: 3.3 page 9/10 note 2 - Whilst you have appeared to adopt distance parameters of Housing Association standards you will recall that the usual planning requirement for distance of available services is 1.6km. Bearing in mind that items like amenity areas and post box's whilst ideal are in reality few and far between and 500m is not realistic.
RIPP144		<p>In accepting that this level of development may not be sufficient, new housing should be of mixed tenure, affordable and for rent. 'Affordable' should be based on the average income within Cheshire East and reflect real incomes. As a result, in order to meet the estimated needs of population growth and change within Handforth, CEC should before seeking to use 'greenfield' sites consider alternatives in expanding their housing land availability assessment:</p> <ul style="list-style-type: none"> - The possibility of existing property being converted into apartments. - The creation of new property on existing housing footprints by subdivision. - Existing property usage such as surplus office space within Handforth should be considered for refurbishment and conversion to homes before any Green Field/Green Belt land is considered. - Brownfield sites should be used for housing before any Green Field/Green Gap/Belt land is considered. - Land bank held by supermarket for future development should also be considered for compulsory purchase rather than being left fallow for years on end. - Current social housing allocations should seek to assist the long term needs of families. - Abuses of the housing system should be stopped wherever possible. - A high proportion of homes should be for rent or affordable prices. - Aggressively pursuing empty homes for compulsory purchase. - Landlords and potential landlords should be encouraged to let property that is left empty rather than being for sale without buyers. - Local opposition to building developments should be paramount in the decision making process but not at the expense of other areas. <p>3. KCHG notes the draft criteria proposed by CEC for the permitting of residential development adjacent to settlement boundaries. KCHG recommends that CEC considers whether residential development adjacent to settlement boundaries should be permitted, in addition to satisfying the criteria listed, only after sequential consideration of town centre sites (and of town centre properties through adaptation) and other sites within existing settlement boundaries. Perhaps more than at sites adjacent to settlement boundaries, potential residential development within town centres and at other sites within settlement boundaries appears to accord in principle with the NPPF's emphasis on sustainable development.</p> <p>4. The alternative use of sites and buildings which are significant in their location might be facilitated by the preparation by CEC of</p>
RIPP145		

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		<p>planning briefs for those sites and buildings. This reiterates KCHG's 27 April 2012 comment in response to CEC's SHLAA update. The point is relevant in helping deliver housing, and also in the references in the NPPF and CEC's policy document to Planning being "A creative exercise in finding ways to enhance and improve communities", "Proactively driving and supporting sustainable economic development" and .. "promoting the vitality of our main urban areas". Preparation of planning briefs for sites has a role in the 'creative exercise', 'proactive Planning' and 'promoting urban vitality'.</p> <p>5. It is suggested the CEC reference (section 3.4) to "average market conditions "may be capable of alternative interpretation and therefore may be unenforceable.</p> <p>6. It is suggested the reference (section 3.7) to Conservation Areas and Listed Buildings is amended to read: ... "Listed Buildings. Any residential development scheme or mixed development scheme including residential use should seek to retain and as necessary convert existing buildings in these areas.</p>

Other comments - Please provide any other comments on the Revised Interim Planning Policy on the Release of Housing Land. Please indicate the paragraph number that any specific comments relate to.

ID	Other comments - Please provide any other comments on the Revised Interim Planning Policy on the Release of Housing Land. Please indicate the paragraph number that any specific comments relate to.
RIPP3	There seems to be no reference to brownfield sites. I would like to have seen a continuation of the policy to encourage re-development of brownfield sites before all this proposed concreting of valuable farming land.
RIPP4	In the event that application is made by a developer [edited by admin] to develop land at Lostock Hall Farm Poynton for houses care, should be taken to prevent access to such land via Lostock Hall Road. The developer's [edited by admin] attempt to lay claim to land fronting 24 Lostock Hall Road to enable him to bring into play an access road of sufficient width was the subject of litigation in the High Court and subsequently the Court of Appeal over a period in excess of 10 years when the Courts made an Order that he had no claim on the land which was to be preserved for the current owner on the terms defined in an Order registered at H M Land Registry.
RIPP5	Page 11. 3.2 is simply repetition. 3.4 "For sites that will require a longer period for development permission will only be granted for the first phase". This contradicts the earlier point that sites cannot be subdivided. In effect, this would allow for subdivision of plots and part development and consistently expanding development. 3.5 - see earlier comments on affordable housing. 3.5 If developments are small and modest then it is hard to see how "open space and community developments" are required. "They will also be required to contribute towards the improvements to the strategic and local transport networks and public transport". Again it is hard to see how "small" and "modest" developments would require this. By saying that they must contribute to these then you have effectively removed one of the "adverse impacts" which might have led to the refusal of the development 3.6 Again this gives a carte blanche for development opportunities within a town centre.
RIPP6	Please see above. Will we also be consulted when you are preparing specific housing action? Are the private sector housing schemes that have faltered or failed going to be included in this policy document? (I am particularly thinking about the flats near to the Morrison's supermarket.)
RIPP7	It is likely that our communities will come under significant challenge from economic and climate changes in the future. Whatever we do, we should consider making the communities more self reliant and able to cope with the challenges.
RIPP9	If one of the principles of this policy is no building on green belt land, why have Wilmslow Town Council been able to include proposals for green belt building in their town plan which is open to consultation currently?
RIPP10	An interim policy is needed to prevent speculative planning applications. However, the policy will only be effective if planning officers and committees are willing to defend the policy by rejecting applications that do not meet the criteria. The definition of sustainable is far too weak. The NW Sustainability Checklist could be used in its entirety (i.e. ALL criteria had to be met, not just 5). I have suggested a compromise. It should also be made clear in the policy that a marginal failure of a parameter in the Checklist is a failure, not a pass.
RIPP15	I was hoping to see details of proposed sites. I thought the whole document very "wordy", too detailed, time consuming, and difficult to get through.
RIPP16	Central government policy, which is essentially a top down approach, creates an unenviable position for both officials and elected members in terms of their accountability to local communities.

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RIPP17	Wilmslow DOES NOT need any more houses there are plenty on the market now (both high end and affordable). There has already been far too much housing development in Wilmslow. Cannot comment on the remainder of Cheshire East.
RIPP18	Section E - land off Welton Rd Wilmslow I believe this to be unacceptable use of green belt land which will spoil the character of the area. The use of green belt will change Wilmslow into Manchester overspill. It will put undue strain on the infrastructure. Roads are already busy and the secondary school cannot take any more pupils. Any further expansion of the school would make it way too big - it already has 2500 pupils. The primary schools are also big enough. Wilmslow is the town it is because of it's size and greenery. It should not be expanded.
RIPP20	I don't think this document will provide any improvement to people's lives or the general well-being of towns and villages in Cheshire East.
RIPP22	Any brown field, derelict or long term empty buildings, old factory or industrial sites should be used for housing land.
RIPP23	We desperately NEED a Brownfield v's Greenfield Sequential Test to ensure that our brownfield sites (and stalled developments) are developed prior to the destruction of greenfield land. The present system is not working, with real life Cheshire East examples of where greenfield has been built upon where brownfield sites have been trying to gain development for years! This is particularly important given this documents importance of sites that are developable within 5 years - developers WILL try and argue that brownfield sites are undevelopable within 5 years due to contamination etc...which is simply untrue!!
RIPP26	I would expect that some areas higher density 3/4 story buildings for affordable renting near town centres or industrial estates would be a requirement so how does this fit with overall housing density?
RIPP27	Don't let the presence of bats and/or crested newts prevent approval of otherwise approvable schemes!
RIPP28	When considering Density, it will be critical to look at other Density variable, not just minimum of 20 houses per hectare. See http://imagination.lancs.ac.uk/outcomes/Little_Book_Density
RIPP30	How on earth can you expect to secure popular support for a policy that is based on outdated demand figures that have no basis in local need? I would happily support a policy that is based on a rigorous assessment of local need (which is required by para 111 of the NPPF), but this clearly isn't. And it is not necessary to have to wait for the adoption of the Local Plan (apparently some 18 months away!!) for this analysis to be done. It should be done now.
RIPP39	I'm not against development and feel the Council are missing an option. Self Build, why not offer small parcels of land up to 10 houses of distinctive design, you will attract free thinkers to the towns with lots of money and no doubt work too, look at channel 4 grand designs it really would lift the profile of the area.
RIPP42	Cheshire East do not have a history of consistently implemented the core principles of the NPPF, as they have failing to address a number of elements such as giving people the power to shape their surroundings, sustainable infrastructure (roads, school places, post offices etc), recognising the intrinsic beauty of the countryside, conserving the natural environment, encouraging the effective use of land by reusing brownfield land, improving health, social and cultural wellbeing resulting in a lack of trust that the wording of the interim strategy will be interpreted in the right way

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RIPP43	<p>The policy lacks robustness when it comes to protecting vulnerable areas of land which do not have national designations, particularly important open spaces in built up areas and undesignated countryside. Even where land has the national designation of Green Belt, it is apparent that this is not valued as it should be by Cheshire East Council who are seriously considering a Green Belt review. It is also interesting to note that the Sustainability Appraisal for this document does not contain any mention of Green Belt anywhere. The policy is wholly unsatisfactory as drafted and needs to be re-worded to ensure that potential developers are obliged to show that, in the first instance, they have sought and exhausted all possible brownfield sites. Sequential land use should be a basic requirement and it should also be easier for more land currently allocated for employment use to be released for housing and mixed use in line with the ruling by the RSS panel. In addition, there needs to be a requirement that developers take note of adopted Village Design Statements and Supplementary Planning Document where they apply and are still current. The policy requires significant redrafting before we can give it our support. Finally, we would hope that future Cheshire East housing policies would carry across the key housing policy in the current Cheshire East Housing Strategy Document Moving Forward 2011-2016. Policy HOU.1.1 says: Utilise our land assets to maximise new housing delivery by:</p> <ul style="list-style-type: none"> • Looking into the potential to set up delivery vehicles to focus on the regeneration of sites in Cheshire East and develop market and affordable housing; • Utilise or land for the development of affordable housing to achieve maximum provision and return, enabling the Council to recycle any future return in the provision of more affordable housing; • Exploring opportunities to work sub regionally, in conjunction with the HCA, to maximise leverage for use of publicly owned land to achieve new affordable housing across the sub region (Page 19) <p>The first bullet quoted above should apply to allocated employment land. The third bullet quoted above about operating on a sub-regional basis is very important. Greater Manchester has high growth expectations and commitments. It is normal practice for local authorities to accept some housing for adjoining local authorities. We would like to think that Cheshire East is having detailed discussions most particularly with Greater Manchester, but also with Stoke in respect of housing numbers.</p>
RIPP45	<p>I agree with comments that brownfield land should receive precedence over greenfield land. I agree with comments that the forecast requirement for new homes is too high in some areas where a lot of new homes have already been built in the last 20 years. I agree with the comments that self-build housing needs to be facilitated by the allocation of serviced sites, particularly as a portion of a larger development.</p>
RIPP46	<p>The policy, if it chose to, could build on what appears in the National Planning Policy Framework (NPPF). It could make commitments with regards to protecting important open spaces in built up areas, the wider countryside and the setting of towns. The people of Macclesfield value highly the Green Belt and the undesignated countryside that surrounds it. Macc2020 are alarmed to note that the Sustainability Appraisal for the Revised Interim Planning Policy on the Release of Housing Land does not appear to mention the Green Belt. The policy should be re-drafted to ensure that brownfield sites are used before greenfield sites.</p>

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RIPP48	<p>I believe we should take a longer look at the options available within the existing Settlement Zone Line and not take the easy option of sticking "small sustainable sites on the edge of other towns in the Borough". The redevelopment of small sites and old mills should be regarded as the only option until those sites are exhausted. I know this will not please the developers who would love to get their hands on a juicy piece of greenfield site. It may not please you the planners either but in my opinion it is your duty for the current residents and the generations that follow to preserve our greenfield sites until ALL alternatives are taken up. Often the brownfield sites are not apparent at the beginning of a long term plan but history shows that they become available during the life of that plan - Polarcold, Bossons, Composition Billiard Ball etc. We should budget that the sites arising will not always be visible but will become available.</p>
RIPP57	<p>Paragraph 3.5 : The release of greenfield sites should not be considered as "exceptional development" because the Council's failure to be able to demonstrate a deliverable 5 year housing land supply means that existing Development Plan policies for housing release are out-of-date and therefore applications for housing development should be favourably determined in accordance with Paragraph 14 of the NPPF. This does not give any credence to the assertion made by the Council that the proper consideration of proposals within the context of Paragraph 14 should be treated any differently from housing proposals which may be determined in accordance with existing development plan policies. Policies affecting the delivery of housing land where there is a 5 year housing land supply shortfall are all out-of-date and the IPP cannot override the requirements of the NPPF. The NPPF policies on housing land release including those on viability and affordable housing provide the appropriate framework within which applications should be determined and therefore neither the IPP as a policy document nor the policies contained therein, can be used to override the policies in the NPPF. As such the requirement for greenfield sites to be determined in accordance with the IPP policy to deliver 35% affordable housing in accordance with policies in the IPP on Affordable Housing, is unreasonable as policies in the IPP on Affordable Housing are out-of-date and cannot override the policies in the NPPF.</p>

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RIPP56	<p>Para. 2.10 - How can 1,150 houses per annum be justified ? What is the demand assessment? Approximately 5 years ago, there was a moratorium on all new housing and the Council indicated that there was an over supply of housing land in the North West. I know that parts of Cheshire East were included within this strategy and have first hand experience of discussions with the planning authority (I was employed at a senior level in the housebuilding industry in this area for 35 years). As we have been in recession since that timed, how has the position regarding supply and need changed so radically?. if there was a supply sufficient for 3.94 years in April. 2011, why the need for such dramatic new housing numbers now. Section 3 - Criteria for the release of land. I do not believe that the sites identified for future housing can satisfy the need to be "closely related to an existing framework or settlement". I note the suggested distance to shops, schools etc. and these will not be sustainable. In addition, many of the schools in Congleton are over subscribed already I further note that small sites of less than 1 hectare should be developed to an average density of 20 dwellings per Hectare. This equates to 50 per acre and is I believe totally excessive. I assume that this yardstick will result in many mote town houses and apartments the demand for which is questionable. It is family housing, if anything that is needed. Past design standards imposed upon developers have resulted in tenement Narrow estate roads are littered with cars in the evenings and week-ends and families with young children cannot, I believe, select 3 storey town houses out of choice.</p>
RIPP61	<p>Must try and plan development not merely be at the whim of developers and landowners who are seeking a quick profit - think of the residents for a change.</p>
RIPP63	<p>All of this is meaningless unless Cheshire East is prepared to actually make decisions based on the policy. We have already seen planning officers recommending permission be granted for developments which did not come close to meeting the current Interim policy. There are many more such applications in the pipeline. Now is the time for Cheshire East to draw a line in the sand and take proactive action to preserve the essential local character of our market towns.</p>
RIPP91	<p>Councillors expressed concern about the lack of communication between those CE officers involved in the current consultation on public transport subsidies, and those involved in your consultation, given the importance of the link between potential housing locations and access to regular and reliable public transport. Poynton is already poorly served by public transport, and this will be further exacerbated if there is a reduction or removal of certain bus services as a result of the public transport consultation.</p>
RIPP103	<p>The current Paper confirms that the Council only have 3.94 years of supply as opposed to the five year requirement that local planning authorities (LPA) are required to plan for as set out in the National Planning Policy Framework at paragraph 47. Guidance in the NPPF requires that LPAs should identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an additional 5% buffer to ensure choice and competition in the market for land. The Interim Policy is clearly seeking to help boost the supply of housing so that the LPA can demonstrate a deliverable 5 year supply of housing. Whilst we welcome the Council's intention that a more flexible and responsive policy needs to be adopted in advance of the adoption of the Core Strategy so that there may be sites that could come forward for development, we do not believe that the Policy goes far enough.</p>

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RIPP119	<p>Notwithstanding our comments concerning the limited weight of the IPP, particularly within the context of the NPPF, our client's site fully accords with the existing and proposed IPP. The site is located adjacent to the settlement boundary of Crewe, and is not within the Green Gap. Furthermore, this site: - is well related to the built framework of the settlement, in that it is adjacent to the settlement to the north, and bound by residential development to the south and an employment allocation to the east; - is not within an allocated employment area; - is not within an area safeguarded for the operational needs of Leighton Hospital; - is capable of being fully developed within five years of the granting of outline planning permission; - would deliver development that improves the supply, choice and quality of housing in Crewe; and - would support the delivery of the Council's overall vision and objectives for Crewe. In line with the IPP, the proposed development, which has been recently re-submitted would provide: - 35% affordable housing; - 0.76 ha of open space, including a LEAP; - improvement to the strategic and local highway network, public transport, and pedestrian and cycle routes; and - a high quality designed development.</p>
RIPP126	<p>The consultation period has been unjustifiably truncated and it is probable that the responses to this document will be few and far between.</p>
RIPP106	<p>Brereton Parish Council welcomes Cheshire East's actions to increase the release of housing land whilst focusing the priority for this in the stated Key Service Centres within the region. We particularly welcome a proactive policy approach to planning determination and hence limit any presumption in favour of sustainable development that may arise through uncontrolled determinations. As you will be aware through Brereton Parish Council's input to the Local Plan through the Rural Issues feedback, we are very focussed on preserving and maintaining our rural environment and mainstay industry of agriculture. We do not have any local desire to support development outside the existing settlement boundaries of Brereton.</p>
RIPP73	<p>Much could be done to improve previous performance and here are a few suggestions.</p> <ol style="list-style-type: none"> 1) Conservation areas. Congleton has in the past refused to support or implement article 4.2 restrictions to planning development. The authority does not seem to value the importance of original detailing such as windows, glass and doors. Details such as these are vitally important to the visual quality of a period building and have in the majority of cases, been dismissed by planners as unimportant. Article 4.2 directives therefore should be implemented. 2) Planning Committee. All members need some basic training in Heritage Conservation, and Urban design. Our officers still seem to be influenced by the movement towards modernism, which did much to destroy the character, and quality of our town centres, such as Stockport and Congleton's own Bridestones Centre. Basic Training for members (and officers) would give them the tools to make their important decisions, which they currently lack. 3) Urban design. In recent years the occasional attempt has been made to bring in an Urban design team to help plan the future development of our Towns. Quality urban design is vital if we are to save what is left of our individual character and uniqueness, as they say our own sense of place. Currently the shape and design of our towns is developer lead, to the great detriment of our towns. Developers should not be allowed such reign over how our towns develop. The proposed new Congleton town centre redevelopment, lack any real public input and is in my opinion the next eyesore to be visited on our town, due, as said above, by developers being allowed to dictate the shape of Congleton. We need a town plan that is not Developer lead and is based on our Heritage and sense of place. 4) Change of Use. Congleton, like other towns, is fast losing its major industrial mills.

