

Cabinet Member for Housing and Planning Agenda

Date: Friday, 5th February, 2016
Time: 11.00 am
Venue: Committee Suite 2/3 - Westfields, Middlewich Road, Sandbach,
CW11 1HZ

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.

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

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

For requests for further information

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4. **Audlem Neighbourhood Plan** (Pages 1 - 100)

To consider the recommendations of the Examiner and proceeding to referendum.

5. **Sandbach Neighbourhood Plan** (Pages 101 - 268)

To consider the recommendations of the Examiner, and proceeding to referendum.

CHESHIRE EAST COUNCIL

CABINET MEMBER FOR HOUSING AND PLANNING

Report of:	Director of Planning and Sustainable Development
Subject/Title:	Audlem Neighbourhood Plan
Portfolio Holder:	Councillor Ainsley Arnold: Housing and Planning
Date of PH Meeting:	5 February 2015

1.0 Report Summary

- 1.1 The Audlem Neighbourhood Development Plan (ANDP) was submitted to the Council in July 2015 and, following a statutory publicity period, proceeded to Independent Examination. The Examiners report has now been received and recommends that, subject to some modifications, the Plan should proceed to referendum.
- 1.2 The Portfolio Holder for Housing and Planning must now consider the recommendations of the Examiner and decide how to proceed.

2.0 Recommendations

- 2.1 That the Portfolio Holder accepts the Examiner's recommendations to make modifications to the Audlem Neighbourhood Plan as set out in the Examiner's report (at Appendix 1) and confirms that the Audlem Neighbourhood Plan will now proceed to referendum in the Audlem Neighbourhood Plan area.

3.0 Reasons for Recommendations

- 3.1 The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.
- 3.2 Subject to the modifications set out in the Examiner's Report, the Audlem Neighbourhood Plan is considered to meet the statutory "Basic Conditions" along with other legal and procedural requirements set out in regulations. As such it can now proceed to referendum.

4.0 Wards Affected

- 4.1 Audlem

5.0 Local Ward Members

- 5.1 Councillor Rachel Bailey

6.0 Policy Implications

- 6.1 Neighbourhood planning allows communities to establish land-use planning policy to shape new development. This is achieved through the formation of a vision and the development of objectives and policies to achieve this vision. If a neighbourhood plan is supported through a referendum and is 'made' it then forms part of the statutory development plan and becomes, with the adopted Local Plan, the starting point for determining relevant planning applications in that area.
- 6.2 A neighbourhood plan must meet a number of legal and procedural requirements and meet the 'Basic Conditions' (as prescribed in Schedule 10, paragraph 8 of the Localism Act). These Basic Conditions require neighbourhood plans to:
- Have appropriate regard to national policy.
 - Contribute to the achievement of sustainable development.
 - Be in general conformity with the strategic policies in the development plan for the local area
 - Be compatible with EU obligations
 - Be compatible with human rights requirements
 - Not be likely to have a significant effect on a European site or a European offshore marine site.

7.0 Implications for Rural Communities

- 7.1 Audlem is a rural Parish and the Audlem neighbourhood plan addresses a number of rural issues including Business, Tourism and Employment and Community Wellbeing. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

8.0 Financial Implications

- 8.1 The referendum is estimated to cost £4700. This will be paid for through government grant (£30,000) and the service's revenue budget.

9.0 Legal Implications

The Neighbourhood Plan is considered to meet the basic conditions and all relevant legal and procedural requirements and this is supported in the Examiner's Report. Should there be a positive majority at referendum the Council would be obliged to "make" the plan following which it would form part of the Development Plan in accordance with which planning decisions should be made unless material considerations indicate otherwise. The absence of a 5 year housing land supply will render housing policies in the development plan out of date and adversely affect the weight that can be ascribed to them.

10.0 Risk Management

- 10.1 The decision to proceed to referendum and subsequently to 'make' the Neighbourhood Plan is, like all decisions of a public authority, open to challenge by Judicial Review. The risk of any legal challenge to the Plan being successful

has been minimised by the thorough and robust way in which it has been prepared and tested.

11.0 Background and Options

- 11.1 The preparation of the Neighbourhood Plan began in September 2014.
- 11.2 The location and extent of the Audlem neighbourhood area is shown on the map in Appendix 2.
- 11.3 The final Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council on 27th July 2015.
- 11.4 The supporting documents included:
- Plan of the neighbourhood area
 - Consultation Statement
 - Basic Conditions Statement (including a link to the Screening Opinion on the need to undertake Strategic Environmental Assessment)
 - Evidence Base Summary
- 11.5 Cheshire East undertook the required publicity between 10th August 2015 and 21st September 2015. Relevant consultees, residents and other interested parties were provided with information about the submitted Plan and were given the opportunity to submit comments to the Examiner.
- 11.6 The Borough Council appointed Mr. Timothy Jones as the independent Examiner of the Plan. On reviewing the content of the Plan and the representations received as part of the publication process, Mr. Jones decided not to hold a public hearing.
- 11.7 A copy of the Examiner's Report is provided at Appendix 1. A copy of the Neighbourhood Plan (as submitted to the Council prior to examination) is included at Appendix 3.
- 11.8 The Examiner's Report contains Mr. Jones findings on legal and procedural matters and his assessment of the Plan against the Basic Conditions. It recommends that a number of modifications be made to the Plan. These are contained within the body of the Report. In addition there is a list of minor modifications for the purpose of correcting errors or for clarification which are set out in the Report.
- 11.9 Overall it is concluded that the Audlem Neighbourhood Plan does comply with the Basic Conditions and other statutory requirements and that, subject to recommended modifications, it can proceed to a referendum.
- 11.10 The key modifications are outlined in Appendix A of the examiners Report and are restricted mainly to minor modifications to bring the plan into conformity with the Basic Conditions and other legislation. Some example modifications are:
- Modifications of wording to housing policies primarily for clarity H1 to amend wording

- Modification to Policy D9 on landscaping to ensure it is not excessively demanding
- Modification of policy D12 to remove reference to road widths
- Modification of policy CW3 on local infrastructure to remove the proposed extension to statutory requirements

11.11 The Examiner comments that the Plan is “well written, logical, clear, appropriately concise and intelligible”.

12.0 Next steps

12.1 The Portfolio Holders agreement to the Neighbourhood Plan proceeding to a referendum would be followed by the publication of a decision statement to that effect along with the reasons for that decision. This would appear on the Council’s website and a copy of it would be sent to the Audlem Parish Council and those who have asked to be notified of the decision. The Plan would also be modified and published in its final form on the Council’s website with a schedule of the modifications made.

12.2 An information statement about the referendum and other specified documents required by the regulations must also be published. This signals the start of the referendum process. The referendum date has to be at least 28 clear working days after the information statement and other documents are published. Assuming the Council endorses the recommendation in this report, and then all necessary procedures which follow can be undertaken promptly, it is anticipated that a referendum could take place on or around mid/late March.

12.3 The referendum would follow a similar format to an election. All those registered to vote within the neighbourhood area would be eligible to participate. The regulations require that the ballot paper contains only the following question: “Do you want Cheshire East Borough Council to use the Neighbourhood Plan for Audlem to help it decide planning applications in the neighbourhood area?”. There would be two voting options, ‘yes’ or ‘no’.

12.4 If more than 50% of those voting in the referendum voted ‘yes’, then Cheshire East Council would be required to ‘make’ the plan as soon as reasonably practical. The Audlem Neighbourhood Plan would then form part of the statutory development plan for the area. If there is a majority ‘no’ vote or a tied vote, then the neighbourhood plan would not come into legal force.

13.0 Appendices:

1. Examiners Report
2. Neighbourhood Area
3. Neighbourhood Plan

14.0 Access to Information

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

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AUDLEM NEIGHBOURHOOD PLAN 2015 - 2030

(Submission Version 27th July 2015)

Report of the Examination into the Audlem Neighbourhood Plan
2015 - 2030

Timothy Jones, Barrister, FCI Arb,

Independent Examiner



No 5 Chambers,

Birmingham - London - Bristol - Leicester

18th January 2016.

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Report of the Examination into the Audlem Neighbourhood Plan 2015 - 2030

1. Introduction

Neighbourhood planning

1. The Localism Act 2011 Part 6 Chapter 3 introduced neighbourhood planning, including provision for neighbourhood development plans. A neighbourhood development plan should reflect the needs and priorities of the community concerned and should set out a positive vision for the future, setting planning policies to determine decisions on planning applications. If approved by a referendum and made by the local planning authority, such plans form part of the Development Plan for the neighbourhood concerned. Applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

2. This report concerns the Submission Version of the Audlem Neighbourhood Development Plan 2015-2030 (“the Draft NDP”).

Appointment and role

3. Cheshire East Council (“CEC”), with the agreement of Audlem Parish Council (“APC”), has appointed me, to examine the Draft NDP. I am a member of the planning bar and am independent of CEC, APC, and of those who have made representations in respect of the Draft NDP. I do not have any interest in any land that may be affected by it. I have been greatly assisted by Ms Liz Beth, who like me is an NPIERS trained and approved neighbourhood planning examiner.