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These form a major part of our history, and yet with the blessing of our planning department are being swept away before our eyes. As with point 3 above, the developers are given apparent free reign in their abuse of these historic buildings. As part of the development process, change of use, has to be applied for. This should not be given so readily. Of course a developer will say that a property is unviable in its usage, but usually this is due to the developer asking an unrealistic price for occupancy. If a developer knew that the council would not grant change of use easily they would think twice about buying a property and this would also keep the price paid down to a more realistic level. Change of use must pass much more stringent tests, and should not be allowed as easily as it is now.

5) Mixed usage. When a site is declared as Mixed usage it usually means that the developer wants to change from an employment use to one based on housing. There may be cases for this, but as can be seen by most schemes, mixed usage is allowed for 95% housing with a derisory and unsustainable one or two units of commercial use. This is not mixed usage, in any recognisable sense. See Old Mill site in Congleton or Congleton Warf development. Mixed Use Should mean what it says and have a much greater percentage of non-residential units included.

6) Mixed usage. When such an order is made it often includes the offer of restoring an existing building as part of a larger scheme. The developer will then build all the new units and either leave the old building till the end, or even worse sell it on and leave it empty. Example here Bossons old Mill. Part of the planning deal should be the insistence that the heritage building is restored first, before the more lucrative new-build is begun. This may involve more costs, but will be reflected in the price initially paid for the site. Restoration of any Heritage units before rest of site is developed.

7) Vacant property. All too often an owner will leave a period building, such as an old mill, open to the elements and often with rubbish, such as cardboard boxes strewn within. This leads to the inevitable vandalism and arson attacks that we have seen on many of our mill buildings in Congleton, which then leads to calls for their demolition on safety grounds. Anyone wishing to develop such a building should be advised to install basic alarm systems and fire and security measures, or failing this any application for redevelopment of the site would likely be refused. Inbuilt protection for large empty properties.

8) Buildings of Local Importance. After years of putting this on the back self, Congleton has such a list, but does anyone take notice of it? Mossley House was put on such a list, after it was demolished! More importance needs to be given to the views of local people on which buildings hold important to their sense of place. Also Congleton Listing list is out of date and badly needs updating. More protection for non-listed buildings of local importance and updating of Listing.

9) Highways. This department does not seem to work with any regard to Heritage importance within Congleton. The many crash barriers strewn throughout the town do nothing to the streetscape and little to help safety. I would say examples are the barriers on Town Bridge, and those around Mountbatten way and Lawton St Traffic Lights. More consultation needs to be included in planning measures by this department. Heritage involvement in Highways streetscape design. Local input into these matters is of great importance to the development of our towns, however it has been my experience that even if local views are asked for they are invariably ignored. The legacy of this can be seen in the poor planning decisions that have been taken in Congleton over the last 30 years in which I have been involved with planning issues. The system itself is very confusing to the non-planning professional, and this is a major reason why so few members of the public feel able to contribute to this debate,

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	in the manner required by the planning authority.
RIPP78	<p>As proposed, it makes sense to permit sustainable small sites on the edges of towns other than Crewe. However, the potential danger with this approach is that developers seeking to develop large sites already in the SHLAA could submit a planning application for a much smaller site initially, after which subsequent planning applications could come forward for extensions, either a single extension or multiple extensions with the resultant effect that the larger site is ultimately developed incrementally over time. For example, Muller Property Group wishes to secure the allocation of 100 acres of greenfield land in Stapeley ('Nantwich South') for housing development. If this policy is not worded appropriately, Muller could submit a planning application in the interim, prior to the adoption of the Cheshire East Local Plan for, say, a 5 acre housing development and then submit extensions for further development in the future, bringing about the ultimate development of the entire 100 acres. I object to any Revised Interim Planning Policy for the Release of Housing Land (Revised IPP) that would make this possible. In conclusion, therefore, there must be appropriate mechanisms within the Revised IPP to ensure that the above scenario (using 'Nantwich South' as an example) would not be possible.</p>
RIPP84	<p>It is the case that the Council has a significant 5 year housing land supply shortfall and the extent of this severity is indicated by the fact that the Council acknowledge (Report to SPB pursuant to planning application 11/3414C) that the 20% buffer identifies in paragraph 47 of NPPF should apply to Cheshire East. In this context, the Council should simply look to support sustainable development proposals for housing and which are able to fulfil the requirements of NPPF given that the Council has a 5 year housing land shortfall, the policies of any operative Development Plan in Cheshire East relating to the provision of housing must be regarded as being out of date in accordance with the advice at paragraph 49 of NPPF. In this context, we consider it inappropriate for the Council to attempt to supplant the out of date policies of any development with an informal document which has not been the subject of independent scrutiny and which does not rely on an objectively assessed evidence base. Accordingly, we strongly object to the attempt to introduce an Interim Policy Statement on the supply of housing. Notwithstanding our in principle position, should the Council decide to adopt the document we have a number of detailed observations to make about the content of the draft RIPP. Before setting out our comments we first examine the relevant National Planning Policy Framework document (NPPF) which was published in March 2012 and which we consider should form the basis of any emerging Development Plan development management control document. The thrust of NPPF is to create a planning framework across the country which seeks to ensure that the planning system delivers sustainable development and economic regeneration. The Ministerial Foreword to the document makes it clear that the Government anticipates the delivery of growth and that when it refers to 'development' it is clearly acknowledging that growth must take place. Furthermore, as again is made clear in the Ministerial Foreword, the planning system should seek to achieve sustainable development without delay. There should be a presumption in favour of sustainable development and this should be the basis for every plan and every planning decision. Thus, the intention of the National Planning Policy Framework is to create a positive approach to planning and to ensure that the planning system delivers sustainable development in a timely fashion. In this context the economic, social (which includes the delivery of housing) and environmental roles of sustainable development are to be progressed in tandem. Although the</p>

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Development Plan should still be the starting point for decision making it is clear that any Development Plan must be formulated in such a way that it reflects the positive principles and objectives set out in NPPF (see for example, paragraph 14 of NPPF). It is not the intention of this representation to explore the basis of the formulation of the emerging Core Strategy, and the subsequent Site Allocations Development Plan documents for Cheshire East but we believe it is important to note that the objectives of these documents should be reflected in any document which the Council intends to use for development management purposes in order to ensure the delivery of an adequate supply of landfall housing. It is clear that local planning authorities must ensure that they 'boost significantly' the supply of housing 'in their areas'. The provision of a supply of housing which meets the needs of present and future generations is one of the three dimensions of sustainable development and also forms one of the core planning principles identified in NPPF. We also note that NPPF requires local authorities to ensure that the evidence base which underpins any Development Plan meets the 'full, objectively assessed needs for market and affordable housing in the housing market area', Councils should also identify and update a supply of specific deliverable sites to provide five years worth of housing with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice of competition. Where there has been a record of persistent under delivery of housing, Councils should take steps to increase the buffer to 20% (again, moved forward from later in the plan period) in order to ensure that there is a realistic prospect of achieving the plan supply and to ensure choice and competition in the market. We believe that the above factors are significant and material considerations to the drafting of any document which seeks to redress the Council's problems in providing an adequate supply of housing land as is the case in Cheshire East. Indeed we note that the local planning authority has already accepted that the 20% buffer requirement identified in NPPF should also apply in Cheshire East. We also note that at this stage the Council has not yet decided upon its appropriate housing requirement and is still in the process of preparing an objective and robust evidence base. We also understand that the Council is considering the overall strategy for development in Cheshire East that has the objective of trying to create a robust economy. This objective will require the provision of an appropriate level of good quality housing throughout the administrative area. We understand that the economically active element of the population is in decline and if the economy is to be stimulated to achieve economic growth for the benefit of all residents of Cheshire East the economically active element of the population will need to be increased. This will require higher housing figures to be produced and we understand that the base figure of 1,150 units identified in the draft RIPP is the lowest level of housing being contemplated in the emerging Core Strategy. This base figure is derived from the RSS. In this context we believe that it is important that the draft RIPP should acknowledge that the housing levels being contemplated in the Development Plan represent a minimum requirement and that the document should not be treated as an interim stage in the Development Plan process. Rather, it should be seen only as a development management tool designed to increase housing land supply. The proper assessment and allocation of land to meet the objectively assessed needs of the district should take place in the Development Plan process. The above point notwithstanding, we do, nonetheless, support the Council's intention to try to rectify the problems being experienced in delivering an adequate supply of housing in Cheshire East, although we do not believe that this needs an interim document, reliance on NPPF policy should be sufficient. We note that the previous attempt has not been successful. It is apparent that this situation has arisen because the previous

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document focused only on Crewe itself and that the rate of release of sites at Crewe has not been sufficient to address the five year housing land supply shortfall'. It is not surprising, therefore, that land owners and developers have sought to release other areas of land outside of Crewe in order to meet the housing needs of the area. We believe that such an approach is in fact consistent with the emerging Core Strategy which, regardless of the options identified, does acknowledge that significant levels of housing beyond Crewe will have to be provided throughout the settlement hierarchy if the overall economic and housing objectives of the plan are to be met. Therefore, we conclude that it is appropriate for the local planning authority to try to bring forward the release of housing sites in order to rectify the five year housing land supply shortfall and that this approach should be undertaken on a Cheshire East wide basis.

For this reason, we also consider that the identification of the settlements in the draft RIPP is too limited and that consideration should also be given to the release of appropriate sites in other settlements which have good sustainability characteristics. We also consider that the document should continue to be used to help bring forward sites until such time as the Development Plan has been adopted. It appears from the introduction to the document that the document will only be used whilst there is a five year housing land supply shortfall. However, we consider that NPPF policy requires local authorities to identify and maintain a five year housing land supply and clearly the concept of maintaining the supply will require the Council to continue to release sites for development in order to prevent the supply from slipping back to a shortfall. Specific Representations In the light of the comments made above we have the following specific comments to make:

- 1) The introduction to the draft RIPP should acknowledge at paragraph 1.4 that having achieved a five year housing land supply, the Council need to maintain the supply and this will necessitate the grant of further planning permissions. It would also be helpful if the document confirms that at the time of adopting the draft RIPP the Council is in a state of a five year housing land supply shortfall and that the 20% buffer identified in NPPF applies.
- 2) Paragraph 2.1. It is correct to state that PPS3 has been superseded but it should be noted that a number of other national policy documents have been replaced by NPPF given that a number of them are relevant to the release of land for housing.
- 3) Paragraph 3.2. We consider that reference should be made to the fact that the NPPF is attempting to ensure that the planning system takes a positive approach to the delivery of sustainable development.
- 4) Paragraph 2.5. It should be acknowledged that Cheshire East Council is in a situation where it has to find a five year supply with an additional 20% buffer. It should be noted that this 20% buffer should be delivered in the first five years of the plan.
- 5) Paragraph 2.10. It is suggested that this paragraph is amended with a reference being made to the fact that the figure of 1,150 net additional houses represents the minimum annual figure which the Council will be seeking to release once the draft Core Strategy is taken further. Therefore, the importance of maintaining a five year housing land supply is extremely high, given that it is likely that the Council will have to find additional housing and to increase the rate of delivery once the plan is adopted.
- 6) Paragraph 2.11 refers to the current five year housing land supply as being 3.94 years as at 1st April 2011. We consider that this is probably an over estimate of the actual supply position. In any event it will be necessary to add a 20% buffer to the requirement in line with NPPF guidance.
- 7) Paragraph 2.12. NPPF is clear in its approach to the status of Development Plans

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where five year housing land supply does not exist. As is correctly identified in paragraph 2.12, NPPF states that where there is a housing land supply shortfall the policies of the plan should not be considered up to date. We consider that this is a material consideration and it means that current restrictive designations in and around settlements should be set aside in order to help to rectify the five year housing land supply situation. For example, the relevance of green gap sites should reviewed and updated given the five year housing land supply position.

8) Paragraph 2.15. Although it is true to say that a number of schemes have been brought through the planning system in and around Crewe a significant number of the plots on these sites are still the subject of negotiations with the local planning authority in terms of 8.106 Agreements. Therefore, the sites are not actually available for development. This increases the importance of releasing other sites elsewhere in Cheshire East.

9) Paragraph 2.16. It is stated that the draft RIPP is only seeking to release sites on the edge of Crewe outside of the green gap. As we have noted, this is a policy from a previous plan and given that the Council does not have a five year housing land supply, the plan must be considered to be out of date. Therefore green gap policies should not be used as a reason to prevent new housing sites on the edge of Crewe from coming forward, except to prevent coalescence.

10) Paragraph 2.16. Affordable Housing Contributions. We note that the draft RIPP refers to a minimum provision of 35% affordable housing on sites to be released. However, we do not consider that the Council has undertaken a balanced assessment of the overall infrastructure costs associated with the release of sites at Crewe and, therefore, the provision of affordable housing as a minimum figure is inappropriate. The Council's adopted policy of 30% should be used. It should be a target figure which will need to be assessed in the light of other infrastructure requirements for the town. This approach applies to other settlements subject to the policy.

11) Paragraph 2.19. We note that it is the intention that the draft RIPP should also refer to allocated employment areas and also other housing proposals in other towns in the Borough. We first consider that it is not appropriate at this stage to release allocated employment areas until these areas have been properly assessed through the Development Plan process. With regard to the other towns which will be required to accommodate housing to meet the five year housing land supply shortfall, we believe that the settlement hierarchy should not be confined to the key service centres or Crewe alone but should be extended to include all sustainable greenfield opportunities to ensure that there is proper and balanced provision throughout the whole of Cheshire East.

12) Paragraph 2.22. We consider that the approach adopted regarding decisions about future development is overly cautious. It is clear from an examination of the three options for the settlement hierarchy identified in the draft Core Strategy that all layers of the hierarchy will have to accommodate new development. There should be, therefore, no reason to try to restrict the release of sites throughout Cheshire East so long as the development takes place in sustainable settlements. We would also urge caution in reliance upon the town strategies which have been prepared and where they are not reliant upon an evidence base. Our examination of these suggests that they have not identified appropriate or sustainable sites and it appears that the views of landowners and the development industry have not been taken on board.