4. My examination has involved considering written submissions and two unaccompanied site visits. These have included the main village of Audlem itself, Copthorne, Cox Bank, Little Heath, Salford, Swanbach, the immediate vicinities of the plot being promoted by Barton Willmore on behalf of Plotbuild and of the sites of the two recent housing planning permissions mentioned in the Draft NDP, and the Canal from Moss Hall to the boundary with Shropshire.

5. My role may be summarised briefly as to consider whether certain statutory requirements have been met, to consider whether the Draft NDP meets the basic conditions, to consider human rights issues, to recommend which of the three options specified in paragraph 13 below applies and, if appropriate, to consider the referendum area.

2. Preliminary Matters

Public consultation

6. The consultation met the requirements of the Neighbourhood Planning (General) Regulations 2012 (“the General Regulations”). I am satisfied that APC took public consultation seriously and that proper, genuine and sufficient consultation resulted from this approach. I also bear in mind that parish councillors are democratically accountable, subject to a code of conduct and likely to be in close contact with the community they represent.

Other statutory requirements

7. I am satisfied of the following matters:

- (1) The Draft NDP area is the parish of Audlem. APC is authorised to act in respect of this area (Town and Country Planning Act 1990 (“TCPA”) s61F (1) as read with the Planning and Compulsory Purchase Act 2004 (“PCPA”) s38C (2)(a));
- (2) The Draft NDP specifies the period for which it is to have effect, namely 2015 to 2030, does not include provision about development that is excluded development (as defined in TCPA s61K),¹ and does not relate to more than one neighbourhood area (PCPA s38B (1));
- (3) No other neighbourhood development plan has been made for the neighbourhood area (PCPA s38B (2)); and
- (4) There is no conflict with PCPA s38A and s38B (TCPA Sch 4B para 8(1)(b) and PCPA s38C (5)(b)).

8. To date all relevant statutory requirements have been met.

3. The Extent and Limits of an Examiner’s Role

9. I am required to consider whether the Draft NDP meets the basic conditions specified in TCPA Sch 4B para 8(2) as varied for neighbourhood development plans, namely:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan;
- (d)² The making of the Plan contributes to the achievement of sustainable development;

¹ Excluded development includes: (a) development that consists of a county matter; (b) certain waste development; (c) development within Annex 1 to the EIA Directive and (d) a nationally significant infrastructure project.

² The omission of (b) and (c) results from these clauses of paragraph 8(2) not applying to neighbourhood development plans (PCPA s38C (5)(d)).

(e) The making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);

(f) The making of the Plan does not breach, and is otherwise compatible with, EU obligations; and

(g) Prescribed conditions are met in relation to the Plan and prescribed matters have been complied with in connection with the proposal for the Plan.

10. There is one prescribed basic condition:³ *“The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (either alone or in combination with other plans or projects)”*.

11. The combined effect of TCPA Sch 4B para 8(6) and para 10(3)(b) and the Human Rights Act 1998 means that I must consider whether the Draft NDP is compatible with Convention rights. ‘*Convention rights*’ are defined in the Human Rights Act 1998 as (a) Articles 2 to 12 and 14 of the European Convention on Human Rights (“the Convention”), (b) Articles 1 to 3 of its First Protocol, and (c) Article 1 of its Thirteenth Protocol, as read with Articles 16 to 18 of the Convention. The Convention rights that are most likely to be relevant to town and country planning are those under the Convention’s Article 6(1), 8 and 14 and under its First Protocol Article 1.

12. In my examination of the substantial merits of the Draft NDP, I may not consider matters other than those specified in the last three paragraphs. In particular I may not consider whether any other test, such as the soundness test provided for in respect of examinations under PCPA s20, is met. Rather it is clear that Parliament has decided not to use the soundness test, but to use the, to some extent, less demanding tests in the basic conditions. It is not my role to write or to rewrite a neighbourhood development plan for Audlem.

13. Having considered the basic conditions and human rights, I have three options, which I must exercise in the light of my findings. These are: (1) that the Draft NDP proceeds to a referendum as submitted; (2) that the Draft NDP is modified to meet basic conditions and then the modified version proceeds to a referendum; or (3) that the Draft NDP does not proceed to referendum. If I determine that either of the first two options is appropriate, I must also consider whether referendum area should be extended. I may recommend modifications:

³ Sch 2 of the General Regulations prescribes this.

- (a) That I consider need to be made to secure that the Draft NDP meets the basic conditions mentioned in para 8(2) of Sch 4B as modified;
- (b) That I consider need to be made to secure that the Draft NDP is compatible with the Convention rights;
- (c) That I consider need to be made to secure that the Draft NDP complies with the provision made by or under s61E (2), s61J and s61L;
- (d) That specify a period under s61L (2)(b) or (5); and
- (e) For the purpose of correcting errors.

4 Consideration of Objections

14. The representations received in respect of the consultation under the General Regulations reg 16 consisted of 204 pages. I have given that and indeed all objections careful consideration, but have not felt it necessary to comment on each of them. Rather in accordance with the statutory requirement I have concentrated on giving reasons for my recommendations.⁴ Where I am required to consider the effect of the whole Draft NDP, I have, of course, borne it all in mind, including, where appropriate, recommended modifications.

15 Of those 204 pages, 164 consisted of representations from Gladman Developments Ltd. These have added substantially to the cost of this examination and the time it has taken to complete it through prolixity and repetitiveness, including repeatedly raising an argument that the High Court has previously rejected without drawing attention to the court decisions involved. The last point is regrettable since many examiners are not legally qualified and most parish councils lack legal support. The repetitiveness is also of concern, particularly where it is coupled with a lack of particulars. I shall give two examples. There are 18 references to basic condition (f), an excessive number even if its submissions in respect of it were correct. There are 51 references to basic condition (e), none of which identify a policy in the development plan with which there is said to be a lack of general conformity. There are some references to emerging policy, but the objector ought to be aware that this is not relevant to basic condition (e). This adds substantially and unnecessarily to the cost of a process that is intended to be relatively straightforward for bodies whose members are volunteers seeking to work for the benefit of their communities.

5. Public Hearing

16. The general rule is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However an examiner must cause a

⁴ TCPA Sch 4B para 10(6).

hearing to be held for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure (1) adequate examination of the issue or (2) a person has a fair chance to put a case. Neither applied in this case. I therefore did not hold a public hearing.

6. The Basic Conditions and Human Rights

Regard to national policies and advice

17. The first basic condition requires that I consider whether it is appropriate that the plan should be made “*having regard to national policies and advice contained in guidance issued by the Secretary of State*”. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have a significant effect.

18. The principal document in which national planning policy is contained is the National Planning Policy Framework (March 2012) (“the Framework”) and I have borne that in mind. I have also borne in mind national Planning Practice Guidance (“NPPG”), particularly its section on neighbourhood planning, and the Written Ministerial Statement of 25th March 2015 (“the WAS”).

Contributing to the achievement of sustainable development

19. The second basic condition means that I must consider whether the making of the Plan contributes to the achievement of sustainable development. Unless the Draft NDP, or the Draft NDP as modified, contributes to sustainable development, it cannot proceed to a referendum. This condition relates to the making of the Plan as a whole. It does not require that each policy in it contribute to sustainable development.

20. The bulk of the Framework constitutes guidance on sustainable development. As its para 6 says, “*The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development... means in practice for the planning system.*”

General conformity with the development plan’s strategic policies

21. The third basic condition means that I must consider whether the Draft NDP is in general conformity with the strategic policies contained in the development plan for the area of the authority. The development plan means the adopted development plan, not any emerging plan. This accords with normal usage in planning statutes and has been confirmed

by Supperstone J in BDW Trading (t/a Barratt Homes) v Cheshire West and Chester Borough Council,⁵ where he said:

... the only statutory requirement imposed by Condition (e) is that the neighbourhood plan as a whole should be in conformity with the plan as a whole. Whether or not there was any tension between one policy in the Neighbourhood Plan and one element of the emerging Local Plan was not a matter for the Examiner to determine.

22. Lewis J quoted this without criticism in R. (Gladman Developments Ltd) v Aylesbury Vale DC.⁶ Even if I had any doubts about this (and on the contrary I am of the respectful opinion that it is correct), I would be obliged to follow it. The same applies to CEC and APC. I also note that the argument, which Gladman is advancing in this examination, against an NDP in advance of a Local Plan was expressly rejected in the examiner's report that preceded the BDW case and implicitly rejected by Supperstone J in that judgment. I do not accept the positions of Barton Willmore and of Gladman in respect of the emerging Local Plan.

23. The adjective 'general' allows a degree of (but not unlimited) flexibility and requires the exercise of planning judgement. This condition only applies to strategic policies. In assessing whether a policy is strategic, one must bear in mind the advice in National Planning Practice Guidance para 074:⁷

24. The development plan for the area consists of the saved policies of the Borough of Crewe and Nantwich Replacement Local Plan 2011 (adopted 2005), the Cheshire Replacement Waste Local Plan (adopted 2007), and the Cheshire Replacement Minerals Local Plan (adopted 1999). No objector has identified any policy (strategic or otherwise) in any of these with which there is a lack of conformity. The extensive references to basic condition (e) in Gladman's objection are clearly based on an erroneous argument, which is contrary to BDW, that "*the development plan for the area of the authority*" includes an emerging plan.

25. I am satisfied that there is no breach of basic condition (e) and that it is not necessary to consider it further.

EU obligations

26. The fourth basic condition requires me to consider whether the Draft NDP breaches or is otherwise incompatible with, EU obligations. I have in particular considered the following Directives: the Strategic Environmental Assessment Directive (2001/42/EC); the

⁵ [2014] EWHC 1470, para 82

⁶ [2014] EWHC 4323 (Admin), [2015] JPL 656.

⁷ Neighbourhood Planning para 074, Reference ID: 41-074-20140306.

Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). I note the Environment Agency's desire for a mention of the Water Framework Directive, but there is no obligation for NDPs to do this. I am also satisfied that no issue arises in respect of equality under general principles of EU law or any EU equality Directive. I am satisfied that nothing in the Draft NDP breaches or is otherwise incompatible with EU law. I have been particularly impressed both in respect of this basic condition and in respect of human rights by the care that the Draft NDP takes in respect of people who are disadvantaged as a result of age.

27. Gladman has raised an objection in respect of this basic condition arguing that the sustainability appraisal ("SA") undertaken by APC was "*overly simplistic and does not meet the requirements of the PPG*". As the PPG makes clear the SEA Directive "*may be of relevance to neighbourhood plans*". It is not necessarily so and the objector's submissions do not make it clear why it would be relevant in the case of this small parish. Neither the Environment Agency, nor Natural England, consider that an SEA is required so far as their responsibilities are concerned. I accept the SEA screening report. (This was publicly accessible via a link in the Basic Conditions Statement.) Further nothing that I have read or seen indicates that this is the type of NDP for which an SEA would be needed. There is no legal requirement for an NDP to have an SA as set out in PCPA s19. The assertion in an objection that "*The requirement to produce a SEA/SA goes to the core compliance of basic condition (f)*" is wrong. What must be demonstrated is how an NDP will contribute to achieving sustainable development. That comes under basic condition (d), which needs fuller consideration. I am satisfied that there is no breach of basic condition (f) and that it is not necessary to consider it further.

European site and European offshore marine site

28. The Habitat Regulations Screening Opinion from CEC concluded that there were no European sites that would be affected by the proposals within the Plan. No objection indicates that any European site or a European offshore marine site would be or might be affected by the Draft NDP and no such site has been identified in or in the vicinity of the parish. This matter can be dealt with briefly in advance of detailed consideration of the contents of the Draft NDP. I am satisfied that it is not likely to have a significant effect on any such site.

Human Rights

29. It is also necessary to consider whether the Draft NDP would cause any Convention right to be breached. English Planning law in general complies with the Convention. This matter can also be dealt with briefly in advance of detailed consideration of the contents of

the Draft NDP. I have considered whether anything in the Draft NDP would cause a breach of any Convention right. In particular I have considered the Convention's Articles 6(1), 8 and 14 and its First Protocol Article 1. Nothing in my examination of the Draft NDP indicates any breach of a Convention right.

30. It will be apparent from the above that, having been satisfied in respect of three basic conditions and human rights, I have needed to concentrate of the first two basic conditions. My recommended modifications are those that I consider need to be made to secure that the Draft NDP meets these basic conditions and to correct errors.

7. The Draft NDP

31. The Draft NDP has a clear structure, being divided into nine chapters. Of these chapter 6, which details policies, has six sections relating respectively to: housing; design; business, tourism and employment policies; community and well-being policies; traffic and parking policies; and mitigating the impact of development: S106 and the Community Infrastructure Levy. It is this chapter that has the greatest level of objection and requires most consideration

32. I commend the Draft NDP for being well written, logical, clear, appropriately concise and intelligible to a reasonably intelligent lay reader with no expertise in town and country planning.

33. The following sections of the report consider whether modifications are needed to make the Draft NDP comply with the first two basic conditions. I have concluded that some modification is necessary, but that with this, the Draft NDP can proceed to a referendum. My recommended modifications are in Appendix A. I have not in this report given detailed written consideration to every part of the Draft NDP. I have, before writing it, considered the whole of the Draft NDP.

8. The first four chapters

34. The first chapter's second paragraph begins incorrectly. I have no other concerns in respect of the first chapter.

Recommended modification

The first chapter's second paragraph should begin, "*The National Planning Policy Framework states...*"

35. The second chapter makes undisputed points that provide a helpful element of the Draft NDP. Among these undisputed facts is the population of Audlem parish, 1,900. I have no substantial concerns with the chapter. Rather I commend it.

36. In general I take the same view of chapter 3. However there are some minor matters that should be corrected:

Recommended modifications:

- (1) The words at the top of page 10 “, which is likely to be enhanced as its location within the Weaver Valley Regional Park becomes established” should be deleted for the reason given in footnote 7.
- (2) The words in footnote 7 “Plans for the development of the Park now no longer exist.” Should be deleted since they relate to deleted text.
- (3) The words “Working age adults” in the table at the bottom of page 10 should be replaced by “**People aged 16 to 64**” since 16 and 17 year olds are minors.
- (4) Add a footnote at the end of paragraph 3.5.6 on page 13: “**Other than a single, non-peak-period service to Hanley of one bus in each direction on Fridays only**” since otherwise the text is wrong.

37. I have given careful consideration to paragraph 4.1.1. The sites are concerned are greenfield in a prosperous part of England. They have recent planning permissions. Nothing in the papers that I have seen, or that I saw on my site visits, gives me reason to doubt that they will be developed. Much the larger of these two developments was promoted by an objector, which has not given any reason why it should not go ahead. I also note that Inspector Frances Mahoney in the Appeal Decision of 7th January 2015 in respect of this larger site found that it would the appeal proposal “*would contribute to the unmet housing need within the Borough*”. I am satisfied that the two sites are likely to be developed. This is not a case where there is a need to allocate land in case the development that has been permitted does not materialise.

38. The matter is being considered in the examination of the emerging Local Plan, which will have the advantage of considering the relative situations of different settlements. In the context of the Draft NDP, I am satisfied that significant weight should be given to the nature of the parish Audlem, which with a population of 1,900, limited employment in its own area and almost no public-transport to main centres of employment would, if excessive development were allowed, be likely to become a dormitory settlement in which most of its residents travelled to and from work by private motor cars. Of course, in the event of the currently emerging Local Plan being adopted and requiring more development in Audlem, PCPA s 38(5)⁸ could apply. Having borne these factors in mind I have concluded that paragraph 4.1.1 does not require modification.

⁸ This provides “*If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.*”

39. The penultimate paragraph on page 18 is wrong in respect of its comment on s106 agreements.⁹ It is also no longer appropriate given my recommended modifications in respect of Community Infrastructure Levy (“CIL”).

Recommended modification

Delete the penultimate paragraph on page 18 and do not replace it.

40. The current map’s settlement boundary is out of date, no longer corresponding with the text of the Draft NDP. There should be a map that clearly defines the settlement boundary to which the plan and its policies refer.

Recommended modification

The map at the top of page 19 should be altered to show clearly at the full settlement boundary. If it is necessary to make this clear to readers, the map should be larger than the present map.

41. I note the consideration given to the more elderly residents in this chapter and elsewhere in terms of access to hospitals (page 14) and other health needs (page 42), need for smaller homes (pages 24 and 29) and priority for affordable housing (page 30). This contributes to social sustainability and also complies with APC’s public-sector equality duty under s149 of the Equality Act 2010.