ID	Other comments - Please provide any other comments on the Revised Interim Planning Policy on the Release of Housing Land. Please indicate the paragraph number that any specific comments relate to.
RIPP107	<p>I would also point out that Sport England is a statutory consultee on all planning applications affecting playing fields, land used for playing fields at any time in the last 5 years which remains undeveloped, or land which is identified for use as a playing field in a development plan. Sport England has produced a policy which outlines our approach towards the protection of playing fields entitled A sporting future for the playing fields of England. In general Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field; or land last used as a playing field; or land identified in an adopted or emerging local development framework as a playing field unless in the judgement of Sport England one of the following 5 specific exceptions applies;</p> <ol style="list-style-type: none"> 1. A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport. 2. The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use. 3. The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site. 4. The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development. 5. The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields. It is important to note that Sport England would object to the loss of an existing playing field or land last used as a playing field unless one of the 5 exceptions referred to above can be met. In addition to the protection of playing fields, Sport England also seeks to protect other indoor and outdoor sports facilities and land uses which are important in terms of sports development from loss or redevelopment. In terms of those other types of facilities/land that Sport England would seek to protect this includes but is not limited to: - Indoor sports facilities e.g. sports halls, gyms, swimming pools, tennis centres, athletics arenas etc Outdoor facilities e.g. tennis courts, multi-use games areas, bowling greens, athletic tracks, golf courses, bodies of water used for watersports, mountain bike trails, equine facilities etc Sport England would oppose a planning application that would result in the loss or redevelopment of existing buildings and/or land used for sport to housing unless it could be demonstrated that they are genuinely surplus to requirements or they would be replaced to an equivalent quantity and quality in a suitable location in line with the requirements of the NPPF.
RIPP104	<p>This policy is required and acceptable however, Members are greatly concerned that it must bear scrutiny and stand legally.</p>

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RIPP117	<p>Cheshire East Council's Annual Monitoring Report (AMR) for 2010/11 shows that between 2001-2011 the average annual housing completion rate was 1112 dwellings, less than the 1150 set by RSS mentioned in dRIP para . 2.9. Net housing completions in year 2005/2006 peaked at almost 1500, but by 2010/11 this was down to 466. Completions for the last three years, due to recession and a shortage of land, has led to the fall in completion rates and brought the annual average down . For the future however we consider that Cheshire East should be planning an annual housing completion target to reflect the more stable years of 2007/8 which significantly exceed the RSS figure of 1150 and goes some way towards meeting the need calculated by the Strategic Housing Market Assessment (SHMA). An SHMA was commissioned by Cheshire East Council from ARC4 Consultants who, in September 2010, calculated an annual unsatisfied demand for 2753 market homes and 1243 affordable homes, a total of 3,996. Even the RSS housing requirement of 1150 new dwellings per annum falls short of the affordable homes requirement alone. There is however a balance to be struck. A figure of 2500 homes per annum instead of 1150 would appear to be a reasonable figure to work to and which can be delivered by the SHLAA sites.</p>
RIPP81	<p>The Town Councils main areas of interest are contained within part 3 of the Draft Interim Policy, as Middlewich is one of the nine Key Service Centres identified in the report. Having recently undertaken a National Piloting role as part of the Neighbourhood Planning process, and having been encouraged to create opportunities for development, growth and regeneration, members of the Town Councils Planning Committee and Stakeholder Workshop members felt that the smaller scale developments identified under paragraph 3 will not contribute to infrastructure and other requirements, either through CIL or Section 106 Agreements. It is felt that larger scale development will influence scale and direction of improvements to roads, railway, shops, amenities and other services, and that the Town Council wants to play a pivotal role in bringing all parties together to meet our shared Vision for Middlewich. Further to this, Cheshire East's preference for development in the Crewe area should not mean that any CIL funding or S106 monies should be generated by development in Middlewich or any of the other Key Service Centres and directed towards objectives for Crewe. If funds are generated through the Planning process in a town, the funds should directly benefit that town, according to an agreed plan and a common set of objectives.</p>

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RIPP90	<p>At the outset we wish to outline our opposition to this policy. Whilst we acknowledge the rationale behind the production of the Revised IPP to set out the Council's policy approach to maintain a five year supply of deliverable housing land as an interim measure prior to the adoption of the Cheshire East Local Plan, the policy does not carry any weight and does not meet the requirements of the NPPF. Housing Land Supply Provision The NPPF requires local authorities to identify a five year supply of housing with an additional buffer of 5% to ensure there is choice and completion in the market for land. Where there is a record of under delivery, there is an identified requirement for a 20% buffer to be provided by the local authority. The Council have produced the Draft IPP on the basis that it meets the requirements of the NPPF to: 'set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a 5 year housing land to meet their housing target' (NPPF section 6 Para 47) and considers that it 'will only apply when the Council is unable to demonstrate a 5 year supply of housing land and until such a time as the Local Plan Core Strategy is adopted' (Revised IPP- Para 1.4). We do not consider that the Revised IPP fully accords with the housing implementation strategy as required within the NPPF. This is on the basis that the Council have consistently failed to maintain a 5 year supply and there is no evidence that directing growth to Crewe and the nine strategic centres will help to meet the annual requirement of 1,150 units particularly as the current housing land supply is 3.94 years. This results in a deficit of 1,590 units for the 5 year period and whilst it is recognised that sites have come forward since the implementation of the IPP in 2011, they are not at the required levels and additionally we would question the deliverability of these sites coming forward within 5 years. Consideration should therefore be given to applications for housing development on sites out with these settlements if they meet the requirements of the NPPF. The Revised IPP does not seem to address in any coherent manner, the 20% buffer in the application of the IPP policy i.e. It only considers the 5 year supply. Policy Weight Para 2.26 proposes that the 'revised policy should be used in the consideration of planning applications with immediate effect and will be considered as a material consideration, although it is recognised that it will not carry full weight until it is adopted by the Council following consultation: (Revised IPP- Para. 2.26) Whilst the Council considers the policy to be a material consideration and should be awarded full weight when adopted by the Council, neither the adopted IPP nor Revised IPP should be given any weight. This has been demonstrated by the Planning Inspectorate at Inquiry and accepted by the Council in 2010 when Richborough Estates sought outline planning permission for 269 units for land to the east of Marriott Road/Hind Heath Road, Sandbach (Appeal References: APP/R0660/A/10/2140355 and APP/R0660/A/10/2143265). At the Inquiry, the Inspectorate considered that: 'The Interim Planning Policy for the Release Housing Land should be given no weight. It is a document that seeks to manage the release of additional land for housing but it is neither a DPD nor an SPD, and the Council accepts as much: (IR 52) The Revised IPP acknowledges that the main thrust of the Interim Planning Policy remains unchanged' (Revised IPP Para. 2.19) with the main change being that all growth will be directed to Crewe and the nine strategic centres, rather than just Crewe. Whilst we understand the Council's requirements to promote the growth of Crewe as a town of sub-regional importance which we support, this growth should not be to the detriment of neighbouring settlements which also need to be allowed to grow, particularly where there is an identified need for growth and requirement for affordable housing. However, as the Core Strategy is not due for adoption until late 2013 there is no adopted policy basis for this position and both the adopted IPP and Revised IPP do not carry any weight under s.36(8) of the Planning</p>

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	<p>and Compulsory Act 2004. This has been proven at appeal where it was considered by the Inspector and agreed by the Council that it should be afforded no weight. We consider that wider and more detailed consideration should instead be given to the context of sustainable development particularly as the NPPF seeks to ensure that: 'housing applications should be considered in the context of the presumption in favour of sustainable homes' (NPPF Section 6 Para. 49) Therefore in line with the Inspector's decision at Sandbach and as the policy conflicts with the NPPF which seeks to promote sustainable development, no weight should be given to the IPP as it does not constitute a valid policy consideration. Affordable Housing Provision The adopted IPP seeks to provide 30% affordable housing in accordance with the Affordable Housing IPP which in turn represents the saved policy position of Crewe and Nantwich Local Plan Policy RES7. The Revised IPP seeks to increase the is to 35%. We object to this increase on the basis that the Council is seeking to circumvent the development plan system by introducing a new affordable housing policy through the Revised IPP. We would add that Revised Crewe and Nantwich Policy RES7 which refers to a 35% affordable housing target was not saved by the Secretary of State and this is confirmed within IPS Affordable Housing (2011) para. 1.21. When the guidance to the weight to saved policies in NPPF Annex 1 (para. 214 and 215) is added to the equation it can be further seen that this is actually diminishing the weight to be given to saved policies, and in turn even if this Revised IPP was to be adopted by the Council, it could have little, or what we consider no weight as a material consideration.</p>
RIPP120	<p>Representations have already been made regarding the Draft Congleton Town Strategy on behalf of the Congleton Inclosure Trust and Messrs Whittaker and Biggs who own land at Lower Heath and these have stressed the important role which early development of the land adjacent to the former Cattle Market could have in delivering appropriately located housing which would contribute to the 5 year housing land supply. This land, which is advantageously placed relative to sustainable community facilities forms part of Development Option D in the Draft Congleton Town Strategy, but is quite separate from the land also named as Option D which is further from the town and separated from my clients land by the A34. The land adjoining the former Cattle Market site, (SHLAA Site Ref 2320) whilst in excess of 1 hectare, could be developed at an early stage without prejudice to the overall housing strategy. To preclude such a valuable housing site in terms of its potential contribution to the 5 year housing land supply now, simply because of its size, is illogical. Development of part of the land at Lower Heath Congleton at an early stage could not only deliver a modest number of dwellings in a sustainable location, but could also make a contribution to community facilities, including a future by-pass for the town, as part of S106 monies. My clients would welcome such an approach as they understand the need to support future infrastructure development in this part of Congleton Town.</p>

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RIPP121	<p>Representations have already been made regarding the Draft Congleton Town Strategy on behalf of the Congleton Inclosure Trust and Messrs Whittaker and Biggs who own land at Lower Heath and these have stressed the important role which early development of the land adjacent to the former Cattle Market could have in delivering appropriately located housing which would contribute to the 5 year housing land supply. This land, which is advantageously placed relative to sustainable community facilities forms part of Development Option D in the Draft Congleton Town Strategy, but is quite separate from the land also named as Option D which is further from the town and separated from my clients land by the A34. The land adjoining the former Cattle Market site, (SHLAA Site Ref 2320) whilst in excess of 1 hectare, could be developed at an early stage without prejudice to the overall housing strategy. To preclude such a valuable housing site in terms of its potential contribution to the 5 year housing land supply now, simply because of its size, is illogical. Development of part of the land at Lower Heath Congleton at an early stage could not only deliver a modest number of dwellings in a sustainable location, but could also make a contribution to community facilities, including a future by-pass for the town, as part of S106 monies. My clients would welcome such an approach as they understand the need to support future infrastructure development in this part of Congleton Town.</p>
RIPP74	<p>Representations are made in the context of the following two sites: 1) Peacock Farm, Wilmslow Road, Handforth 2) Land east of Wilmslow Road, Handforth (Junction of A555 & B5358) Both sites are available for development and are under the full control of our client. Overview The Interim Planning Policy is considered to be insufficiently clear, not justified and non-compliant with the NPPF. Introduce planning policy provision should be properly subject to Development Plan Document adoption procedures as set out in paragraphs 150-181. The effective consequence of adherence to this proposed Interim Planning Policy is a situation where developers bring forward sites to address the Councils Housing Land shortfall position that they are constrained by development distribution policy that has not been subject to adequate testing and runs contrary to the approach suggested within the NPPF. The NPPF is clear in stating that when Council cannot demonstrate a five year supply of land (+ additional 5% or 20%) that planning applications should be considered in the context of the presumption of sustainable development (paragraph 49). The proposed approach would seriously undermine the ability of developers to bring forward residential sites and therefore address the 5 year housing land shortfall. The policy is counterproductive in this regard and not "positively prepared" a provision that the NPPF makes clear local planning policies must be in order to be found sound (paragraph 182). Additionally the Council does not appear to have prepared evidence to suggest that adequate deliverable sites are available within the areas stated as being appropriate, again restricting the ability of developers to address the Councils land shortage issues. The policy does not promote the release of housing land to address the five year supply shortage but rather places further barriers to the delivery of sites required to address the shortfall. The proposed approach has no basis in national Policy and is directly contrary to the NPPF. The whole point of the former PPS3 clauses which have been carried through to the NPPF regarding five year land supply is to revert to national policy guidance where the Council has failed to adequately identify land within its preferred distribution strategy. Nowhere does the NPPF recommend that additional layers of restrictive policy be applied locally to avoid compliance with the presumption in favour of sustainable development.</p> <p>Representation 1: Status of Interim Planning Policy Objection is made to the relationship between the intended purpose and the status of the proposed policy document. The status that the document will hold is insufficient to address the</p>

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Councils concern that residential applications may be permitted under PPS3 criteria only. The proposed Interim Policy operates as an Informal Policy Document therefore the only limited weight can be attached to the document in the form of a Material Consideration in determination of planning applications. Whilst it is acknowledged that the document is subject to consultation, this in itself does not lend sufficient weight for the Policy to be regarded as part of the Cheshire East Development Plan. The NPPF is also a material consideration in the determination of planning applications. The status of the proposed policy is insufficient to override NPPF and its provision for housing land release.

Representation 2: Need for Interim Planning Policy The 2010 Annual Monitoring Report identifies a housing land supply position of 4.58 years at 1st April 2010. Since then, the Council has been forced to concede this position as a direct consequence of the public inquiry for the proposed development at Land off Hind Heath Road, Sandbach. The position reached at the Inquiry was that a supply of 3.65 years existed. This is significantly below being able to demonstrate a full five year land supply if basing the calculation upon 1,150 dwellings per annum as required by the North West RSS and continued within the Cheshire East Core Strategy/Local Plan. Paragraph 49 of the NPPF establishes that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year housing land supply. Therefore this interim policy would not be considered appropriate in any event as the Council cannot demonstrate a 5 year supply. Objection is therefore made to the introduction of an interim policy as there is no requirement for such a policy when a combination of the NPPF criteria and future performance can address this shortfall.

Representation 3: Effectiveness of Interim Planning Policy The Council states that the basis for the adoption of an interim policy is to manage the release of land to meet shortfalls in housing provision. The proposed Policy is considered to be counterproductive and not prepared positively to achieve this aim and objection is therefore made. The proposed Policy introduces a settlement strategy seeking to control the distribution of development. This is a matter that should be considered through the proper adoption of Development Plan Policy. The NPPF requires planning applications in compliance with the tests of paragraphs 47-55 of the NPPF to be considered favourably. The proposed Policy does not further these objectives but seeks to prevent development sites from being brought forward away from locations that are identified in the Interim Policy, even where these sites meet the tests of the presumption in favour of sustainable development. The Policy is considered ineffective and therefore unsound against the provisions of paragraph 182 of the NPPF for the following two reasons: i, It does not promote site release but further restricts it to a very narrow set of locations and circumstances i, The weight of the Interim Policy is insufficient to override the provisions of NPPF.

Representation 4: Greenfield Residential Development Sites - Affordable Housing Objection is made to the inclusion of a 35% affordable housing target within the Interim Planning Policy document in relation to greenfield site release. The NPPF is clear within paragraph 159 that affordable housing targets should be established within Local Development Documents and through appropriate housing needs surveys. Macclesfield Borough Local Plan has an affordable housing target of 25% and this currently forms part of the Development Plan for East Cheshire. The introduction of new targets for affordable housing provision must be made through the adoption of Development Plan Documents and in the correct robust and appropriately examined manner.

Summary In summary the attempt to introduce policy provision without proper process is considered to be non-compliant with national policy, ineffective in its stated

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	aims and unnecessary to ensure that housing provision targets are met.
RIPP82	<p>Spawforths have been instructed by our client, to submit representations to the current consultation in respect of the Draft Revised Interim Planning Policy on the release of housing land, on their behalf in respect of the site known as Basford West. The National Planning Policy Framework (NPPF) was published by the Government in March 2012. As such, the current Interim Planning Policy (adopted in Feb 2011) is proposed to be amended to take into account changes since the original policy was adopted to ensure that development takes place in locations which both the Council and the local community consider appropriate. The NPPF sets a new planning policy context which is driven by the need for the delivery of sustainable development supported by economic, social and environmental roles for the planning system. At the heart of this approach is the presumption in favour of sustainable development which, as outlined in para. 13, is driven by a commitment to support growth."The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning must operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system." (para. 19, NPPF, 2012) Furthermore, the NPPF is unequivocal in terms of its approach to sustainable development. The NPPF establishes that the role of the planning system is to assist in achieving sustainable development and this is supported by a presumption in favour of sustainable development."At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. National Planning Policy Framework - March 2012 It is clear that the new national policy is seeking a significant shift to a pro-growth approach to sustainable development which should run through local plan policy and consequently decisions on planning applications.</p>
RIPP80	<p>The National Planning Policy Framework (NPPF) was published by the Government in March 2012. As such, the current Interim Planning Policy (adopted in Feb 2011) is proposed to be amended to take into account changes since the original policy was adopted to ensure that development takes place in locations which both the Council and the local community consider appropriate. The NPPF sets a new planning policy context which is driven by the need for the delivery of sustainable development supported by economic, social and environmental roles for the planning system. At the heart of this approach is the presumption in favour of sustainable development which, as outlined in para. 13, is driven by a commitment to support growth."The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning must operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system."(para. 19, NPPF, 2012) Furthermore, the NPPF is unequivocal in terms of its approach to sustainable development. The NPPF establishes that the role of the planning system is to assist in achieving sustainable development and this is supported by a presumption in favour of sustainable development."At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. National Planning Policy Framework - March 2012 It is clear that the new national policy is seeking a significant shift to a pro-growth approach to sustainable development which should run through local plan policy and consequently decisions on planning</p>

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applications.

RIPP85

1. RPS Planning & Development (RPS) is retained by Mosaic Estates to represent the company's interests in land North West of Nantwich. The site has been identified as suitable, available and achievable for residential development through the Cheshire East SHLAAs since 2010. Recent site assessments have confirmed the site has an indicative capacity of some 1,100 dwellings as part of a mixed use development.
2. Two public consultation events have been held at Reaseheath College on 10 December 2011 and in Nantwich Town Centre on 5 March 2012. A summary of the consultation responses has been provided to Cheshire East Council together with the exhibition material. Policy Context
3. RPS fully supports the Council's recognition of the need to adopt an interim policy on housing land release in advance of the adoption of the Cheshire East Core Strategy to guide decisions required to augment the housing land supply in the District in accordance with national planning policy on the need to maintain a minimum supply of 5 years of housing land. Under the National Planning Policy Framework (NPPF) paragraph 47, there is a need to identify additional capacity of 20% to reflect recent under-performance in the district.
4. RPS supports the emphasis on the broad location of Crewe as a principal area where housing land supply should be made available having regard to the broadly consensual approach to focusing growth in the District at the town in accordance with the Crewe Vision 'All Change for Crewe'.
5. However, the draft policy document fails to make proper reference to the Crewe Vision and to the characteristics of the area which require the policy response to relate to a Greater Crewe area which appropriately includes the Basford strategic employment areas and satellite settlements. The search for new housing releases should not be restricted just to the existing Crewe urban area and sites adjacent to its urban edge. Consideration should also be given to other main settlements outside the Green Belt and outside local Green Gaps where development can bring particular

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benefits with local support.