9. Chapter 5 Audlem Neighbourhood Plan Vision

42. Barton Willmore is generally supportive of the Vision for Audlem, but considers that it should provide for modest growth. The vision refers to “*gradual, managed, well planned development*”, which is not far from Barton Willmore’s position. Gladman have stated that the vision provides “*an anti-growth strategy that is contrary to the entire ethos of the Framework, PPG and the Neighbourhood Plan Basic Conditions*” and is “*concerned with the use of ‘gradual’ as this will effectively delay the delivery of sustainable development coming forward counter to the requirements of national policy*”. I disagree. Without restraint on development, Audlem would be likely increasingly to become a dormitory settlement for almost entirely private-motor-vehicle based commuting and such development would not be sustainable. The Draft NDP (as modified by my recommended modifications) is part of a positive vision for the future. In such circumstances there is no obligation for it to avoid restrictions on growth. The use of the word “*gradual*” is justified. The use by objectors of the phrase “*sustainable settlement*” to describe Audlem may have the potential to mislead. At present under the emerging Local Plan, it is in the third tier of the settlement hierarchy as a Local Service Centre, below “Principal Towns” and “Key Service Centres”. Whether that remains the case will be a matter for the inspector examining the Local Plan. He has

⁹ Inspector Frances Mahoney’s Appeal Decision of 7th January 2015 paragraph 8.

expressed a view that the settlement hierarchy is “*justified, effective and soundly based*”. There is nothing that surprises me about the description “*Local Service Centre*” being applied to Audlem and nothing that I have seen or read that would justify policies that facilitated major expansion of Audlem.

43. Each of the three dimensions of sustainable development is reflected in the chapter. I do not recommend any modification to it.

10. Chapter 6 (1) Housing policies

The Objective

44. Barton Willmore supports the housing objective’s first indent, but objects to its second and third indent to give greater flexibility and to reflect policy H6. The second indent is in the context of Audlem justifiable. The third indent is too demanding. A development may be a single house or a pair of houses. To avoid an excessive requirement on such developments and to ensure consistency with policies H5 and H6, I recommend that the third indent be modified.

Recommended modification

The third indent of the housing objective is modified to read:

- **requiring that all new developments of 3 or more dwellings include a substantial proportion of smaller and affordable properties**

Policy H1

45. This Policy has attracted objections from developers, who describe the settlement boundary as restrictive of development and not based on adequate evidence. The revised settlement boundary has been expanded from the previously limit, to include the land for the 146 new dwellings that have recently been permitted. It is also supported by evidence and CEC’s guidance on reviewing settlement boundaries and I am satisfied that this evidence is proportionate and sufficiently robust for the Draft NDP.

46. The new settlement boundary as set out in the Draft NDP will not restrict any future decisions in the emerging Local Plan as to the location of the settlement boundary. To avoid the risk being rendered out of date by PCPA s38 (5), possibly quickly, H1 should cover any extension to the settlement boundary brought about by a new Local Plan.

47. Parts of the text under paragraph 6.1.2.3 are more appropriate for a policy than for supporting text. I recommend the conversion of the text to policy.

48. The constraints map under paragraph 6.1.2.3 is out of date and unnecessarily complex. It should be modified: to show the new settlement boundary; and by removing immaterial information – there seems to be no part of a Conservation Area that is subject to

an article 4 direction - and to simplify it – there is no need to distinguish between Flood Zones 2 and 3 for the purpose of development in a parish that is not highly constrained by these zones.

49. With the other modifications to the Draft NDP I am satisfied that policy H1 will not be excessively restrictive. However it needs rewording.

Recommended modification

Footnote 31 should be deleted and not replaced.

The policy should be modified to read:

Policy H1: Settlement Boundary and Number of New Homes

A settlement boundary is defined and shown on map... on page... of the ANP

Any additional new housing in excess of those permissions granted at 27 April 2015 will be supported within this settlement boundary and within any extended settlement boundary established by a Local Plan where it accords with other policies outlined in this Plan. Outside the settlement boundary residential permission will not be permitted except in circumstances specified in this Plan.

Development of isolated dwelling houses in rural areas will be resisted except where these accords with national policy. Development of dwelling houses in flood zones 2 and 3 will be resisted.

The second and third grammatical paragraphs of paragraph 6.1.2.3 should be deleted.

The Audlem Constraints map should be altered by defining the new settlement boundary, deleting the reference to Conservation Areas subject to an article 4 direction and by amalgamating its notation for flood zones 2 and 3.

Policy H2

50. The phrase “*within the confines of existing housing land*” is imprecise in the first two indents. It should be replaced by “***within the curtilage of an existing dwelling***”.

51. Matter that should be within the policy is contained in a footnote and in supporting text. To the extent that this is necessary it should be in the policy.

52. The fourth indent requires developers to provide a positive environmental assessment for any brownfield and infill development. It is not the role of a plan to extend statutory requirements for the documents that must be provided. Subject to this point, I consider that the policy is acceptable and that read with other policies in the Draft NDP would not cause a breach of any basic condition.

53. I note the Draft NDP by adding infill land to brownfield is more favourable to development in this respect than the Framework. There is no reason why it should not be.

Recommended modification

The policy should be modified to read

Policy H2: Redevelopment of infill land and brownfield land

Permission will be granted for residential developments of 10 or fewer dwellings that are well designed and meet all other relevant policies within this Plan and:

(1) are within the settlement boundary as defined in policy H1 (including any extended settlement boundary established by a Local Plan) and do not harm residential amenity of neighbours as defined in Policy D3 of this plan; or

(2) are outside the settlement boundary and:

(a) fill a small, restricted gap in the continuity of existing frontage buildings where the site is closely surrounded by buildings normally within an existing dwelling's curtilage; or

(b) are located on brownfield land.

For the purpose of this policy:

“brownfield land” has the same meaning as “previously developed land” in the National Planning Policy Framework: and

“infill land” refers to land normally within the curtilage of existing properties that adjoins the existing Audlem settlement boundary (ignoring for this purpose its expansion to include the land on which planning permission was granted for a further 146 dwellings).

Policy H3

54. The second sentence of policy and its footnote relates to legal obligations not to planning policy. It is therefore not appropriate in a planning policy. Footnote 42 should be in the policy.

Recommended modification

The policy should be replaced with the following

Policy H3: Scale of New Development

Any development within the settlement boundary will normally be limited to 10 properties in order that it is on a scale commensurate with the character of the village. Development of more than 6 houses shall include a provision for communal green space that is grassland, landscaped in keeping with the immediate surroundings.

Exceptions to this policy will include developments offering significant benefit to the community such as a specific development of social housing or village-centre car parking.

Policy H4

55. This accords with social sustainability in seeking to meet the needs of the young and the old. (It also accords with APC's public-sector equality duty.) I note that Barton Willmore is generally supportive of it. It should include its justification as supporting text not within the policy.

Recommended modification

The policy should be modified to read

Policy H4: Size of Homes

New development should favour smaller dwellings, so meeting the needs of Audlem, unless an independent viability study, or other material considerations, show a robust justification for a different mix.

Policy H5

56. The evidence for this is a recent housing needs study by CEC. It shows demand for affordable housing and smaller housing. There is a preference for bungalow accommodation. The evidence is robust and proportionate for the needs of an NDP. There is no need to modify the policy to ensure compliance by the Draft NDP (as modified elsewhere) with the basic conditions.

Policy H6

57. I am satisfied that this policy both meets the basic conditions in itself and, through its positive assistance to the social dimension of sustainable development, helps the making of the Plan as a whole to contribute to the achievement of sustainable development.

Policy H7

58. I am satisfied that this policy both meets the basic conditions in itself and, through its positive assistance to the social dimension of sustainable development, helps the making of the Plan as a whole to contribute to the achievement of sustainable development. The footnote is not policy and should be removed.

Recommended modification

Footnote 49 should be removed and not replaced.

The supporting text for the policy should be modified by the addition of:

“This policy reflects the findings of the 2013 Housing Needs Survey 2013, mentioned in Appendix 8.3.”

11. Chapter 6 (2) Design

Objective

59. The design objective accords with the Framework and with sustainable development.
60. From my site visits I am satisfied that the first three lines of paragraph 6.2.2.2 are fully justified.
61. Paragraph 6.2.2.2 should include the evidence on which the policies that follow are based. They should not be included as footnotes to policies. Policies should avoid footnotes.

Recommended modification

The following should be added as supporting text between the existing paragraph 6.2.2.2 and Policy D1:

“The policies that follow have been drafted bearing in mind the following (each of which is mentioned in appendix 8.3) Village Design Statement, the 2015 Housing Questionnaire, the Case for Space (RIBA), the adopted Local Plan, Conservation documentation and Design Quality Standards (Housing Corporation)”

All footnotes in policies D1 to D6 should be removed and not replaced.

Policy D1

62. I am satisfied that this policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development. Other than removal of the footnote mentioned above, I do not recommend any modification.

Policy D2

63. Bearing in mind the WMS and the NPPG, the appropriate course of is to follow NPPG ID: 56-018-20150327, which provides:

Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the Nationally Described Space Standard.¹⁰

Recommended modification

Policy D2 Size and Space

¹⁰ As to which see:

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

New housing will provide space standards as set out in the Nationally Described Space Standard to promote the best living environment.

Policy D3

64. From my site visits I am satisfied that the general maximum of two storeys is justified. The final sentence should be modified.

Recommended modification

Policy D3's final sentence should read:

Important views identified in the Village Design Statement 2011 shall be protected by ensuring that the visual impact of any development on these views is carefully controlled.

Policy D4

65. I am satisfied that this policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development.

Policy D5

66. While the first sentence of policy D5 is limited to "*existing sound buildings that contribute to the character of the village environment*", the second sentence extends to "*existing sound buildings*" whether they contribute to the character or not. I can see no justification for preventing the demolition of buildings that do not contribute to the character where this could facilitate otherwise acceptable housing. Rather, by reducing the possibility of housing where the Draft NDP permits it, this would increase pressure for development on greenfield sites. I am satisfied that the first sentence both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development.

Recommended modification

Policy D5's second sentence be deleted and not replaced.

Policy D6

67. The first three sentences and the fifth sentence both meets the basic conditions in themselves and help the making of the Plan as a whole to contribute to the achievement of sustainable development. The fourth and sixth sentences of this policy attempt to control matters that are highways, not planning, matters.

Recommended modification

Delete the fourth and sixth sentences of policy D6 including the footnote.

Policy D7

68. The WMS provides, “...*qualifying bodies preparing neighbourhood plans should not set in their emerging ... neighbourhood plans... any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by new development; the government has now withdrawn the code, aside from the management of legacy cases.*”

69. Basic condition (a) requires me to have regard to such guidance, not to follow it, if having had regard to it, I do not consider it appropriate. Nonetheless in the absence of detailed reasoning and evidence going beyond that in the Draft NDP para 6.2.2.3, I consider that I ought to follow it. In addition matters covered by Building Regulations are normally left to that regime and require particular justification for inclusion in a planning policy.

Recommended modification

Policy D7’s second sentence should be deleted and not replaced.

Policy D8

70. The policy refers to open green spaces and recreational facilities identified in Section 3.1, but this section does not name the areas and the plans are at a scale where the exact boundaries of the green spaces referred to are unclear. Natural England's comment on the policy not reflecting its supporting text is correct; the policy does not currently do what the justification at 6.2.3 says it will. For clarity therefore the policy needs to be modified so that the areas intended for protection are properly identified in the policy and the plans used for illustration. Footnote 61’s reference to the Village Design Statement should be replaced by named reference to any Green Spaces listed in that document and shown on plans in section 3.1. I note that it is not intended to designate these spaces as local green spaces as detailed in the Framework.

Recommended modification

Footnote 61 should be removed and not replaced.

The green spaces should be included on plans that are sufficiently detailed for their boundaries to be clear.

Policy D8 should be detailed, including express reference in its text to each open space and should follow the following form

Policy D8: Retaining Green Space and encouraging Nature Conservation

New buildings and development shall have no detrimental impact on any existing open green space or recreational facilities as identified on plans in Section 3.1 and listed below:

- ...
- ...

These spaces shall be maintained as green spaces.

Nature conservation will be encouraged to ensure that biodiversity is protected

Policy D9

71. This policy is excessively demanding in requiring an arboricultural assessment to be submitted in respect of all new development in the proximity of trees and new developments in general to include planting, irrespective of the nature and scale of the developments concerned. Policy H3 requires communal green space to be provided on developments of more than 6 houses, and this policy needs to be consistent with that. The CEC Open Space study 2012, which indicates that Audlem has a shortage of amenity open space, is evidence to support the policy. The justification at para 6.2.3 should refer to the evidence.

Recommended Modification

The policy should read:

Policy D9: Planting

Historic hedgerows and trees will be protected, and tree preservation orders will be respected. Where a development may threaten protected trees an arboricultural assessment will be submitted with development proposals.

New Developments will, where appropriate, be required to include suitable plantings of trees and hedgerows. Where available, this must be in compliance with the most up-to-date local planning authority guidelines.

New developments of 6 houses or more shall include communal green space within the development in addition to any individual garden areas. Proper arrangements (*e.g.* management company) for the ongoing maintenance of any new communal green or open spaces shall be provided.

Policy D10

72. This policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development. The footnote should be removed.

Recommended Modification

Remove footnote 62 and do not replace it.

Policy D11

73. This policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development. The footnote should be removed.

Recommended Modification

Remove footnote 63 and do not replace it.

Policy D12

74. CEC has criticised the second sentence of policy D12 for prescribing road widths as this is a highway matter and potentially stifles good design. I share that concern and am also concerned that such a policy could in some places unnecessarily reduce the number of houses that can be provided in accordance with the Draft NDP and hence increase the pressure for development on greenfield sites.

Recommended Modification

Remove the second sentence of policy D12 and do not replace it

Policy D13

75. The second sentence of this policy deals with highway, not land-use planning, matters.

Recommended Modification

76. Remove the second sentence of policy D13 and do not replace it.

Policy D14 and D15

77. These policies both meet the basic conditions in themselves and help the making of the Plan as a whole to contribute to the achievement of sustainable development. Footnote 66 should be removed.

Recommended Modification

Remove footnote 66 and do not replace it.

Policy D16

78. The second sentence sets technical standards for affordable housing, which is against the WMS. It should be deleted. I also share Barton Willmore's concerns that a combination of requirements for dwellings can affect viability. This can render brownfield sites unviable and hence increase pressure for development on greenfield sites.

Recommended Modification

Remove the second sentence of policy D16 and do not replace it.

Policy D17

79. This policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development.

12. Chapter 6 (3) Business, 55 and Employment Policies

Policy B1

80. As mentioned, it is not the role of a plan to extend statutory requirements for the documents that must be submitted with a planning application and this includes environmental assessments. Also, I am concerned that restrictions on employment land should not be onerous given the risk (clearly contrary to sustainable development) of Audlem becoming a dormitory settlement for private-motor-vehicle commuting to other locations.

Recommended modification

Delete the words “*a positive environmental assessment, provided by the developer*” and replace these with “*environmental impacts being acceptable*”.

Policy B2

81. This policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development.

Policy B3

82. The substance of this policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development. However use-class A4 is limited to “*Use as a public house, wine-bar or other drinking establishment*”. Halls are likely to be D1 or D2. From my site visits and the documentation that I have read I do not believe that there are any D2 halls. The error should be corrected.

Recommended modification

Rewrite the relevant part of policy B3 to read: “*including D1 (churches and halls) and A4 (pubs) planning uses*”

Policies B4, B5 and B6

83. These policies both meet the basic conditions in themselves and help the making of the Plan as a whole to contribute to the achievement of sustainable development. Footnote 66 should be removed.

13. Chapter 6 (4) Community Well-Being Policies

Policy CW1

84. The policy should not contain the footnote.

Recommended Modification

Remove footnote 75 and do not replace it.

Policy CW2

85. This policy both meets the basic conditions in itself and helps the making of the Plan as a whole to contribute to the achievement of sustainable development.

Policy CW3

86. As mentioned it is not the role of a plan to extend statutory requirements for the documents required with a planning application. Design and access statements are only required in the circumstances specified in the Town and Country Planning (Development Management Procedure) (England) Order 2015 which in the context of housing in Audlem means a major development or in a Conservation Area. Payments of CIL are governed by statutory provisions and cannot be altered by policy in an NDP. At present there is no CIL in place in Cheshire East. However there may be circumstances (whether CEC does or does not have a CIL) where a section 196 contribution is appropriate.

Recommended modification

Policy CW3 should read

Infrastructure support

For any proposal of the type specified below the Design and Access Statement shall include an infrastructure evaluation which will quantify the likely impact on the community infrastructure; including, but not limited to, the effect on the medical facilities, schools, sewers, traffic, parking and public transport. To the extent that this evaluation indicates improvements to the existing infrastructure will be necessary to maintain existing quality of services, the proposal shall either incorporate the necessary improvements or include a contribution towards such improvements to the extent permitted by law by means of a deed of planning obligation under the Town and Country Planning Act 1990 section 106.

This policy applies to proposals for 6 houses or more where a Design and Access Statement is required by the Town and Country Planning (Development Management Procedure) (England) Order 2015.