6. North West Nantwich brings particular advantages as a location for early site release given its functional relationship with Nantwich and Reaseheath College and its location which is highly accessible via the A500 to the Basford – a new road link between Waterlode and the A51 Chester Road around the west side of Nantwich, relieving the town centre;

- a diversion of the A51 through relieving the impact of through traffic on The Green Conservation Area;
- a new riverside park to the west of the River Weaver; and
- new affordable homes close to Nantwich town centre and within walking distance of key amenities including Nantwich bus and railway

7. RPS concurs with the Council that development should not be released in the protected Green Gaps in the adopted Crewe and Nantwich Replacement Local Plan (2005).

8. The Revised Interim Policy has taken account of the National Planning Policy Framework referring to the core principles of sustainable development and the need to provide a minimum of specific deliverable sites sufficient to provide five years worth of housing capacity against the strategic housing requirement with an additional buffer of 20 where there has been a persistent record of under delivery (5% additional everywhere else). It is understood that Cheshire East Council has contended that the housing delivery in the District has not been one of persistent under delivery. 9. RPS also notes that the Council's evidence base for the Core Strategy supports a significant increase in the annual housing requirement above the current RSS rate of 1,150 dwellings per year. The high growth option of 1,600 dwellings per year has been identified as the most appropriate level to be consistent with economic growth strategy for the new Local Enterprise Partnership area of Warrington and Cheshire East and Chester West & Chester. The affordable housing need has been identified as 1,243 net additional dwellings annually in the Council's SHMA. The SHMA was quoted in the Core Strategy Issues & Options consultation as identifying general market housing demand as 2,800 dwellings per year in the District (para 6.3 refers).

10. The raw household growth projections for Cheshire East published in November 2010 by DCLG suggest there will be a minimum level of 1,360 additional households requiring new accommodation between 2008 and 2033 (2008 base). This does not allow for concealed households requiring accommodation, any vacancy allowance or allowance for second homes, all of which will increase the requirement. It is understood further evidence of housing need will be adduced later in 2012 to inform the Cheshire east Local Plan.

11. It is noted that under the current RSS housing requirement, the Council has calculated it has a housing land supply of 3.94 years at April 2011. Paragraph 49 of NPPF has been appropriately highlighted which confirms that development plans will not be up to date where a five year supply cannot be demonstrated. This therefore applies in Cheshire East.

12. It is understood from the Housing Market Partnership meetings that many representatives of the development industry contend that the shortfall in supply is significantly greater than this level.

13. The shortfall is likely to continue to grow unless significant new site releases are permitted. If the calculation were undertaken on the basis of an increased rate of employment growth areas. It is able to deliver a significant level of new homes within 5 years of the grant of planning permission as well as securing substantial infrastructure benefits to the area:

- Capital receipts for re-investment by Reaseheath College into its approved

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	<p>Campus redevelopment masterplan;</p> <ul style="list-style-type: none"> • 1,600 dwellings from 2012, then the current supply position would be reduced in years supply significantly. <p>The introduction of an Interim Planning Policy for the Release of Housing Land is strongly welcomed as an appropriate response to housing land supply constraints in Cheshire East. Focus on the broad location of Crewe for early housing release is broadly appropriate. However, the approach should also recognise the role of Nantwich as a highly sustainable settlement beyond the general extent of the Green Belt where new development, for example to the north west of the town, can secure significant improvements to local infrastructure with strong local support. The widening of the search to Nantwich in part 3 of the policy is welcomed. However, the limit of 1 ha or 30 dwellings is not appropriate and will result in insufficient additional supply and piece-meal development. A restriction to sites being fully developable within 5 years is too narrowly defined. The policy should seek to ensure there is significant development within the next five years. NPPF para 52 positively recognises the sustainability of larger sites in extending housing supply. The expectation that sites will contribute towards required transport infrastructure improvements is supported. These should be related to the development and development at Nantwich should expect to contribute to or secure transport related improvement for the Nantwich area. The policy for affordable housing contributions should not seek unrealistic levels of affordable housing and establish a requirement in the former Crewe & Nantwich Borough Housing Market Area of at least 25% rather than at least 35% in accordance with the conclusions of the Council's SHMA. Separate comments are made in response to the Council's Draft Interim Planning Policy on Affordable Housing. The policy should also recognise that the provision of affordable housing should be subject to viability evidence which may justify a reduced contribution, especially where other planning obligations are being sought to achieve significant improvements to transport infrastructure in the area.</p>
RIPP88	<ol style="list-style-type: none"> 1. RPS Planning & Development (RPS) is retained by Mactaggart & Mickel to represent the company's interests in land south of Newcastle Road, Shavington and Wybunbury in the south of the Cheshire East District. The site has been identified as suitable, available and achievable for residential development through the Cheshire East SHLAAs since 2010. The identified site extended to an area of 18.7ha. 2. Recent site assessments in respect of landscape, ecology, archaeology and historic environment, flooding risk, servicing and highway access and accessibility have confirmed the site is not significantly constrained and has the capacity for between 450 and 500 dwellings in conjunction with new local centre uses and open space. An explanatory document setting out the development potential of the Shavington Triangle site has been prepared and has been submitted to Cheshire East Council in November 2010. The document includes a concept masterplan demonstrating the suitability and deliverability of the site. Subsequently in May 2012 an EIA Screening Opinion has been obtained based on a reduced site area of 17.8 ha. The capacity of the reduced site is between 420 to 465 dwellings reflecting a density range of some 32 to 35 dwellings per net hectare. Policy Context 3. RPS fully supports the Council's recognition of the need to adopt an interim policy on housing land release in advance of the adoption of the Cheshire East Core Strategy to guide decisions required to augment the housing land supply in the District in accordance with national planning policy on the need to maintain a minimum supply of 5 years of housing land. Under the National Planning Policy Framework (NPPF) paragraph 47, there is a need to identify additional capacity of

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20% to reflect recent under-performance in the district.

4. RPS supports the emphasis on the broad location of Crewe as a principal area where housing land supply should be made available having regard to the broadly consensual approach to focusing growth in the District at the town in accordance with the Crewe Vision 'All Change for Crewe'.

5. However, the revised draft policy document fails to make proper reference to the Crewe Vision and to the characteristics of the area which require the policy response to relate to a Greater Crewe area which appropriately includes the Basford strategic employment areas and the significant satellite settlement of Shavington on the A500 which evidently functions as part of the greater Crewe urban area.

6. Shavington offers particular advantages as a location for early site release given its functional relationship with the town, its location adjoining the Basford employment growth areas, proximity to Crewe station, access to primary and secondary education within the settlement and its ability to make effective contributions towards the required new transport infrastructure to deliver the Crewe Vision (e.g. A500 dualling between Crewe and M6 Junction 16) without placing undue stress on existing links in the interim. Shavington has benefitted from the A500 improvements and is a location which is readily able to accommodate appropriate growth as part of the spatial strategy for the area.

7. RPS concurs with the Council that development should not be released in the protected Green Gaps in the adopted Crewe and Nantwich Replacement Local Plan (2005). There is land within the built up framework of Shavington which, although outside the defined urban limits and therefore currently unallocated, if developed would not extend the urban area out into open countryside and which can readily be integrated with the existing community bringing affordable homes, open space and new local services which will add to the high level of sustainability already in existence at Shavington.

8. The Revised Interim Policy has taken account of the National Planning Policy Framework referring to the core principles of sustainable development and the need to provide a minimum of specific deliverable sites sufficient to provide five years worth of housing capacity against the strategic housing requirement with an additional buffer of 20 where there has been a persistent record of under delivery (5% additional everywhere else). It is understood that Cheshire East Council has contended that the housing delivery in the District has not been one of persistent under delivery.

9. RPS also notes that the Council's evidence base for the Core Strategy supports a significant increase in the annual housing requirement above the current RSS rate of 1,150 dwellings per year. The high growth option of 1,600 dwellings per year has been identified as the most appropriate level to be consistent with economic growth strategy for the new Local Enterprise Partnership area of Warrington and Cheshire East and Chester West & Chester. The affordable housing need has been identified as 1,243 net additional dwellings annually in the Council's SHMA. The SHMA was quoted in the Core Strategy Issues & Options consultation as identifying general market housing demand as 2,800 dwellings per year in the District (para 6.3 refers).

10. The raw household growth projections for Cheshire East published in November 2010 by DCLG suggest there will be a minimum level of 1,360 additional households requiring new accommodation between 2008 and 2033 (2008 base). This does not allow for concealed households requiring accommodation, any vacancy allowance or allowance for second homes, all of which will increase the requirement. It is understood further evidence of housing need will be adduced later in 2012 to inform the Cheshire east Local Plan.

11. It is noted that under the current RSS housing requirement, the Council has

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	<p>calculated it has a housing land supply of 3.94 years at April 2011. Paragraph 49 of NPPF has been appropriately highlighted which confirms that development plans will not be up to date where a five year supply cannot be demonstrated. This therefore applies in Cheshire East.</p> <p>12. It is understood from the Housing Market Partnership meetings that many representatives of the development industry contend that the shortfall in supply is significantly greater than this level.</p> <p>13. The shortfall is likely to continue to grow unless significant new site releases are permitted. If the calculation were undertaken on the basis of an increased rate of 1,600 dwellings from 2012, then the current supply position would be reduced in years supply significantly.</p> <p>Conclusion</p> <p>The introduction of an Interim Planning Policy for the Release of Housing Land is strongly welcomed as an appropriate response to housing land supply constraints in Cheshire East.</p> <p>Focus on the broad location of Crewe for early housing release is appropriate. However, the approach should recognise the role of Shavington as part of the Greater Crewe area as identified in the Crewe Vision, given its unique relationship with Crewe and particularly the strategic employment growth areas in the A500 corridor at Basford. The references which seek to exclude Shavington from the policy should be deleted and positive reference should be made to the contribution that sites at Shavington outside the Green Gaps can make towards extending the housing supply sustainably.</p> <p>The expectation that sites will contribute towards required transport infrastructure improvements as part of the Crewe Vision is supported.</p> <p>The policy for affordable housing contributions should not seek unrealistic levels of affordable housing and establish a requirement of at least 30%, rather than at least 35%. The policy should also recognise that the provision of affordable housing should be subject to viability evidence which may justify a reduced contribution, especially where other planning obligations are being sought to achieve significant improvements to transport and other infrastructure in the area.</p>
RIPP92	<p>The IPP was initially published in February 2011 and has been revised to take into account changes in circumstances, particularly the adoption of the National Planning Policy Framework (NPPF), since February 2011 to ensure that new housing development takes place in appropriate and suitable locations. The main thrust of the NPPF is the presumption in favour of sustainable development and paragraph 14 states: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that: * Local Planning Authorities should positively seek opportunities to meet the development need of their area; * Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted. For decision taking this means: * approving development proposals that accord with the development plan without delay; and * where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific</p>

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policies in this Framework indicate development should be restricted. Based on the above presumption in favour of sustainable development there is a need for Local Planning Authorities (LPAs) to plan positively and seek opportunities to meet the development needs of their area. It is in this context that the IPP should be prepared. Draft Revised Interim Planning Policy on the Release of Housing Land The policy states that when it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by the National Planning Policy Framework, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations (each part of the policy is discussed in turn): 1 Adjacent to the settlement boundary of Crewe The first location where residential development would be permitted in accordance with the Revised IPP is on sites adjacent to the settlement boundary of Crewe subject to 7 criteria being met. Whilst it is acknowledged that focusing development towards Crewe is consistent with the Council's aspirations outlined in the emerging Core Strategy and is supported, objection is raised that solely focusing on Crewe would preclude other sustainable sites from coming forward across the Borough. It is also evident that Crewe on its own will not deliver the Boroughs housing supply requirements and therefore the IPP had to be expanded. There is support therefore for the inclusion of other locations across the Borough, which is discussed later. The first criteria that sites adjacent to the settlement boundary of Crewe have to adhere to is being well related to the built framework of the settlement and the second criteria relates to excluding sites within the Green Gap. No comments are raised on these points. The third criteria relates to sites within employment areas. The original IPP excluded sites within allocated employment areas; this has been amended to make an exception where the housing proposals are clearly shown to be necessary to bring forward the employment area. Although this is a positive step, as per Point 2 considered shortly, the policy should allow for land to be released in its entirety to alternative uses such as residential, rather than only for mixed use proposals. The much delayed Cheshire East Employment Land Study should be released as soon as possible and include confirmation of which existing employment sites could be released for residential development. This report should therefore be used to assist in the process of assessing the release of employment sites for alternative uses in line with this criteria. The NPPF is clear at Paragraph 22 that in instances where there is no reasonable prospect of a site being used for its employment allocation policies should avoid long term protection. It also identifies that applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Given that the IPP engages only when the Council cannot demonstrate a 5 year supply of housing, when there is clearly by this fact an urgent need, the IPP is overly restrictive. The policy should allow for allocated employment sites, where it can be demonstrated that they would best serve alternative uses, to be released in their entirety for housing. Any requirement to maintain an element for employment, or indeed any other additional use, could prejudice much needed residential delivery. The Council is therefore urged to be more positive, in the spirit of the NPPF, to encourage the delivery of housing. Criteria 4 seeks to restrict residential development within an area safeguarded for the operational needs of Leighton Hospital. There are no comments on this criteria. Ensuring the development is able to be fully developed within five years of the granting of full or outline planning permission is the fifth criteria. This is not supported and is in fact unlawful. The LPA cannot lawfully impose a requirement for development to be completed within 5 years. In accordance with the NPPF planning conditions should only be imposed where they are necessary,

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relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects

1. It is considered that such a condition is not necessary, enforceable or reasonable therefore in line with guidance in NPPF should not be a requirement of this Revised IPP. The LPA must not therefore assume that all sites approved under the Revised IPP will in fact actually deliver the numbers of housing envisaged within a 5 year period. The final two criteria relate to delivering development that improves the supply, choice and quality of housing in Crewe and also supports the delivery of the Council's overall vision and objectives for Crewe. These criteria are also supported in principle; however there must be recognition that in order for development to be delivered it must be viable, therefore flexibility and consideration of viability will need to be factored into the requirements for high quality schemes.

2 Part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses Whilst this part of the policy seeks to direct residential development to town centres and regeneration areas, greater clarity is required in relation to what defines a "regeneration area". The Council should not rely too heavily on mixed use town centre and regeneration schemes in terms of delivering new homes. These types of schemes often involve the delivery of apartments for which there is currently limited market demand. There are also normally a higher number of site constraints associated with such sites including ground contamination and the demolition of existing buildings. The Council should therefore be mindful that whilst this approach may deliver residential development, it is unlikely to do so at the rates required to identify the shortfall in provision. Additional sites such as those within or on the edge of Key Service Centres will also be required to assist in meeting demand for housing. Furthermore, the initial IPP (2011) had this allowance and has not generated any significant new residential development so therefore cannot be relied upon to any great extent to improve housing supply in current market conditions.

3 Adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow) subject to a range of criteria

Part 3 is an addition to the Revised IPP. In principle there is support for the inclusion of additional areas that are deemed suitable of delivering residential development. It was highlighted in comments submitted to the initial IPP that the focus for future housing was too restrictive. However, there are a number of concerns in relation to the criteria that these additional sites should also meet. Each criteria is taken in turn and address below.

The Site is not within the Green Belt or the Green Gap

Whilst the importance of such sites is acknowledged, in some instances and in particular the Green Gap sites, these may be in sustainable locations and be just as suitable for development as those sites adjacent to the built-up framework. Rather than adopting a blanket approach that excludes all Green Belt and Green Gap sites from the policy permitting residential development, it is suggested these sites are assessed on a site by site basis. This would reveal whether such sites are in fact sustainable and suitable for residential development and would represent a deliverable option to assist in the Borough reducing the shortfall in housing delivery. This would also be in accordance with the presumption in favour of sustainable development outlined in the NPPF. In addition, Green Belt sites would still however

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be required to demonstrate the special circumstances for permitting development as detailed in NPPF.

Is very closely related to the existing built framework of the settlement
Connections and linkages with facilities within a settlement are important in assessing the sustainability of a site for future residential development alongside a good relationship with existing development. However, as discussed above with the Green Gap sites, there are instances where sites that are not immediately adjacent to a settlement boundary that can still display good sustainability credentials and be suitable locations for residential development. It is therefore recommended that the words 'very closely' are deleted to provide some flexibility in allowing the most suitable sites to come forward. No definition is provided as to what 'very closely related' constitutes and therefore the test should relate to sustainability of a site and good planning.

Is self contained within clear 'defensible' boundaries
This requirement is more akin with reference to Green Belt sites and it should not be necessary for sites outside of the Green Belt to have to be surrounded by 'defensible boundaries' as they are not allocated to function in the same manner as Green Belt sites. Sites should be allowed to create such boundaries if considered necessary. Whilst physical features such as boundaries are part of the material planning considerations, they are not the only consideration and therefore it is important to view the wider context of a site and not refuse residential development just because a site fails to meet one of the criteria.