14. Chapter 6 (5) Traffic and Parking Policies

Policies T1 – T5

87. Subject to one point, these policies both meet the basic conditions in themselves and help the making of the Plan as a whole to contribute to the achievement of sustainable development and do not require modification. The second sentence of policy T3 could be

disproportionate in some circumstances and should not depend on a footnote. The distance should be in the policy

Recommended modification

Policy T3's second sentence should not contain a footnote and be modified to read:

Should any brownfield land become available within 250 metres of the Bellyse monument where safe pedestrian and wheelchair access can be assured, then as part of any development proposal on this land the provision of suitably landscaped short-term off-road public parking spaces designed to blend into this historic village centre will be required proportionate to the scale of the development and any viability constraints.

15. Chapter 6 (6) Mitigating the Impact of Development: S106 and the Community Infrastructure Levy

Objective

88. The third indent of the objective suffers from the same problem as the third indent of the housing objective.

Recommended modification

The third indent of the objective is modified to read:

- **requiring that all new developments of 3 or more dwellings include a substantial proportion of smaller and affordable properties.**

Policy C11

89. There is no power to require CEC to spend money that it receives in a particular way and the Draft NDP should not give the impression that there is such a power.

Recommended modification

The second sentence should be removed and not replaced.

Policy C12

16. The Glossary of terms

90. Some of the items within this appear to be taken from another document. Others are not wholly correct.

Recommended modification

I recommend deletion of the whole of each of the following: Jobs (or employment); Local Plan Strategy; Neighbourhood Plan; Section 106 Agreement; and SEA.

17. Review

91. The review will involve the procedure for a new NDP, a substantial process, albeit one that is less demanding than a Local Plan process. There is a danger of slippage in such matters. However I am satisfied that with the modifications recommended above, in particular those to policies H1 and H2 that effectively extend the settlement boundary covered by those policies if the boundary is extended through the Local Plan process, the effects of slippage would be acceptable. There is no objection in principle to the proposed review.

18. The Referendum Area

92. I see no reason for the referendum area to be extended beyond the designated plan area. I therefore recommend that the referendum area be limited to that area.

19. Summary of Main Findings

93. I commend the Draft NDP for being well written, logical, clear, appropriately concise and intelligible to a reasonably intelligent lay reader with no expertise in town and country planning.

94. I recommend that the Draft NDP be modified in the terms specified in Appendix A to this report in order to meet basic conditions. I am satisfied with those parts of the Draft NDP to which I am not recommending modifications.

95. With those modifications the Draft NDP will meet all the basic conditions. Specifically

- I have had regard to national policies and advice contained in guidance issued by the Secretary of State, and, having done so, am of the firm view that that it is appropriate to make the NDP;
- The making of the NDP contains substantial elements that contributes to the achievement of sustainable development and taken as a whole would contribute significantly to the achievement of sustainable development;
- The making of the NDP is in general conformity with the strategic policies contained in the development plan for the area of APC;
- The making of the NDP does not breach, and is not otherwise incompatible with, EU obligations;
- The making of the NDP is not likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects).

96. The modified Draft NDP is in all respects fully compatible with Convention rights contained in the Human Rights Act 1998.

97. I recommend that the modified NDP proceed to a referendum, the referendum area being the parish of Audlem.

Timothy Jones, Barrister, FCI Arb,

Independent Examiner,

No 5 Chambers

18th January 2016.

Appendix A: Recommended Modifications

Chapter 1

1) The first chapter's second paragraph should begin, ***“The National Planning Policy Framework states...”***.

Chapter 3

2) Delete the following words at the top of page 10 “, which is likely to be enhanced as its location within the Weaver Valley Regional Park becomes established”.

3) Delete the following words in footnote 7 “Plans for the development of the Park now no longer exist.”

4) Replace the words “Working age adults” in the table at the bottom of page 10 with **“People aged 16 to 64”**.

5) Add a footnote at the end of paragraph 3.5.6 on page 13: “Other than a single, non-peak-period service to Hanley of one bus in each direction on Fridays only”.

Chapter 4

6) Delete the penultimate paragraph on page 18 and do not replace it.

7) The map at the top of page 19 should be altered to show clearly at the full settlement boundary. If it is necessary to make this clear to readers, the map should be larger than the present map.

Chapter 6 (1) Housing policies

8) The third indent of the housing objective on page 23 should read:

- **requiring that all new developments of 3 or more dwellings include a substantial proportion of smaller and affordable properties**

9) Footnote 31 should be deleted and not replaced.

10) Policy H1 should be modified to read:

Policy H1: Settlement Boundary and Number of New Homes

A settlement boundary is defined and shown on map... on page... of the ANP

Any additional new housing in excess of those permissions granted at 27 April 2015 will be supported within this settlement boundary where it accords with other policies

outlined in this plan. Outside the settlement boundary residential permission will not be permitted except in circumstances specified in this Plan.

Development of isolated dwelling houses in rural areas will be resisted except where these accords with national policy. Development of dwelling houses in flood zones 2 and 3 will be resisted.

11) The second and third grammatical paragraphs of paragraph 6.1.2.3 should be deleted.

12) The Audlem Constraints map should be altered by showing the new settlement boundary, deleting the reference to Conservation Areas subject to an article 4 direction and by amalgamating flood zones 2 and 3.

13) Policy H2 should read:

Policy H2: Redevelopment of infill land and brownfield land

Permission will be granted for residential developments of 10 or fewer dwellings that are well designed and meet all other relevant policies within this Plan and:

(1) are within the settlement boundary as defined in policy H1 (including any extended settlement boundary established by a Local Plan) and do not harm residential amenity of neighbours as defined in Policy D3 of this plan; or

(2) are outside the settlement boundary and:

(a) fill a small, restricted gap in the continuity of existing frontage buildings where the site is closely surrounded by buildings normally within an existing dwelling's curtilage; or

(b) are located on brownfield land.

For the purpose of this policy

“brownfield land” has the same meaning as “previously developed land” in the National Planning Policy Framework

“infill land” refers to land normally within the curtilage of existing properties that adjoins the existing Audlem settlement boundary (ignoring for this purpose its expansion to include the land on which planning permission was granted for a further 146 dwellings).

14) Policy H3 should read:

Policy H3: Scale of New Development

Any development within the settlement boundary will normally be limited to 10 properties in order that it is on a scale commensurate with the character of the village.

Development of more than 6 houses shall include a provision for communal green space that is grassland, landscaped in keeping with the immediate surroundings.

Exceptions to this policy will include developments offering significant benefit to the community such as a specific development of social housing or village-centre car parking.

15) Policy H4 should read:

Policy H4: Size of Homes

New development should favour smaller dwellings, so meeting the needs of Audlem, unless an independent viability study, or other material considerations, show a robust justification for a different mix.

16) Footnote 49 should be removed and not replaced. The following should be added at the end of the supporting text to policy H7:

This policy reflects the findings of the 2013 Housing Needs Survey 2013, mentioned in Appendix 8.3.

Chapter 6 (2) Design

17) The following should be added as supporting text between the existing paragraph 6.2.2.2 and Policy D1:

The policies that follow have been drafted bearing in mind the following (each of which is mentioned in appendix 8.3) Village Design Statement, the 2015 Housing Questionnaire, the Case for Space (RIBA), the adopted Local Plan, Conservation documentation and Design Quality Standards (Housing Corporation).

18) All footnotes in policies D1 to D6 should be removed and not replaced.

19) Policy D2 should read:

Policy D2 Size and Space

New housing will provide space standards as set out in the Nationally Described Space Standard to promote the best living environment.

20) Policy D3's final sentence should read:

Important views identified in the Village Design Statement 2011 shall be protected by ensuring that the visual impact of any development on these views is carefully controlled.

21) Policy D5's second sentence should be deleted and not replaced.

22) The fourth and sixth sentences of policy D6 (including the footnote) should be deleted and not replaced.

23) Policy D7's second sentence should be deleted and not replaced.

24) Footnote 61 should be deleted and not replaced.

25) The green spaces should be included on plans that are sufficiently detailed for their boundaries to be clear.

26) Policy D8 should identify the green spaces and be in the following form:

Policy D8: Retaining Green Space and encouraging Nature Conservation

New buildings and development shall have no detrimental impact on any existing open green space or recreational facilities as identified on plans in Section 3.1 and listed below:

- ...
- ...

These spaces shall be maintained as green spaces.

Nature conservation will be encouraged to ensure that biodiversity is protected

27) Policy D9 should read:

Policy D9: Planting

Historic hedgerows and trees will be protected, and tree preservation orders shall be respected. Where a development may threaten protected trees an arboricultural assessment will be submitted with development proposals.