Is accessible by walking to a wide range of local services
The allocation of settlements as Key Service Centres implies that there are sufficient facilities to meet existing demand from local residents and also to cater for additional future residents in locations such as Middlewich. In November 2010 Local Development Framework Report: Determining the Settlement Hierarchy was published. In this Report Middlewich was identified as a Key Service Centre Settlements with a range of services and opportunities for employment, retail and education, they serve a catchment area and contain good public transport links. Middlewich was also identified in the Congleton Borough Local Plan First Review (2005) as a Town in the Congleton Settlement Hierarchy. More recently in the Draft Middlewich Town Strategy (March 2012) a number of sites adjacent to the settlement boundary were identified as potential residential development options. Therefore Middlewich has always been viewed and promoted as suitable and sustainable location for residential development. Whilst it is important that sites are sustainable and future residents can easily access a range of services and facilities, it is considered too restrictive to set out strict distances to a prescribed list of facilities. Sites will differ on their level of sustainability and whilst not all are within walking distance of a significant amount of services they may be in close proximity to a good public transport network which would allow easy access to facilities. A site needs to be viewed in the wider context and not just assessed solely on the walking distance from a predetermined list of facilities. In addition, urban extensions by their very nature can be further away from certain facilities but form an important part of the evolving urban area which adapts over time.

Is capable of being fully developed within 5 years of the granting of full or outline planning permission

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This is not supported and is in fact unlawful. The LPA cannot lawfully impose a requirement for development to be completed within 5 years. In accordance with the NPPF planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects

It is considered that such a condition is not necessary, enforceable or reasonable therefore in line with guidance in NPPF should not be a requirement of this Revised IPP. The LPA must not therefore assume that all sites approved under the Revised IPP will in fact actually deliver the numbers of housing envisaged within a 5 year period.

Provides homes that improve the overall choice, quality and supply of housing within the relevant town

Delivering high quality housing schemes that provide a good mix and choice of dwellings is important. However, as discussed further below, by limiting the size of sites and development densities that are able to come forward, this will directly relate to limiting the choice and mix of houses that can be delivered, making this criterion hard to achieve.

Is less than 1 hectare in size or has the capacity for no more than 30 net additional dwellings

The restriction on the size of site adjacent to Macclesfield and the Key Service Centres that are able to come forward under this policy is not supported. I must register Bellways strong objection to this restriction. Imposing restrictions such as this does not demonstrate efforts to 'positively seek opportunities to meet the development needs' and therefore is contrary to the objectives of the NPPF. These restrictions are also contradictory with the background information outlined in the earlier chapters of the Revised IPP; paragraph 2.18 of the Revised IPP states 'the lack of a 5 year supply of deliverable housing sites means that the Council should continue to take proactive steps to manage the situation'. It is considered that placing onerous restrictions on the size of site and density of development that will be permitted to address the shortfall of the 5 year housing supply are not 'proactive steps'. The success of this approach in actually assisting to address the shortfall in housing supply across the Borough can be questioned. Small sites with development density restrictions are often not attractive to house builders who from a viability perspective need larger sites to make the development worthwhile. NPPF requires the delivery of a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities therefore requiring a range of site sizes to come forward. This requirement for a range of site sizes to be developed is also considered to be the best way of attracting both local and national house builders to invest in Cheshire East. There is a large possibility that these small sites will therefore remain undeveloped as they are not attractive to developers and will not contribute to addressing the shortage of housing. There is also no evidential justification for this threshold being imposed. The LPA recently supported a planning application at The Green Middlewich (LPA Ref: 11/4545C) for 63 dwellings in February 2012 and this is evidence that sites should be assessed on a site by site basis as this site is over the 1 hectare threshold but was still considered to be able to deliver a valuable contribution to the housing land supply position. The sweeping statement made in paragraph 2.23 of the Revised IPP can also be questioned, with the assertion that small sites can be developed quickly and without major infrastructure requirements. The infrastructure requirements of a site should not be viewed as a reason for refusing development, as

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it is possible to mitigate and legally enforce that necessary improvements are made. Paragraph 203 of the NPPF highlights that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. There are therefore national and legal mechanisms in place that would remove any problems of larger sites requiring infrastructure improvements and should not be considered as a reason for deterring and prohibiting larger sites coming forward.

A frequent complaint and concern by Members raised at Planning Committee is piecemeal development that doesn't have good linkages and does not represent the delivery of a comprehensive scheme and also the limited benefits to the local area. Allowing only small sites to come forward has the potential to increase piecemeal development with small pockets of housing being widely dispersed. In addition, small sites are unlikely and in most cases unable to generate significant benefits to the local community. For example, the amount of affordable housing generated by a scheme of 30 houses is minimal and unlikely to make a notable contribution to the shortage of affordable units. This is considered to be an onerous restriction on the sites that are being encouraged to come forward to address the shortage of housing and does represent a 'proactive' or 'positive' approach. Limiting site size also limits the wider benefits to be gained from the development and it is questioned whether these sites would even be viable for house builders to bring them forward. It has also been the larger house builders on larger sites that have been most active in Cheshire East delivering consents recently and therefore it is very counter productive to have a policy that effectively favours smaller sites only as it potentially precludes developers from assisting in meeting the LPAs housing targets.

That the density of the site is appropriate to its location and is no less than 20 dwellings per hectare

Similar arguments to those outlined above are relevant to this criteria and again there is objection to the restrictions being placed on bring development forward. It is important that density is appropriate to its surrounding location; however this should be determined on a site by site basis taking into account site and surrounding circumstances.

Does not represent the subdivision of a larger site

The likely intention behind this criteria is to prevent sites coming forward 1 ha at a time, however as objections have been raised to the size limit of sites able to come forward, consequentially this criteria is not deemed to be required.

That it will not pre-empt or prejudice the future scale and direction of development within the individual town

The Congleton Local Plan Policy H2 states that in terms of managing future housing supply across Congleton, the Council will seek to ensure that total number of dwellings is distributed as follows 30% to Congleton; 25% to Sandbach; 15% to Alsager; 25% to Middlewich and 15% to rural areas. Middlewich has therefore already been identified as a town capable of accommodating future residential development. The Core Strategy Issues and Options Paper (2010) identified Middlewich as a Key Service Centre. Four different development options were suggested as part of the Issues and Options consultation paper which identified different levels of development to be directed towards Key Service Centres, ranging from 24% to 44%. This therefore demonstrates that Key Service Centres such as Middlewich are considered to be suitable to accommodate additional development and growth. In addition, sites

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adjacent to the settlement boundary of Middlewich have been identified in the Draft Middlewich Town Strategy as being potential residential development options and should be considered as strong contenders to assist in addressing the shortfall in housing across the Borough. As already highlighted, the NPPF promotes the presumption in favour of sustainable development and is a material consideration in the determination of planning applications especially in the absence of an up to date development plan.

Requirements of Housing Developments on Greenfield Sites

In addition to the above criteria, housing developments on greenfield sites that have been permitted through the Revised IPP will also have to adhere to additional requirements. These remain the same as in the initial IPP and therefore the original comments raised by Bellway are re-iterated below:

A Minimum of 35% Affordable Housing in Accordance with the Interim Planning Statement on Affordable Housing

The requirement for the provision of 35% affordable housing is not supported. There is no mention in the Interim Planning Statement (IPS) on Affordable Housing of the requirement for greenfield sites to deliver 35% affordable housing, the IPS only requires 30% affordable housing. There is no justification provided as to why the Council are seeking to demand a higher level of affordable housing on sites which are required to be release in order to make up the current shortfall in housing. In these difficult economic times development should be encouraged and not deterred or hindered by onerous requirements such as high levels of affordable housing. The viability of delivering a scheme should be crucial in determining the additional requirements that will be sought as part of a development. This assessment should be undertaken on a site by site basis and take into account factors such as individual site characteristics, constraints and local needs.

Open Space and/or Community Facilities in accordance with the relevant saved Local Plan Policy

Criteria 2 highlights the requirement to provide open space and/or community facilities in accordance with relevant saved policies. No objections are raised to this.

Improvements to the Strategic and Local Highway Network, Public Transport, Pedestrian and Cycle Routes

It is acknowledged that new development must address the affects of the development on the local highway network, and encourage the use of public transport and where valid contribute to this provision as identified by the Transport Assessment accompanying an application for development. Objection is raised however on the requirement to provide improvements to the strategic highway network as the Borough have not yet adopted the Community Infrastructure Levy (CIL); there is no evidence base and no policy mechanisms for requiring such contributions. Therefore this policy would pre-empt the conclusions of the evidence gathering. Consideration must also be given to viability and the implications such requirements would have on the realistic delivery of housing, therefore contributions should be assessed on a site by site basis in accordance with existing policies.

A high quality designed development to Code for Sustainable Homes Level 4 or higher and Building for Life Silver Standard or higher

The Code indicates the direction for future amendments to Building Regulation

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requirements, with step changes in maximum permissible CO2 emissions being tied closely to the various Code Levels. It is also important to highlight that the Code is voluntary and not mandatory and is being implemented through Building Regulations and therefore development (by according with Part L which is also in line with the Governments programme of implementation of the Code requirements). It is therefore considered unreasonable to request Code Level 4 on developments in Cheshire East at this stage. The Council's Economic Viability of Affordable Housing Requirements Report (2010) acknowledges that land values are already likely to be constrained by increasing building costs, with the introduction of Code Level 3. Research undertaken on behalf of the Homes and Communities Agency suggests that the introduction of Code Level 4 is likely to add a premium to construction costs of around 12.7% above current building regulation compliance. Code 3 represents a 5.1% increase above current building regulation compliance. From Code 3 to Code 4 there corresponds a 7.6% increase in build costs, market research suggests this is unlikely to result in an increase in for sale values and is an additional cost developers will have to account for on their balance sheets. The Report goes on to state that the impact of Code 4 could significantly affect the viability of development. Imposing requirements such as Level 4 of the Code for Sustainable Homes will impact upon the viability of developments and thus the provision of other Section 106 Agreements such as affordable housing provision. This IPP is about delivering development in order to maintain at least a 5 year supply of housing land and it is considered that imposing a requirement to achieve Level 4 of the Code could impede this. The Development Industry fully supports the Governments approach to Building Regulations, and taking the above into consideration, the Council are requested to amend the Revised IPP to reflect that the identification of the Code for use in housing developments is a matter for Building Regulations and the staged introduction or requirements to provide the Code will be dealt with through this regime. Furthermore, there is no statutory Development Plan Policy in place requiring compliance with Code Level 4; therefore the weight to be attached to this requirement is limited if not nil. As already highlighted if the restrictions on site size and development density that are suggested in the earlier part of this policy are adopted then it is highly unlikely that these small greenfield sites will be able to deliver the additional requirements and benefits outlined above.

Requirements of Mixed Use Redevelopment Sites

The final part of the IPP sets out 3 requirements which housing development on mixed use redevelopment sites will be expected to deliver. These requirements are expressed to be subject to economic viability considerations, which is supported. A minimum of 30% affordable housing in accordance with the interim planning statement on affordable housing The requirement for 30% affordable housing is in line with the Interim Planning Statement on Affordable Housing (2011), however it is important that viability is taken into account in all cases and assessments are made on a site by site basis taking into account individual site constraints and the merits of the scheme.

Employment, town centre and/or community uses within the site

Whilst it is important to considered market viability, no further comments are made on this point.

Code for Sustainable Homes Level 3 or above

Please see the comments above about imposing targets/requirements for new

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development to achieve certain levels of the Code.

Other comments

I would also like to comment and object to the suggestion in paragraph 3.4 of the Revised IPP that conditions may be attached to planning permissions requiring sites to be started within a prescribed period. Whilst we appreciate that conditions will be attached to all permissions requiring commencement of development within a prescribed period, however imposing a condition requiring the actual construction to be begun is onerous, unacceptable and unlawful. Paragraph 206 of the NPPF states planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects. It is felt that imposing conditions requiring development to start does not accord with NPPF and if development had been commenced the permission should therefore remain extant and not be subject to a further timescale to begin constructing the development.

Conclusion

In conclusion, while the addition of other locations for the focus of future residential development is supported in principle, I would still like to register strong objection to the actual need and purposes of the Revised IPP and also the onerous criteria and requirements that sites must address and adhere too. The intention of the Revised IPP is to address the shortfall in housing across Cheshire East, however it is considered that due to the large number of restrictions on the type and size of site that are able to come forward it does not represent a realistic solution and is very much at odds with NPPF. Given the consistent shortfall in housing across Cheshire East a proactive and positive approach to residential development should be adopted that is based on the NPPF and its presumption in favour of sustainable development rather than being onerous and restrictive on allowing suitable sites to come forward. In summary there is objection to the Revised IPP but this letter sets out why objections have been raised and these are soundly based and will hopefully assist the Borough in securing an IPP that supports the delivery of residential development to assist the LPA in meeting its housing land requirements, which is the purpose of the IPP. Our Client remains committed to delivering viable and attractive new homes in sustainable locations in Cheshire East and seek policies that support this delivery.

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RIPP87	<p>1. It is considered that the proposed IPP should not be carried forward and that the LPA should make decisions on applications based on paragraph 14 of the National Planning Policy Framework (NPPF). IPPs have no status in decision making as they are, by definition, not in conformity with statutory development plans. NPPF is very clear on decision making where development plans are out of date and using IPPs is not part of that process.</p> <p>2. Para. 47 of NPPF states that the LPA must identify specific deliverable sites sufficient to provide five years worth of housing against the requirements with an additional buffer of 20% if there has been a record of persistent under delivery of housing. The IPP acknowledges that Cheshire East does not have a 5-year deliverable housing land supply as required by para. 47 of NPPF; it does not however fully acknowledge that it has persistently under-delivered housing and must therefore identify an additional 20% buffer. The deficit in the required supply is therefore significantly more serious than that expressed in the IPP.</p> <p>3. Para 49 of NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Para. 14 states that where relevant policies are out-of-date, LPAs should grant permission unless: - Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or - Specific policies in that Framework indicate that development should be restricted.</p> <p>4. Of course, the IPP does not identify specific sites to provide the required deliverable supply and therefore it can be argued that it would be out-of-date from the day it is published. Decision making would simply revert to para. 14 of NPPF. In the absence of the required 5-year (+ 20%) supply the publication of the IPP would be futile. Until such time as it has the required housing land supply, the LPA should base decisions on applications for residential development on para. 14 of NPPF and the presumption in favour of sustainable development.</p> <p>5. It is also of relevance that previous IPPs have been given only limited/very little weight in the decision making process by Planning Inspectors. For example, para. 165 of the decision on appeal ref: 2140255 states: As for, the IPP, Council officers recognised, in reporting this document to their Strategic Planning board, that it can only carry limited weight and I see no reason to conclude otherwise.</p> <p>6. Furthermore, para. 87 of the Inspector's decision on appeal ref: 2141564 states the following: By the Council's own admission, its Interim Planning Policy does not usurp the Development Plan, not does it have the status of a Supplementary Planning Document. I therefore consider that it should attract very little weight. Indeed, I note that the Council does not rely on the IPP to support its case in this appeal.</p> <p>7. The lack of weight given to previous IPPs demonstrates further that the proposed IPP should not be taken forward by the LPA. The first appeal decision following the publication of the IPP would in all likelihood contain wording similar to the above quotes and the IPP would be given only very little weight from that time on.</p> <p>8. The IPP also imposes criteria that are not appropriate. Part 3, which permits development adjacent to the settlement boundaries of key service centres, requires that applicants demonstrate that: - the site is less than 1ha in size or has the capacity for no more than 30 net additional dwellings; - the site does not represent the subdivision of a larger site; and, - development will not pre-empt or prejudice the future scale and direction of development within the individual town.</p> <p>9. The justification given for these criteria is that there is also scope for the release of smaller sites in sustainable locations on the edge of the other ten larger towns in the</p>

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	<p>borough without prejudicing the identification of larger strategic development sites, which should be undertaken through the Local Plan process. However, the release of small sites (less than 1ha) as opposed to larger sites that might be in more sustainable locations does not represent sustainable development. For example, we are currently agent for application no. 12/0893C which is for outline permission for up to 65No. dwellings at land off Crewe Road, Alsager. The application site was considered the most sustainable greenfield site in Alsager by the previous LP Inspector, yet under the IPP, it would not come forward. The IPP would result in other smaller sites being developed in far less sustainable locations around Alsager. Why develop two small sites that are not as sustainably located as one larger site?</p> <p>10. For development on greenfield sites on the edge of the key service centres the IPP also seeks to require 35% affordable housing and development to Code for Sustainable Homes Level 4 or higher. Contrary to para. 173 and 205 of NPPF, there is no mechanism to allow viability to be tested and, in any event, these additional financial burdens on development should not be imposed through an IPP which is designed to increase housing development. Additionally, the affordable housing requirement must be based on robust evidence and Building Regulations control regarding the Code should not be duplicated in the IPP.</p> <p>11. The IPP also requires development on greenfield sites on the edge of the key service centres to improve the strategic and local highway network, public transport, and pedestrian and cycle routes. To do this if it were not necessary to make the development acceptable in planning terms, directly related to the development or fairly and reasonably related in scale and kind to the development would be contrary to NPPF and the CIL Regulations.</p> <p>12. To conclude, the IPP should not be taken forward: it will be out-of-date from the day it is published and will have very little weight in the decision making process. Furthermore, by allowing only small sites to come forward it will prevent the most sustainable development coming forward; and, it imposes unacceptable burdens and acts as a barrier to development contrary to NPPF.</p>
RIPP139	<p>The only comment I would earnestly make in these days of making savings is that your attachment is in great need of condensation. If condensed, I would suggest that you would save at least 50% of your and my paper costs and also the very expensive ink. My comments are meant to be helpful. If you cannot do this then I suggest you warn your readers not to print a copy off as the reproduction costs are very expensive indeed.</p>
RIPP72	<p>Suggest that SHLAA site 2908 would be suitable for development. Further details have been provided separately.</p>
RIPP102	<p>I understand the Authority's feeling of vulnerability but I dislike the introduction of an interim policy as it almost always encourages early speculative proposal/applications attempting to sneak in front of the local plan just as much as the policy defends its preparation. I am also suspicious that it is useful to elected administrations who wish to avoid the pressures associated with decisions on allocations. However as the Authority is intent upon adopting such a policy it should be prefixed to emphasise releases would be limited to only that necessary in the very short term to address the 5 year land-bank requirement. I accept the policy needs robust enough to defend against the speculative pre-emptive strike proposals. However the wording needs to clear so releases are sequential and judged against the criteria.</p>