New Developments will, where appropriate, be required to include suitable plantings of trees and hedgerows. Where available, this must be in compliance with the most up-to-date local planning authority guidelines.

New developments of 6 houses or more shall include communal green space within the development in addition to any individual garden areas. Proper arrangements (e.g. management company) for the ongoing maintenance of any new communal green or open spaces shall be provided.

28) Remove footnotes 62 and 63 do not replace them

29) Remove the second sentence of policy D12 and do not replace it.

30) Remove the second sentence of policy D13 and do not replace it.

31) Remove footnote 66 and do not replace it.

32) Remove the second sentence of policy D16 and do not replace it.

Chapter 6 (3) Business, Tourism and Employment Policies

33) The words “*a positive environmental assessment, provided by the developer*” in policy B1 should be deleted and replaced with “*environmental impacts being acceptable*”.

34) The words in policy B3 “*D1 (churches) and A4 halls, (pubs)*” should be deleted and replaced by “*D1 (churches and halls) and A4 (pubs)*”.

Chapter 6 (4) Community Well-Being Policies

35) Remove footnote 75 and do not replace it.

36) Policy CW3 should read:

Infrastructure support

For any proposal of the type specified below the Design and Access Statement shall include an infrastructure evaluation which will quantify the likely impact on the community infrastructure; including, but not limited to, the effect on the medical facilities, schools, sewers, traffic, parking and public transport. To the extent that this evaluation indicates improvements to the existing infrastructure will be necessary to maintain existing quality of services, the proposal shall either incorporate the necessary improvements or include a contribution towards such improvements to the extent permitted by law by means of a deed of planning obligation under the Town and Country Planning Act 1990 section 106.

Chapter 6 (5) Traffic and Parking Policies

37) Policy T3’s second sentence should not contain a footnote and be modified to read:

Should any brownfield land become available within 250 metres of the Bellyse monument where safe pedestrian and wheelchair access can be assured, then as part of any development proposal on this land the provision of suitably landscaped short-term off-road public parking spaces designed to blend into this historic village centre will be required proportionate to the scale of the development and any viability constraints.

Chapter 6 (6) Mitigating the Impact of Development: S106 and the Community Infrastructure Levy

38) The third indent of the objective should read:

- **requiring that all new developments of 3 or more dwellings include a substantial proportion of smaller and affordable properties**

39) The second sentence of policy CI1 should be removed and not replaced.

The Glossary of terms

40) The entries in respect of the following should be deleted: Jobs (or employment); Local Plan Strategy; Neighbourhood Plan; Section 106 Agreement; and SEA.

Updating

43) Consideration should also be given to updating, including in respect of the emerging Local Plan, at a date as close to the referendum as practicable.

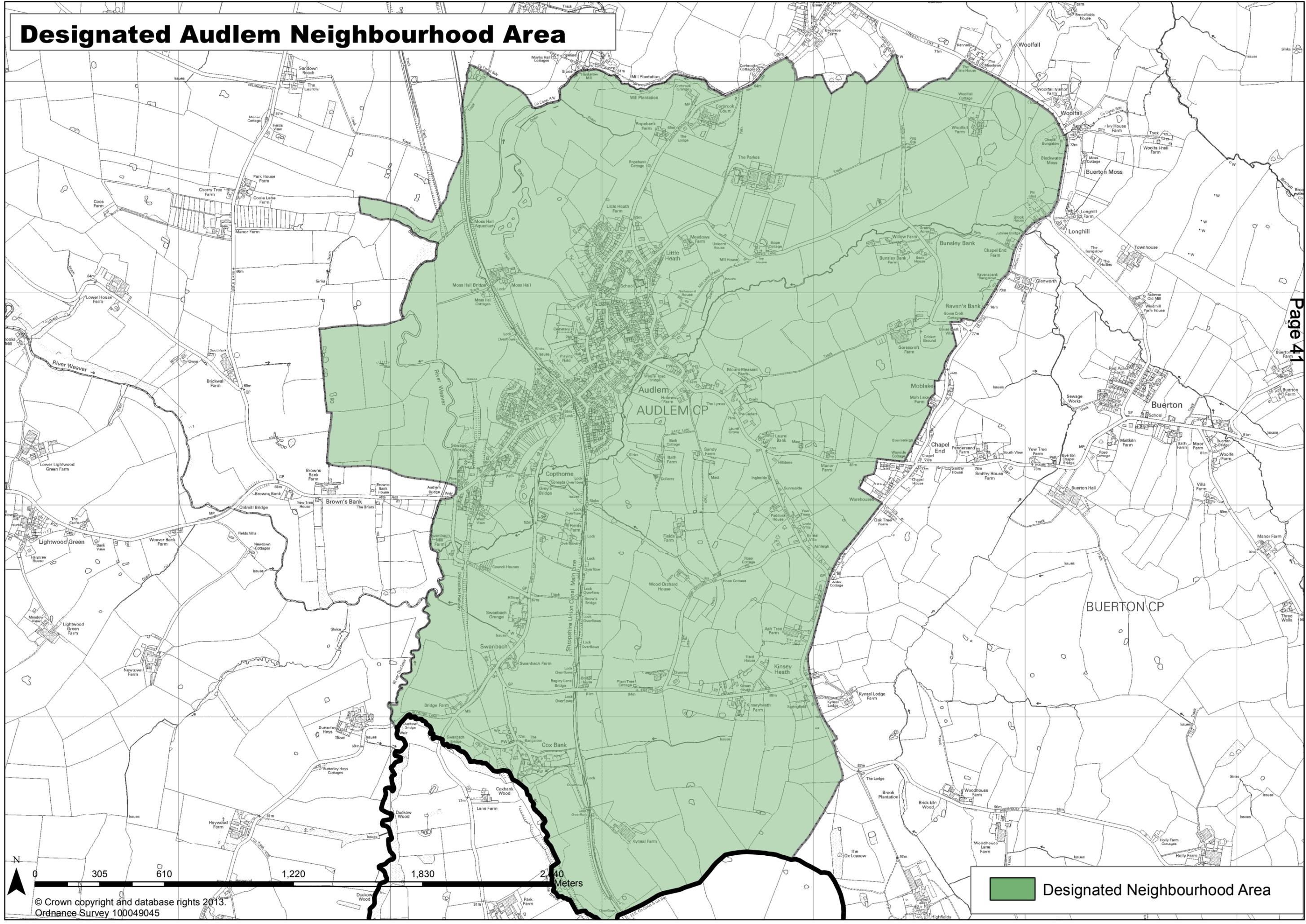
Appendix B: Abbreviations

The following abbreviations are used in this report:

APC	Audlem Parish Council
CEC	Cheshire East Council
CIL	Community Infrastructure Levy
Convention	European Convention on Human Rights
Draft NDP	Submission Version of the Audlem Neighbourhood Development Plan 2015-2030
EU	European Union
Framework	National Planning Policy Framework (DCLG, March 2012)
General Regulations	Neighbourhood Planning (General) Regulations 2012
NDP	Neighbourhood Development Plan
NPIERS	Neighbourhood Planning Independent Examiner Referral Service
NPPG	national Planning Practice Guidance
para	paragraph
PCPA	Planning and Compulsory Purchase Act 2004 (as amended)
reg	regulation
s	section
Sch	Schedule
TCPA	Town and Country Planning Act 1990 (as amended)
WMS	Written Ministerial Statement of Eric Pickles MP of 25 th March 2015.

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Designated Audlem Neighbourhood Area



 Designated Neighbourhood Area

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AUDLEM

NEIGHBOURHOOD PLAN

2015 – 2030



Submission Version 1.0

July 27th 2015

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1 FOREWORD

The Localism Act of 2011 gave new rights and powers to communities. It introduced Neighbourhood Planning into the hierarchy of spatial planning in England, giving communities the right to shape their future development at a local level. It is a powerful tool in that it has statutory weight and must be taken as a material consideration in planning decision-making.

The Localism Act 2011 states '*Neighbourhood Planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.....Neighbourhood Planning provides a powerful set of tools for local people to ensure that they get the right type of development for their community. The ambition of the neighbourhood should be aligned to the strategic needs and priorities of the wider local area.*'

All Neighbourhood Plans must:

- have appropriate regard to national planning policy;
- contribute to sustainable development;
- be in general conformity with strategic policies in the development plan for the local area;
- be compatible with EU obligations and human rights requirements.

In addition to its value as a material consideration in planning-decision making, a Neighbourhood Plan can also help the Parish Council decide priorities for the village and give guidance when making decisions on behalf of the village.