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RIPP75	<p>Other matters We also wish to comment and object to the suggestion in paragraph 3.4 of the Revised IPP that conditions may be attached to planning permissions requiring sites to be started within a prescribed period. Whilst we appreciate that conditions will be attached to all permissions requiring commencement of development within a prescribed period, imposing a condition requiring the actual construction to be begun is onerous, unacceptable and unlawful. Paragraph 206 of the NPPF states planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects. Imposing conditions requiring development to start does not accord with NPPF and if development had been commenced the permission should therefore remain extant and not be subject to a further timescale to begin constructing the development. Conclusion In conclusion, while the addition of other locations for the focus of future residential development is supported in principle, we must register strong objection to the actual need and purposes of the Revised IPP and also the onerous criteria and requirements that sites must address and adhere to. The stated intention of the Revised IPP is to address the shortfall in housing across Cheshire East, however it is considered that due to the large number of restrictions on the type and size of site that are able to come forward it does not represent a realistic solution and is very much at odds with NPPF. Given the consistent shortfall in housing across Cheshire East a proactive and positive approach to residential development should be adopted that is based on the NPPF and its presumption in favour of sustainable development rather than being onerous and restrictive on allowing suitable sites to come forward. In summary our aim in this letter is to set out why objections have been raised which will hopefully assist the Borough in finalising an IPP that supports the delivery of residential development and thereby assist the LPA in meeting its housing land requirements.</p>
RIPP77	<p>We act on behalf of the owners of land at Adlington Road, Wilmslow which is currently allocated as Safeguarded Land in the Macclesfield Local Plan. In this respect, we respond to the Draft Revised Interim Planning Policy: Release of Housing Land. We consider that due to the need to plan positively for the future housing needs of the Borough, and the current lack of 5 year housing supply, land which was safeguarded from development in the Local Plan for future growth beyond the lifetime of the plan should now be considered seriously for development. The former Macclesfield Local Plan was intended to be used to plan for development to 2011. This date has now passed and now is the time to release appropriate sites for housing development in a planned and well managed way. Whilst we acknowledge that the Interim Policy cannot pre-empt strategic decisions on strategic development sites, sites that were safeguarded to protect them for future development have already been assessed through due process and should now be considered appropriate to accommodate some of the Borough's future growth.</p>
RIPP132	<p>The Parish of Great Warford, as a very rural parish with little infrastructure (no bus service, no schools, no shops etc), would struggle to cope with any major development regarding affordable housing. There is no suitable land available as it is mostly given over to agriculture and their view is that development would be more appropriate in larger parishes with facilities.</p>
RIPP70	<p>It is disappointing to see the lack of reference in your documents to the provision of utilities infrastructure.</p> <p>Cheshire East text 2.3 At the heart of the NPPF is a presumption in favour of sustainable development. In terms of dealing with planning applications this means that:</p>

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- Planning applications for development that accord with the Development Plan should be approved without delay
- Where the plan is out-of-date, silent or absent, planning permission should be granted unless adverse impacts significantly outweigh the benefits or specific policies in the NPPF indicate otherwise. United Utilities PLCs comments The Framework 14 For decision-taking this means:[10]
- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.[9] 9 For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion. 10 Unless material considerations indicate otherwise.

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Cheshire East text 2.4

The NPPF sets out 12 core principles that should underpin plan making and decision taking. Planning should be:

- Plan led, giving people the power to shape their surroundings through up-to-date Local and Neighbourhood Plans setting out a positive vision for the future of their area.
- A creative exercise in finding ways to enhance and improve communities.
- Proactively driving and supporting sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving places that the country needs.
- Seeking high quality design.
- Taking into account the different roles and character of different areas including promoting the vitality of our main urban areas, protecting the Green Belt and recognising the intrinsic character and beauty of the countryside.
- Supporting the transition to a low carbon future.
- Contributing to conserving the natural environment.
- Encouraging the effective use of land by reusing brownfield land.
- Promoting mixed use developments and recognising that some open land can perform many functions such as for wildlife, recreation, flood risk mitigation, carbon storage and food production.
- Conserving heritage assets.
- Managing patterns of development to make the fullest use of public transport, walking or cycling.
- Supporting local strategies for improving health, social and cultural wellbeing

United Utilities PLCs comments

The Framework: There are three dimensions to sustainable development: economic,

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social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

Cheshire East text 2.5

Paragraph 47 of the NPPF requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. An additional buffer of 5% should also be provided to ensure choice and competition in the market for land and an additional 20% in areas where there has been a persistent record of under delivery.

United Utilities PLCs comments

Unfortunately this increases the uncertainty and identification of a sustainable infrastructure solution; if not managed correctly this will lead to unsustainable reactive process instead of a proactively plan-led. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Cheshire East text 2.23

The release of sustainable small sites, however, would avoid significant harm to the Development Plan process and would be unlikely to cause harm to the countryside or the settings of settlements. Small sites, moreover, can often be developed quickly and without major infrastructure requirements and provide a good opportunity to improve the housing land supply for the Borough.

United Utilities PLCs comments

The cumulative affect of numerous small sites needs to a major consideration in a plan-led process [this is reflected in the attached suggested amendments];

- Sustainable development can only be achieved through proactive delivered infrastructure; reactive infrastructure is implemented to address the resulting

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issues of a failed plan-led process; and

- How will the utility infrastructure providers determine the true impact on the existing infrastructure or provide a clear sustainable investment plan for the future.

Cheshire East text 2.24

It is proposed therefore to broaden the policy to allow for modest housing developments on sustainable sites on the edges of towns other than Crewe. To avoid prejudice to the Development Plan process or undue harm to the countryside and settings of towns, the following key principles will be incorporated into the revised policy:

- Developments should be small scale
- Developments should not prejudice key strategic decisions about the growth of a town
- Sites should not be within the Green Belt or the Green Gap
- Impact on the countryside should be minimised
- Locations should be sustainable.

United Utilities PLCs comments

Generally green belt sites; open countryside and/or edge of settlement sites have limited or no supporting water supply and/or sewerage infrastructure assets; they may be adjacent to existing infrastructure assets that are located on the fringe/limits of the existing water supply and/or sewerage infrastructure networks which are of a small diameter and have limited capacity to support additional capacity.

Cheshire East text Interim Planning Policy on the Release of Housing Land

When it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by the National Planning Policy Framework, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations.

United Utilities PLCs comments

The Interim Planning Policy on the Release of Housing Land does meet the requirements of the Framework. Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

Crucially, Local Plans should: plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework; No reference has been made in the policy text to sustainable development; flood risk and/or the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk

If these elements are covered in historical documents then a specific reference and/or text should be included with the body of this document as proposed within the enclosed suggested amendments.

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RIPP146	<p>I would therefore point out that in that Local Plan, and the Inspector's determination at the Public Inquiry, the area to the south of Alsager was identified as Green Belt and Alsager was identified as an Area of Restraint. I understand that this long standing policy is intended to provide both an area of open countryside between Alsager and the northern fringes of Stoke on Trent and also to constrain the tendency of population being drawn into Alsager to the detriment of Stoke on Trent. Since the National Planning Policy Framework (April 2012) requires local planning authorities to identify sufficient deliverable sites to provide 5 years' worth of housing against their housing requirements, plus a 5% buffer, the new Local Plan scheduled to be adopted in 2014 requires provision to the year 2021. Clearly the housing provision already identified for the three Brownfield Sites is sufficient to meet this need. In addition there is also the possibly increase in the number of brownfield sites as the Excalibur site ceases to be entirely suitable for companies and they relocate to the more attractive Radway site, with its easy access to the M6 motorway, or even the MMU site. The existing Excalibur site is landlocked, on all sides, by existing housing development and would therefore be ideal for future housing needs if indeed it were vacated. Finally it is difficult to respond to the Draft Revised Interim Planning Policy: Release of Housing Land without making reference to the recently published Draft Alsager Town Strategy Consultation document. I feel this is necessary because in its present form this Draft Alsager Town Strategy conflicts totally with the points made in paragraph 1&2 above. Firstly there is no reference to the existing policies on Green Belt or Restraint and secondly it aims to identify a housing provision of 1000 new homes by 2030 when there is no supportable argument for arriving at that number in the first place and they identify Greenfield sites as a preferred option. Less generous residents have suggested that rather than a DRAFT Alsager Town Strategy it should have been entitled the DAFT Alsager Town Strategy.</p>
RIPP115	<p>I am a resident of Sandbach and have been all my life. I am disgusted by the incompetence of our planning department in their inability to protect our town from the greed of builders by having a planning policy in place. Obviously all builders will want to build in Sandbach as it has one of the highest average house prices in Cheshire not because Sandbach needs this amount of housing. To this end I suggest three options Place a moratorium on all major planning applications e.g. 25 houses and over until you have your policy in place (5 year and 20 year housing policy) Make all greenbelt and open countryside surrounding Sandbach into local green space until your planning policies are in place to allow controlled building in Sandbach and not just a free for all. The policy should contain an explicit statement that any application should be rejected even if the site only marginally fails any of the conditions. I feel disgusted that for the sakes of waiting until next year for a planning policy that is discussed and agreed by the residents of Sandbach you are willing to allow the builders to dictate and destroy the town of Sandbach forever through greed.</p>

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RIPP97	<p>While the document is an improvement on the earlier version we are nevertheless concerned that the document as currently drafted requires amending to bring it into conformity with the National Planning Policy Framework (NPPF). Section 2 of the draft document sets out key requirements from the recently published NPPF but the translation of these into the Policy itself at Section 3 is limited. While there may be a desire to minimise the amendments to the previous version it has be remembered that the earlier document, which was adopted on 24th February 2011, was produced before either the draft or final version of the NPPF were available and, consequently, we would have expected a greater level of revision to bring it into conformity. Our main concerns are that, in order to comply with the NPPF, all developments falling under this Policy must clearly demonstrate that they are sustainable. To achieve this, all developments must be subject to a sustainability assessment, not just the greenfield sites and the requirements of the assessment itself must be more robust and clearly set. We are also concerned over the lack of emphasis on brownfield sites as this is also a key requirement of the NPPF. Our detailed comments on both of these issues are set out later in our response.</p>
RIPP142	<p>I have read through the document, but nowhere does it tell me which act of parliament all this is supposed to be in response to . It appears to me to be a lot of gobbeldy gook to keep people employed on doing the least amount of good for local rate payers. Why do we have to constantly update 5 / 20 year plans? I understand from news reports that planning laws are being simplified to give local people more say; I notice that you do not seem to agree with that view, as you have ignored the local Alsager view, that NO development should be considered on green field sites until full use has been made of all brown field sites; this has been said in several planning meetings that I have attended in the Civic Centre.</p>
RIPP71	<p>The Vision document specifically says in relation to several of the proposed Green Belt sites. The area has not been put forward for development in the SHLAA. Inspection of the SHLAA has proved this statement to be untrue. In fact, not only has every Green Belt site described within the Vision document been included within the SHLAA, there are additional Green Belt sites within the SHLAA that are not included within the Vision document. Which is correct, the Vision document or the SHLAA? Also, there are several possible sites identified within the SHLAA that could be developed with far less impact on Green Belt, but despite the fact that the sites are not in use for any other purpose, some of the sites are labelled as not currently developable with no detailed explanation given It is believed that at least one of these sites is in the ownership of Cheshire East Council. I think that the residents of Wilmslow deserve an explanation as to why this is the case? Strategic Housing Market Assessment Again, as I am sure you are aware, in putting to together a Local Plan the Local Authority is required to undertake a Strategic Housing Market Assessment. Cheshire East Council does have a Strategic Housing Market Assessment, albeit based on the results of a survey carried out in 2009. However, the assessment barely makes reference to Wilmslow and all the detailed statistics appear to reflect the larger towns of Crewe, Nantwich, Congleton and Macclesfield. The figure contained within the Vision document of 1500 new homes in Wilmslow by 2030 would therefore very much appear to be an arbitrary number. I believe that this raises two very important issues. Firstly, one of the key points of the National Planning Policy Framework is take account of the different roles and character of different areas. Without a detailed housing market assessment of Wilmslow, I do not believe that the existing SHMA in any way justifies the need for additional housing or development within Wilmslow's Green Belt. Secondly, unlike the towns of Crewe,</p>

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Congleton and Macclesfield, Wilmslow has a large commuter population with many people commuting into Manchester. Increasing the population of Wilmslow is likely to do nothing other than increase the commuting population, which flies in the face of clause 37 of the NPPF, which says Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment. In view of the number of additional homes mentioned in the Vision document, I believe that Cheshire East Council should have undertaken a Transport Assessment Plan, as defined within the NPPF. Green Belt policy. The NPPF states The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and goes on to say that once established, Green Belt boundaries should only be altered in exceptional circumstances. The Green Belt around Wilmslow has been in existence for decades and I do not believe that Cheshire East Council or the Vision document has demonstrated that exceptional circumstances exist, particularly in the absence of a Strategic Housing Market Assessment for the Wilmslow area. Alternative Sites I do not believe that the Vision document in any way demonstrates that all options for alternative brownfield sites have been fully explored. As an example, one the proposals development on Green Belt land within the Vision document is site F, land to the east of the Royal London site, which has been designated as employment/mixed use. On the other side of Wilmslow there is a vacant 11.5 acre site owned by Cheshire East Council, allocated as an employment site. I think that I am correct in saying that Cheshire East Council has been trying to let this site for over fifteen years without success. As far as I am concerned, this proves two things, firstly, that there is little demand for employment sites within the Wilmslow area and secondly, there is absolutely no need to use Green Belt land for this purpose. Alternative use policy The NPPF clearly states that Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Neither the Vision document nor the Cheshire East SHLAA demonstrates that alternative uses for sites have been considered. Of particular relevance is the aforementioned 11,5 acre site owned by Cheshire East Council that has been vacant for over 15 years. Agricultural policy Clause 112 of the National Planning Policy Framework says Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Neither the Wilmslow Vision document nor Cheshire East Council's Strategic Housing Land Availability Assessment distinguishes the agricultural merits of any of the proposed Green Belt sites. At least one of the Green Belt sites within the Vision document (site E, land off Welton Drive) is productive, prime agricultural land. With mounting pressure on the country's ability to feed itself, it is scandalous that prime and productive agricultural land is being considered for development, particularly when there is unused land of lesser value in the vicinity. With regard to the proposal at Welton Drive, the field in question is the largest field within a group of fields presently farmed by the same farmer. Using the largest field for development would doubtless render the remaining fields as economically unviable, therefore reducing productive agricultural land by twice the size of the housing development. Education and Health Facilities Clause 72 of the National Planning Policy Framework says The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet

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the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. With around 2000 pupils, Wilmslow High School is already one of the largest schools in the country and it is presently over-subscribed. The Wilmslow Vision document makes to reference to how the existing education system could cope with additional demand. In addition to the lack of school places, the Vision document fails to address the pressure on other public services, in particular health care. Environmental issues and biodiversity One of the key aims of the NPPF is contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity. Large scale development on the Green Belt, as proposed within the Vision document, would have a devastating effect on the habitat of local wildlife and biodiversity. Again, this is not even mentioned within the consultation document. Working across local boundaries Clause 178 of The National Planning Policy Framework states Public bodies have a duty to cooperate on planning issues that cross administrative boundaries. We have a situation in Wilmslow where a major development is planned to take place just over the Wilmslow boundary. The development is on the former British Aerospace facility at Woodford. And is understood to include a considerable number of new homes. This will doubtless have a large impact on Wilmslow in many ways, yet there is no mention of this at all within the Vision document. Open spaces and playing fields The National Planning Policy Framework says that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless surplus to requirements or alternative facilities are being provided. The proposed scheme E within the Vision document includes an existing playing field with no explanation as to whether alternative facilities will be provided. Planning moratorium on residential applications imposed by Macclesfield Borough Council Until quite recently Wilmslow has been subject to a planning moratorium imposed by Macclesfield Borough Council to prevent planning applications for new homes on brownfield sites. The moratorium was imposed because too many approvals had been granted in recent years and not enough of those approvals had been built. I believe that this was due to the fact that developers were only interested in the prime sites and that they did not want to build on less attractive (profitable) brownfield sites. It seems incredible that we have gone from a situation where Macclesfield Borough Council were refusing to accept planning applications for new homes on brownfield sites to now considering building on the Green Belt. just how many planning consents exist for new homes in the former Macclesfield Borough that still haven't been built?

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RIPP86	<p>On 6th April 2012 the Town and Country Planning (Local Planning) (England) Regulations 2012 came into force. Regulation 5 of this document states that documents which are to be prepared as local development documents are any documents which contain; (i) statements regarding the development and use of land which the planning authority wish to encourage during any specified period, or (ii) development management and site allocation policies which are intended to guide the determination of applications for planning permission. Regulation 6 states that any document that contains the above issues is a Local Plan. Therefore these documents would have to follow the due process for Local Plan preparation including public examination. Given that the proposed Draft Revised IPP relates to policies which would guide development management decisions, it should be brought forward as part of the Local Plan not as an interim policy. It is considered that the Revised Draft IPP is therefore ultra-vires. Notwithstanding the above, the Draft Revised IPP is also contradictory of national policy set out in the National Planning Policy Framework (NPPF) and the most up to date Strategic Housing Market Assessment evidence. The implication of the interim policy will be to create a 'moratorium' of suitable, available, achievable and therefore deliverable greenfield sites anywhere other than Crewe and small sites in the other key service centres. Therefore, this policy appears to be politically motivated and not based on planning principles. Please find our interpretation of the issues in the draft revised interim policy presented below. Annual Housing Requirement The Council's Strategic Housing Market Assessment (SHMA) was published in September 2010 and is the most up to date evidence base of housing need in Cheshire East. It concludes that there is an annual requirement for 3,616 market houses and 1,243 affordable houses. The evidence based requirement for Cheshire East is therefore 4,859 dwellings per annum not 1,150 dwellings. There is, therefore, compelling evidence that the housing requirement within Cheshire East should be substantially higher than 1,150 units per year to address the need for housing in the district. Indeed, a requirement of 1,150 dwellings will not even meet the affordable housing requirement of the Authority of 1,243 dwellings. NPPF states in para 47 that local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Once Regional Spatial Strategy (RSS) is revoked, which the Government intends to do as soon as possible, it will be for local authorities to adopt their own housing targets. Any target selected will have to be thoroughly tested during the examination process against this advice and the authority will need to be ready to defend them with robust evidence. It is clear that as presently set out, the emerging Local Plan for Cheshire East Council is not in conformity with NPPF and the Draft Revised IPP does not go far enough to assist the Council in meeting its full housing needs in the absence of the Local Plan. Electing to adopt a housing target substantially below the SHMA is unsound and will be subject to challenge through the LDF and appeal processes. Five Year Housing Land Supply Paragraph 2.9 of the Draft Revised IPP states that the Council accepts that there is not a deliverable 5 year supply of housing land and that the latest assessment indicates a supply of 3.94 years. In addition, the Council is considered to have persistently under-delivered against its housing targets in the past (a fact that the Council accepted in the Strategic Planning Committee 11 April 2012 Application 11/2818/N). The Council should therefore be providing an additional 20% buffer of housing land, moved forward from later in the plan period, to provide a realistic prospect of achieving the planned supply. As Cheshire East clearly cannot demonstrate a 5 year supply of housing, and this is exasperated by the addition of a 20% buffer, para 49 of NPPF would apply. This states that housing applications</p>

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should be considered in the context of a presumption in favour of sustainable development and that policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. It is therefore considered that the existing local plans for Congleton, Crewe and Nantwich and Macclesfield are out-of-date in relation to housing supply. Additionally, under para 215 of NPPF, these plans should only be afforded due weight based on their consistency with the NPPF. It is considered that as these plans are not consistent with the NPPF they should be afforded very little weight in decision making. Draft Interim Planning Policy on the Release of Housing Land The implementation of the Draft Revised IPP in response to not having a 5 year deliverable housing land supply is considered to be ultra-vires (Town and Country Planning (Local Planning) (England) Regulations 12) severely flawed, contrary to the NPPF, LDF evidence base, and completely unjustifiable. The Draft Revised IPP is in direct conflict with NPPF which requires development that is sustainable to go ahead without delay. NPPF also states that where the development plan is absent, silent or relevant policies are out of date (see above) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Given the lack of a demonstrated 5 year supply of housing land and the fact that this renders the policies of the local plan governing housing supply out-of-date (NPPF para 49), there is no longer a policy basis contained within the Local Plan to give effect to the Draft Revised IPP. The Draft Revised IPP should therefore carry no weight in the decision making process. Clearly restricting the sites coming forward to those on the edge of Crewe and small scale sites on the edge of the key service centres is also in conflict with this guidance as larger scale sites that are in sustainable locations on the edge of key service centres may well be able to be brought forward without any adverse impacts. Larger scale sites would also help to deliver housing to meet the considerable shortfall in current supply and may well be able to provide a full complement of community facilities to help to address local issues which the smaller scale sites would struggle to deliver because of their scale. This is particularly the case with the provision of affordable housing as the shortage of this type of accommodation is acute in Cheshire East and the release of larger scale greenfield sites on the edge of settlements will help the Council to address this critical issue. When the latest information contained in the evidence base is analysed the findings prove that the number of units that can be delivered, on small scale sites (less than 30 or 1ha), on the edge of the 9 Key Service Centres, that are identified in the SHLAA as being deliverable in the 1-5 year timeframe is less than 100 units. Even when this is expanded to include similar sites in the 6-10 year timeframe (excluding Green Belt sites) this only increases to 200 units. The Council's own evidence therefore clearly identifies that the Draft Revised IPP will not significantly increase housing delivery within the borough and will certainly not address the critical situation that is faced by the Council in terms of the serious housing shortage. In fact, the scale of the housing land supply problem in Cheshire East would necessitate the delivery of over a 100 small sites on the edge of the key service centres. The Draft Revised IPP states, in para 2.13, that in the case of a refusal of planning permission, appeals may be upheld on the grounds that the proposed developments are in sustainable locations and there is not a 5 year housing land supply. The Council seem to see this as a threat, whereas this is just the proper application of the advice in NPPF. The Draft Revised IPP allows for residential development as part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses. Mixed use developments within settlement boundaries could come forward under the current Development Plan in any event " but there is

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no evidence that additional deliverable sites that are not already in the 5 year land supply exist or are likely to come forward. The only realistic source of such sites are existing employment sites, the use of which for housing would be contrary to established planning policy, although the Draft Revised IPP seeks to introduce the ability for housing development to take place on parts of allocated employment areas in Crewe. This approach brings its own issues as one of the key drivers for the anticipated need to grow the population of Crewe is to provide a workforce for the major redevelopments that are planned or anticipated for the town, including the redevelopment of the town centre commercial area, the further development of MMU, the further occupancy of Crewe Business Park and, most significant of all, the development of the Basford strategic sites. If employment sites are to be lost to residential development, even in part, then this weakens the case for all significant housing releases under the Draft Revised IPP to be directed towards Crewe. In addition, the Council's own document All Change for Crewe identified a functional economic boundary for Crewe, termed 'Crewe Outer', which included the towns of Nantwich, Sandbach and Alsager, which according to the SHMA sit in an adjacent housing market area. If it is a clear aspiration of the Council to support the economic development of Crewe as a priority, then surely the release of a range of housing sites on the edge of these settlements would assist the Council in delivering the economic growth anticipated for Crewe given that they are located within Crewe's functional economic boundary. It is also unclear why a policy position is proposed that only allows the release of small scale sites on the edge of the key service centres and greenfield sites on the edge of Crewe. Why is it permissible to restrict housing development to only these areas when Crewe has over delivered against housing targets in the past and settlements in the former Macclesfield and Congleton boroughs have under-delivered housing against targets? This is especially the case when Table 5.1 of the SHMA demonstrates that market demand is least likely to be satisfied in the former Macclesfield area (74.2% of identified demand likely to be satisfied), followed by the former Congleton area (78.9%), with demand most likely to be satisfied in the former Crewe and Nantwich area (80.6%). Para 197 of NPPF states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. This is especially the case where there is a significant under-supply of housing. The correct response to the shortage of land supply in these cases is absolutely clear " it is to release sustainable, deliverable housing sites quickly by considering planning applications favourably, and not to delay delivery by introducing an unjustified Interim Policy. By seeking to adopt a different response to the acute housing shortage by inventing an alternative strategy which has no basis in national policy is counter-productive. It is worth noting that one of the policy's requirements is for sites to be capable of being fully developed within five years of the granting of outline planning permission. Based on current average build rates from the House Builders Federation (HBF) of as low as one dwelling a month, sites in the current market may only deliver 42 houses within 5 years if planning permission were granted today (assuming that outline permission, reserved matters and discharge of pre-commencement conditions takes 18 months). This will not adequately address the 5 year land supply, as there is no evidence that there are enough deliverable small scale sites adjacent to the key service centres and sites adjacent to Crewe to address the significant under-supply. The Revised Draft IPP will restrict development to only small scale schemes in the housing markets of the former boroughs of Congleton and Macclesfield where the shortage in supply is currently most acute. One of the priorities for Cheshire East identified in the SHMA (paragraph 6.6) is to maximise the benefits of being part of

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	<p>several strategic economic areas. Paragraph 6.26 of the SHMA also states: New housing development needs to support planned economic growth and wider regeneration initiatives. Housing that is accessible and desirable to the local workforce plays a key role in maintaining and supporting economic development. This research demonstrates strongest aspirations for traditional houses (three bedrooms in particular) from groups most likely to be economically active. There is a need to stimulate the housing market at all levels to ensure an adequate supply to accommodate a range of household types and income levels. Evidence suggests that across Cheshire East there is considerable market imbalance, with demand exceeding supply. To not immediately address the evidenced need for housing throughout the whole of Cheshire East through the implementation of the advice contained in the NPPF of a presumption in favour of sustainable development is an irresponsible approach to adopt, particularly considering the affordable housing need that exists and the current economic climate where development should be encouraged. This should not just be restricted to Crewe and small scale sites on the edge of the key service centres. Summary Overall, it is clear that the Council's approach that it is seeking to adopt in order to address the acute shortage in housing supply is flawed, without any policy basis and highly unlikely to be successful. The proper approach is to consider favourably planning applications which are before the Council that will make a meaningful contribution to the shortage in supply, and provide much needed affordable housing. Further, the proposed housing target of 1,150 dwellings per annum will not even meet the shortage in affordable housing, and nor is it anywhere near the level identified in the Council's own SHMA. The evidence base clearly signals a much higher housing target than 1,150 dwellings per year. Para 2.26 of the Draft Revised IPP states that the revised policy will be used in the consideration of planning applications with immediate effect and will be considered to be a material consideration even though it is recognised the policy will not carry full weight. It is our contention that the preparation of the Draft Revised IPP is ultra-vires and should be afforded no weight in the consideration of planning applications. Even if the Council continues with its preparation, it is not consistent with National Policy and there is no policy hook in place to hang the IPP off. The preparation of the Draft Revised IPP should therefore be terminated and the existing IPP that has already been adopted should be revoked.</p>
RIPP109	<p>Our representations support the Council's general approach to the release of housing land in so far as it acknowledges the IPP is a tool to address the lack of five year supply; but we have reservations over several criterion included within the policy itself. We also reserve comment concerning the statutory weight of this document in the decision making process and we are aware that the status of the preceding IPP document has been challenged by the SoS. We therefore welcome the publication of the revised IPP which seeks to tackle both issues and to assist the decision taker in the positive determination of housing proposals.</p>

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RIPP89	<p>Status of the IPP The status of the IPP needs to be clearly defined in the introduction to the document. The IPP is not part of the statutory development plan and therefore its weight is limited. Recent appeal decisions, and in particular the Fox Land High Court Judgement at Sandbach, have concluded that the current IPP should be given limited weight. Further, we consider that the IPP is contrary to the NPPF. The consultation document states that it is the council's intention to apply the IPP at such times as it is unable to demonstrate a 5-year supply of housing land. However, this has been overtaken by events as the NPPF is clear (paragraph 49) that in such circumstances relevant policies for the supply of housing should not be considered up-to-date and the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF is engaged. This means that housing development should be granted, unless the adverse impacts of doing so would significantly outweigh the benefits when assessed against the policies of the NPPF or where specific policies in the NPPF indicate development should be restricted. In short, the NPPF becomes the interim policy for Cheshire East. Consequently, even if the IPP was part of the statutory development plan, which it is not, when the council is unable to demonstrate a 5-year supply of housing land, it would be considered out of date and the presumption in favour of sustainable development would be engaged across the borough and not just to the areas described in the IPP. Therefore we question the need for the IPP and the weight it can be given in decision making. Success of the IPP We note that paragraph 2.15 of the consultation document states that the IPP has been operating successfully since its adoption and has led to an increase in the supply of housing as developers have submitted planning applications on a number of sites adjacent to the settlement boundary of Crewe, resulting in the approval of about 1,150 additional homes. Whilst this may be the case, it is important to note that given the council's failure to demonstrate a 5-year housing land supply; these sites would be acceptable within the provisions of paragraphs 69 and 71 of PPS3 and subsequently paragraph 49 of NPPF, regardless of the IPP. Moreover, it is incorrect to state that the IPP has been operating successfully. Firstly, the purpose of the IPP is to "maintain a 5-year housing supply. The IPP has failed to achieve this. In fact, the housing supply has decreased from 4.58 years at 1st April 2010 to just 3.94 years at 1st April 2011 according to the SHLAA. Secondly, the IPP has not prevented permission being granted on greenfield land outside of the areas identified within it. For example, the appeal at Elworth Hall in Sandbach (LPA ref: 10/2006C, PINS ref: APP/R0660/A/11/2145229) demonstrates this. Additional buffer We note that paragraphs 1.2 and 2.5 of the consultation document make reference to paragraph 47 of the NPPF and the requirement for local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their requirement plus an additional buffer of 5% or 20% depending on their record of delivery against requirements. As the council has persistently under delivered against its requirement every year since and including 2008/09, the IPP needs to state that it must demonstrate a 5-year supply plus an additional buffer of 20%. This has been confirmed as the case in recent committee reports and should be included in the document. Annual housing requirement We note that paragraphs 2.9 and 2.10 of the consultation document set out the council's housing requirement of 1,150 dwellings per annum in line with policy L4 of the RSS. However, the IPP also needs to state that owing to the shortfall in delivery between April 2003 and March 2011 the residual annual requirement to 2021 is 1,215 dwellings per annum. This is set out in the table below: Requirement A RSS requirement 2003-21 - 20,700 B Completions April 2003 to March 2011 - 8,550 C Residual requirement 2011-21 (A-B) - 12,150 D Annual requirement (C/10) - 1,215 E Residual 5 year requirement (D*5) - 6,075 Interim policy</p>

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to manage the release of housing land We also have significant reservations on whether the IPP is fit for purpose. We have noted that the shortfall in housing land is significant, particularly when the 20% buffer is applied. This equates to a shortfall of some 2,500 dwellings. The only way forward is for greater flexibility in the IPP. This would allow for: - sites over 1 hectare or 30 dwellings the reality is that there are very few sites that are self contained and are below 1 hectare or 30 dwellings. Therefore sites over these thresholds should be included and across a wider range of settlements to include sustainable villages. - Sites within the Green Gap Policy NE4 of the local plan allows for development in the Green Gap provided it meets the two tests in that policy. There are sites which accord with those tests and should be allowed to come forward; - Sites within the Green Belt " a recent decision by the Secretary of State (APP/M9565/V/11/2154021) allowed 350 dwellings on an unallocated site in the Green Belt. In the decision, he concluded that this harm should be viewed in the context of the harm that a neighbouring development, identified as a potential location for development by the local authority would cause in the future, "thereby considerably lessening the overall harm of this proposal. On that basis there may be opportunities across Cheshire East; and, - Flexibility as to the application of the criteria. At present applicants must meet all ten criteria in part 3 of the policy to accord with the IPP. The issue is that the criteria are so prescriptive that very few sites will actually meet the criteria and therefore it is highly unlikely that the IPP will increase housing land supply to meet 5 years, never mind the additional 20% required by the NPPF. - The distances for local services and facilities should be approximate and not used as maximum distances. Affordable Housing The percentage of affordable housing has been increased from 30% to 35%. Sites that are released under the IPP are required due to the settlement boundaries being out of date. They are not exception sites but critical to increasing housing supply. Therefore sites that accord with the IPP should be treated under the normal policies for Cheshire East which is 30% affordable housing as set out in the Interim Planning Statement on Affordable Housing. Some developers may of course decide to offer a higher percentage but the 30% requirement must remain. Design Standards We make the same points with relation to design standards as the sites that are released under the IPP are required due to the settlement boundaries being out of date and should be treated under the normal development plan policies for Cheshire East. Conclusions To conclude: - we question the need for the IPP following the publication of the NPPF; - even if the IPP is progressed it will not materially increase the supply of housing land due to the restrictive nature of the 10 criteria in part 3 of the policy; - there needs to be greater flexibility to allow for larger sites adjacent to the towns and villages across Cheshire East so that more sites can come forward; and, - the more onerous requirements for affordable housing and code level 4 should be removed.

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RIPP98	<p>The Council's position with regard to a 5 years supply of housing land is noted. Coverland (UK) Ltd notes that the Interim Policy seeks, amongst other things, to encourage the early development of housing land on sites previously allocated for employment purposes, particularly where this would help to secure early infrastructure investment and improvements. It is further noted that the policy seeks not only to encourage such housing development in Crewe, but on a range of small-scale sites on the edge of the District's other towns. You will be aware of the location and nature of the residential development that is nearing completion at Wychwood Village and which is surrounded not only by the Gorstyhill Golf Club but also by a substantial area laid out as a Country Park. The National Policy Framework (March 2012) recognises, at paragraph 52, that the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principals of Garden Cities...Gorstyhill Golf Course is severely affected by competition from the many nearby other Golf Courses within a ten miles radius. The proximity of the Wychwood Park Golf Club is a significant factor in that regard. Coverland (UK) Ltd considers that the Gorstyhill Golf Club could be redeveloped, along the lines already well established at both Wychwood Park and Wychwood Village, to form a series of inter-connected residential areas supporting new community facilities, local shopping and employment opportunities. A new residential development would respect existing topographical features and the Country Park and could, in my client's opinion, provide for between 500 and 600 new homes over a relatively short development period. This location is not wholly dependant on the private motor car as a means of transport because of the existence of bus routes along the A531 in a both easterly and westerly direction that serve, in particular, employment areas within Crewe itself. Coverland (UK) Ltd believes that there is a very significant opportunity here to carry out new housing development, much along the lines envisaged in paragraph 55 of the NPPF, and I shall be pleased to discuss these opportunities with you. They are seen as providing an alternative, in particular, to the use of employment land within Crewe where it is considered that there will be significant disadvantage in carrying out redevelopment for housing purposes rather than in fostering job creation. Since the site in question lies only a short distance to the east of Crewe and is very readily accessible to the A500 and the M6 motorway, I trust that the factors set out above will be given considerable weight when the responses to the consultation process are analysed.</p>

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RIPP101	<p>The latest revision has been prepared to take into account changes in circumstances since the original Policy was adopted and to ensure that new housing development takes place in locations where the Council and the local community considers appropriate. This is clearly appropriate and right to ensure that there is the controlled release of housing land in line with the up-to-date planning framework. Where the local authority cannot demonstrate that it has a deliverable 5 year housing supply then there is a presumption in favour of sustainable developments. This is welcome however, if this continues for the next two years there will be a significant shortfall and a persistent record of under delivery. If that is the case then an additional 20% buffer will need to be identified in the short to medium term. The revised Interim Planning Policy aims to continue to focus on Crewe and allow appropriate mixed use developments in other settlements in the Borough. Whilst the thrust of the document remains the same, additional provisions are included in relation to allocated employment areas. We would urge that this is not adopted where it would compromise the ability of Cheshire East to provide a good supply of employment sites to meet the requirement in the NPPF to support sustainable economic growth. A welcome piece of planning documentation that articulates the current position in a transparent manner. Could the document go further to draw in the opportunities on the fringe of urban areas that meet the criteria of the NPPF to come forward sooner and assist the LPD process by agreeing phased completions in a fair and transparent way to avoid a land supply monopoly being created in key market towns across the Borough?</p>
RIPP110	<p>The revised Interim Policy seeks to prevent suitable, achievable and deliverable sites coming forward anywhere other than Crewe and adjacent to the boundary of Macclesfield and the nine Key Service centres. This contradicts national policy, is overly prescriptive and appears to not be based on sound planning principles. Accordingly this consultation response seeks to highlight the acute and chronic undersupply of deliverable housing land within Cheshire East. It will consider the implications of the introduction of the National Planning Policy Framework, the Annual Housing Requirement, the Council requirement to supply a Five Year supply of deliverable housing and the affordable housing requirement as set out in the draft revised policy. Relevant policies for the supply of housing land in Local Plans should not be considered 'up-to-date' if the Local Planning Authority (LPA) cannot demonstrate a five year supply of deliverable housing. Where a five year supply of housing cannot be shown planning applications for housing development should be considered in the context of the 'presumption in favour of sustainable development". Cheshire East Councils' latest assessment of their five year housing supply indicates a supply of 3.95 years as of 1st April 2012. Accordingly Cheshire East Council in the determination of planning applications should give favourable consideration for housing development outside of settlement boundaries. As a result the prescriptive nature of the Revised Interim Policy, which seeks to prohibit development anywhere other than Crewe and adjacent to the boundaries of Macclesfield and the nine Key Service centres is contrary to the advice contained within the NPPF and is not sufficiently flexible to allow the Council to meet its chronic under supply of housing. Further investigation into the Councils assessment of their 5 year housing supply has shown that their latest assessment of 3.95 years supply is optimistic and is likely to result in a further shortfall in the delivery of housing. This is explored in section 4.0 of this submission. Additionally paragraph 17, bullet point 8 of the NPPF identifies that the LPA should encourage the effective use of land by reusing land that has been previously developed (brownfield land). Whilst the Revised Interim Planning Policy: Release of Housing Land does support the re-use of previously developed land it</p>

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	<p>restricts it to the settlement boundaries of Crewe & Nantwich, Macclesfield and the nine key service centres. Accordingly Cheshire East Council should look to favorably consider proposals that make effective use of land by using brownfield sites, regardless of their locality. This approach would see the release of further housing land in sustainable locations and produce a delivery led approach that addresses the acute housing and affordability crisis in Cheshire East. paragraph 47 of the NPPF requires that the Local Planning Authority identify an additional buffer of 5% on top of the 5 year supply in order to ensure choice and competition. An additional 20% should be provided in areas where there has been a persistent under delivery in supply. Consider Figure 2, which has been taken from Cheshire East Councils latest Annual Monitoring Report, this shows that since 2008/09 Cheshire East Council have had both a chronic and persistent under delivery in housing supply. Whilst supply may have exceeded demand prior to 2008/09 the continuing downward trend of housing supply since 2008/09 indicates a persistent under delivery of housing supply. Accordingly, in line with the NPPF Cheshire East need to provide an additional 20% on top of at least their annual requirement of 1,150 dwellings. This would represent a further 230 dwellings per annum, which over the five year period equates to an additional 1,150 dwellings. It is concluded that the prescriptive nature of the Revised Interim Planning Policy on the Release of Housing is not inline with the most up to date guidance contained with the NPPF. The policy needs to look to facilitate sustainable development that accords with the NPPF across the whole of the Borough, not prescribe development to certain localities within it. Furthermore the Cheshire East Council's own assessment of their 5 year housing land supply has been robustly challenged by several planning applications. Accordingly the quoted supply of 3.95 years, is in fact evidenced to be much lower, with supporting assessment to planning applications no's. 10/3471C and 10/2608C showing a supply of 2.66 and 2.95 years respectively. Consequently Cheshire East Council will have to consider favourably planning applications for residential development, most notably in the former Districts of Macclesfield and Congleton, where there is has been a chronic undersupply of land for housing. Finally the Council should seek to determine their affordable housing requirements on a more pragmatic and less prescriptive case by case basis that would in overall terms lead to a more sustainable form of development. The stipulation of 35% affordable housing in residential development will stifle sustainable residential schemes coming forward. Accordingly the Council should afford great weight to the economic viability of housing schemes in their current housing crisis.</p>
RIPP111	<p>In the context of the RIPP it is also proposed to promote as part of the overall sustainable mixed use strategy a suitable level of residential use on site A consistent with the parameters set out in order to support Sandbach as a key service centre. It is proposed that any residential development will be located and designed to read with the settlement of Sandbach and be of a scale of up to 1 hectare, whilst also offering potential for surveillance and screening. No more than 30 dwellings are proposed. This will appropriately comply with the key considerations set out in Section 3.3 of the Interim Policy in respect of density, affordability and design and will be taken forward in the further master planning of sites A and B (Ba / Bb). The inclusion of the appropriate level of residential development within Site A will support the overall economic viability and thus early deliverability and the ability to work comprehensively.</p>

ID	Other comments - Please provide any other comments on the Revised Interim Planning Policy on the Release of Housing Land. Please indicate the paragraph number that any specific comments relate to.
RIPP112	<p>Land off University Way, offers a good opportunity for the provision of additional housing numbers. The site is currently allocated for employment within the Crewe and Nantwich Local Plan and although the site currently has an extant permission for office buildings with associated car parking and landscaping (10/1146N) it currently remains undeveloped. There are huge viability issues with the development of the site for employment, in particular given the requirement for a Â£2m substation, and as a result the site will remain undeveloped on the grounds of its current permission/allocation. This site is a perfect example of what the Government are trying to avoid and indeed why the provisions set out in paragraph 22 and 173 are clearly set out within the NPPF. Given the Council's significant 5 year housing supply shortfall and given Crewe is the main settlement within Cheshire East, the land in question would provide an ideal opportunity in contributing towards meeting the Councils' shortfall in housing provision. To allow such sites to come forward it is important that the provisions of the IPP (in particular paragraph 2.20) provide greater flexibility and are open to alternative uses, including housing, coming forward on employment allocations where there is no reasonable prospect of the site being developed for that use and where an alternative use would contribute to supporting a sustainable community instead of merely being left vacant and unused.</p>
RIPP113	<p>The Society acknowledges that Cheshire East Council has to have a supply of housing development land to provide 5 years worth of housing, from various site options in order to provide an additional 1150 houses a year. We understand from the document that the Council currently has 3.94 years. The Society recognises that the absence of a planned approach may lead to speculative planning applications.</p> <p>The Society supports the National Policy Planning Frameworks core planning principles and would particularly highlight those principles that state that Planning should: - Give people the power to shape their surroundings. - Protect the Green Belt and recognise the intrinsic character and beauty of the countryside. (NB the Henbury Parish Plan 2011 showed that 96% of Henbury residents want the Green Belt to be retained and protected). - Conserve the natural environment. - Reuse brownfield sites.</p> <p>Finally we have noted references to improvements to the strategic and local highway network...The Henbury Society would be extremely concerned if these related to a re-introduction of proposals for the building of a new road from the A536 to join with the A537 around the Cock Inn, Henbury.</p>

ID	Other comments - Please provide any other comments on the Revised Interim Planning Policy on the Release of Housing Land. Please indicate the paragraph number that any specific comments relate to.
RIPP114	<p>We consider that land use swaps should be seen as a tool to help promote new housing development, this could allow the release of sites not traditionally considered as ripe for housing development (i.e. employment or community use sites). This could better facilitate the promotion of sites that are wholly conducive to housing development, while simultaneously allowing the relocation of existing uses, best suited to more appropriate locations. Blanket green field and Green Belt retention policies should be reconsidered as there are many Green Belt sites that may be overlooked, due to academic arguments not allowing them to be released; similarly, there are many non-traditional green field/Green Belt sites that may pose as an opportunity for redevelopment. National planning policy talks of rural exception sites for limited infill or urban extension development. Moreover, if it can be proven that proposals issue less of a material impact on the existing Green Belt land, that development should be permitted. The consideration of housing targets as well as how new proposals may seek to deal with issues such as sustainability, local transport/ retail/community facility provision, together with high quality design, the non availability of environmental complications (non flood risk/ no or easily rectified contamination issues) should be weighed up when assessing whether land is released for housing development, as opposed to just adhering to pure planning policy guidance. Should sites not be considered appropriate (either by the SHLAA or pre-application consultation), then clearer guidelines should be issued as to why they are not appropriate, together with a facility that allows a proper consideration of how such matters may be overcome. This could mean a formal process to allow for a review of how inappropriate sites could potentially be made appropriate.</p>
RIPP118	<p>The Council's latest Strategic Housing Land Availability Assessment indicates a supply of only 3.94 years at 1st April 2011. We believe that in reality, this significantly overstates the position and that less sites are truly available and deliverable, particularly having regard to the capacity of some sites which the Council relies upon. The principle of an Interim Housing Policy is to encourage the release of sustainable and deliverable sites is therefore welcomed and the acceptance of the Authority to extend the ability for windfall sites adjacent to the settlement boundaries of the Key Service Centres Both the Council's draft Core Strategy and the Strategic Housing Market Assessment (SHMA) identify the key relationship and interdependency between housing supply and economic growth. If the Council's ambitious growth aspirations are to be achieved, it is vital that there is an adequate supply of good quality, deliverable, viable housing sites to meet market needs, as well as to make inroads into the significant shortfall of affordable housing which has built up over many years.</p>
RIPP124	<p>Overall I think that your document is an excellent reply to answer those "critics" about the RSS lack of supply etc etc.</p>

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APPENDIX 2 DRAFT REVISED INTERIM POLICY ON THE RELEASE OF HOUSING LAND – SUBJECT TO CONSULTATION IN MAY 2012

Interim Planning Policy on the Release of Housing Land

When it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by National Policy, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations:

1. Adjacent to the settlement boundary of Crewe provided that the site:
 - is well related to the built framework of the settlement;
 - is not within the Green Gap;
 - is not within an allocated employment area – unless the housing is clearly shown to be necessary to bring forward the employment area;
 - is not within an area safeguarded for the operational needs of Leighton Hospital;
 - is capable of being fully developed within five years of the granting of full or outline planning permission;
 - delivers development that improves the supply, choice and quality of housing in Crewe; and
 - supports the delivery of the Council's overall vision and objectives for Crewe.

2. As part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses.

3. Adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow), provided that the applicant can demonstrate that the site meets all of the following criteria:
 - is not within the Green Belt;
 - is very closely related to the existing built framework of the settlement;
 - is self contained within clear 'defensible'¹ boundaries;
 - is accessible by walking to a wide range of local services¹;
 - is capable of being fully developed within 5 years of the granting of full or outline permission;
 - provides homes that improve the overall choice, quality and supply of housing within the relevant town;
 - is less than 1 hectare in size or has a capacity for no more than 30 net additional dwellings;
 - that the density of the site is appropriate to its location, and is no less than 20 dwellings per hectare;
 - does not represent the subdivision of a larger site; and
 - that it will not pre-empt or prejudice the future scale and direction of development within the individual town.

¹ A defensible boundary would be defined as: an existing built development, a public road, a watercourse, a railway line, a substantial hedgerow or an area of woodland.

¹ At least 5 of the following: a shop selling food and fresh groceries (500m); Post box (500m); Playground/ amenity area (500m); Post office (1000m); Bank or cash point machine (1,000m); Pharmacy (1,000m); Primary school (1,000m); Medical Centre (1000m); Leisure facilities (1,000m); Local meeting place / community centre (1,000m); Public house (1000m); Public park or village green (1,000m); Child care facility (nursery or creche) (1,000m)

Housing developments and its infrastructure on greenfield sites permitted under this policy will be required to demonstrate that they will not impact on the designated or candidate European Sites (Special Areas of Conservation; Special Protection Areas; Ramsar Sites and Offshore Marine Sites) protected under the European Habitats Directives 92/43/EEC or the Conservation of Habitats and Species Regulations 2010 and to deliver:

- a minimum of 35% affordable housing;
- open space and / or community facilities in accordance with the relevant saved Local Plan policy;
- improvements to the strategic and local highway network, public transport, and pedestrian and cycle routes;
- a high quality designed development to Code for Sustainable Homes Level 4 or higher; and
- Building for Life Silver standard or higher.

Subject to the assessment of the economic viability of the scheme, housing development on brownfield sites and town centre mixed development sites permitted under this policy will be expected to deliver:

- a minimum of 30% affordable housing in accordance with the Interim Planning Statement on Affordable Housing; and
- a high quality designed development to Code for Sustainable Homes Level 3 or higher and Building for Life Silver standard or higher; and town centre mixed development sites will also be expected to deliver:
- employment, town centre and / or community uses within the site.

APPENDIX 3 APPROVED INTERIM PLANNING POLICY (FEBRUARY 2011)

Interim Planning Policy on the Release of Housing Land

When it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by PPS3, subject to other saved policies of the relevant Local Plan being satisfied, residential development will be permitted in the following locations:

1. Adjacent to the settlement boundary of Crewe provided that the site:
 - is well related to the built framework of the settlement;
 - is not within the Green Gap;
 - is not within an allocated employment area;
 - is not within an area safeguarded for the operational needs of Leighton Hospital;
 - is capable of being fully developed within five years of the granting of outline planning permission;
 - delivers development that improves the supply, choice and quality of housing in Crewe; and
 - supports the delivery of the Council's overall vision and objectives for Crewe.
2. As part of mixed developments in town centres and regeneration areas to support the provision of employment, town centre and community uses.

Housing developments and its infrastructure on greenfield sites permitted under this policy will be required to demonstrate that they will not impact on the designated or candidate European Sites (Special Areas of Conservation; Special Protection Areas; Ramsar Sites and Offshore Marine Sites) protected under the European Habitats Directives 92/43/EEC or the Conservation of Habitats and Species Regulations 2010 and to deliver:

- a minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing;
- open space and / or community facilities in accordance with the relevant saved Local Plan policy
- improvements to the strategic and local highway network, public transport, and pedestrian and cycle routes; and
- a high quality designed development to Code for Sustainable Homes Level 4 or higher and Building for Life Silver standard or higher.

Subject to the assessment of the economic viability of the scheme, housing development on mixed use redevelopment sites permitted under this policy will be expected to deliver:

- a minimum of 30% affordable housing in accordance with the Interim Planning Statement on Affordable Housing;
- employment, town centre and / or community uses within the site; and
- a high quality design to Code for Sustainable Homes Level 3 or higher and Building for Life Silver standard.

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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