In producing a Neighbourhood Plan the Parish Council would have to:

- demonstrate extensive consultation and community engagement to ensure that residents' views about how they want the village to develop are fully reflected in the submitted Neighbourhood Plan;
- identify and take account of the settlement's history, features, environment and demographics;
- take into account the impact of recent planning decisions.

At the time of submission of this Neighbourhood Plan, Cheshire East Council's Cabinet has approved their revised Local Plan¹. Areas that have been adjusted do not appear to immediately impact the general strategy of the draft Local Plan as it affects the Local Service Centres (LSC) of which Audlem is one, except in that it increases the overall 2010 – 2030 housing requirement from 27000 to 36000, with a consequent knock-on effect for the LSCs. Further detail is provided in Section 4.3.1.

¹ Cheshire East Council Cabinet Agenda 21st July 2015, page 63

2 BACKGROUND/SETTING THE SCENE

2.1 History²

Audlem, a Civil Parish of 2,348 acres with a current population of 1990, is located at the southernmost edge of Cheshire East unitary authority. The village stands at the intersection of the roads from Nantwich (Cheshire) to Market Drayton (Shropshire) and Newcastle-under-Lyme (Staffordshire) to Whitchurch (Shropshire). The Shropshire border lies close by, just over a mile to the south of the village centre on the Market Drayton road (A529) and about 3 miles to the east on the road to Woore and Newcastle (A525). The parish includes the compact and attractive hamlet of Coxbank situated about one mile to the south between the canal and A529.



Audlem and its Environs

The oldest part of the village is the core at the “T” intersection of the two main roads and is dominated attractively by the ancient sandstone Church of St James built on top of a walled mound. The village is bounded on the west by the River Weaver, which flows north through fine open countryside to Nantwich.

The Domesday Book (1086) entry for Audlem (“Aldelyme”) refers only to fields, woodland, agriculture and hunting. However, by the late 13th century the church had been founded and Audlem’s market charter was granted by Edward I in 1296. It seems certain that Audlem has been a significant centre of population since at least that time. The only visible medieval building is that part of the church dated from the 14th to the 16th centuries. Buildings of the 17th century are prominently represented by Moss Hall (1616), on the north side of the village close to the canal, and the Old Grammar School (1647-55), off Vicarage Lane near the brook.

A pleasing and characterful range of buildings, with facades of the 18th to 20th centuries, line the streets radiating from the centre. They include shops, public houses and dwellings, some converted from former shops and pubs. The Buttermarket alongside the church was built (or refurbished) in

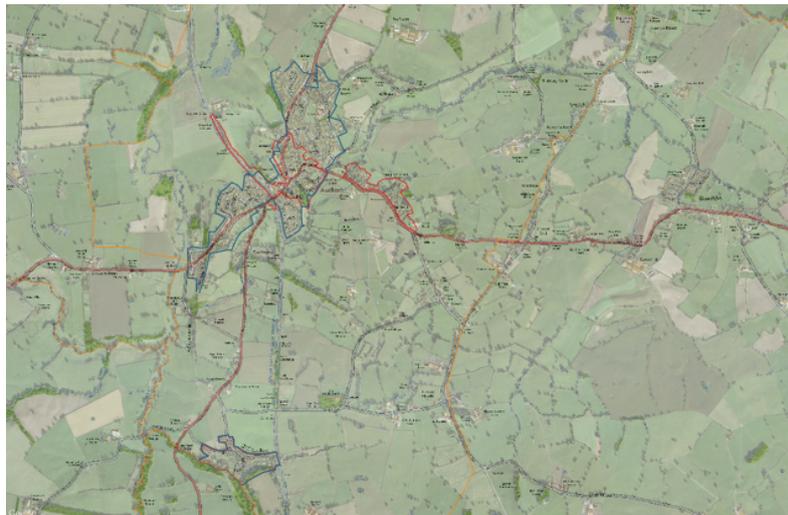
² Audlem Parish Plan 2005: Appendix 8.3

1733. The village extends about half a mile to the north, east and west along the main access roads. Some new housing estates, built mainly in the 1970s, have added considerably to the population and have markedly changed the appearance of many parts of the village.

The Birmingham and Liverpool Canal was constructed between 1827 and 1835, and the Nantwich and Market Drayton Railway in 1863. The railway was never an economic success and Audlem Station was finally closed in 1964. Only slight traces of the line now remain on the west side of the village. However the canal, now known as the Shropshire Union, has given the village a very beneficial legacy in terms of the leisure boating industry, which in recent years has brought tens of thousands of visitors through the village each year. The flight of 15 locks in a mile and a half raises the canal 93ft in the Shropshire direction. With its attractive wharf and well-kept towpath, it is also a magnet for walkers and casual visitors.

2.2 Settlement Features And Environment

Audlem has developed very gradually over the centuries and residents are keen to ensure that a measured pace of growth continues so that village services and infrastructure can keep up with demand. St James' Church dominates the historic village centre and further information on the history of the village can be found below. Audlem clearly developed along the main roads to adjacent settlements – Stafford Street, Cheshire Street and Shropshire Street, their adjoining lanes and the canal wharf are mainly protected as a Conservation Area. There are a number of listed buildings including the Buttermarket (located below the Church) the Old Grammar School (now Audlem Country Nursing Home) and the Lock Keeper's Cottage.³



Conservation Areas

³ Village Design Statement 2009 rev 2011: Appendix 8.3

In the eastern part of Audlem just north of the Woore road, the small and distinctive group of older houses known as Salford that includes the attractive Baptist Chapel (1840,) is designated a Conservation area, with a third Conservation area to the south in the small hamlet of Coxbank⁴.

Since the 1970s a number of modern estates have been built. Most of these are of relatively low density, characterised by broad streets and good size gardens. Whilst the architecture is bland, with few design options, these areas have now matured and provide pleasant, uncrowded living accommodation for many residents. More recently the sites of the Crown Hotel and the Lamb Hotel have been developed into higher density housing, Crown Mews being a particularly attractive feature hidden behind a gate in the village centre. Additional higher density housing has been built in Cotton Mews and it is clear that there are significant parking issues for residents due to lack of parking provision by the developers.



Grammar School Care Home (left) and Crown Mews

3 THE OPEN COUNTRYSIDE OF THE PARISH

3.1 Overview⁵

All land outside the settlement boundaries of the main village, Salford and Coxbank is classified by the planning authority as “Open Countryside”, and was afforded some protection from non-agricultural development under Crewe and Nantwich Borough Council Policy (CNBC) NE.2. In the cases of Salford and Coxbank the Conservation area boundaries serve as settlement boundaries. About 90 per cent of the parish’s 2,348 acres is in this category (Open Countryside) but only about 10 per cent of the dwellings are outside settlement boundaries.

In terms of landscape, the enlarged Audlem area (all land south of Wybunbury) is classified as “Lower Farms and Woods – LFW4”. The key characteristics of LFW are gently rolling topography, prominent hedgerow boundaries with standard trees, a mix of cattle and arable fields and horse paddocks, some woodland, a medium settlement density and large numbers of (small) bodies of water.

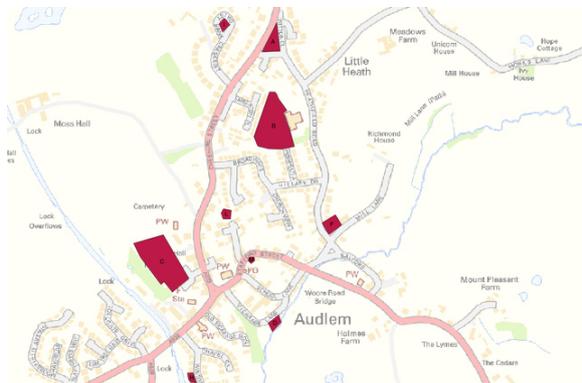
⁴ Conservation area documentation: Appendix 8.3

⁵ Village Design Statement 2009 rev 2011: Appendix 8.3



Little Heath open space

The policy notes: “around Audlem the topography is more undulating, with tree-lined streams and field drains, small woodlands and copses. This area appears more verdant and enclosed, with a smaller scale.” We would add that the variety of landscapes, changing from north to south, and east to west, is also an appealing feature.



Green Spaces in and around Audlem

The Village Design statement subdivided the Parish landscape into three types:

- Type A: Gently undulating farmland with fields in a wide range of sizes, usually enclosed by hedges including mature trees.
- Type B: Stream and river valleys with steeper gradients and a greater density of trees. The rivers and streams concerned are principally the Weaver, Duckow, Audlem Brook and Coxbank Brook.
- Type C: The canal corridor artificially embanked above or cut through the adjoining land.

Substantial remains of medieval town fields are to be found south of the A525 and extend up to half a mile from the village centre (County Historic Environment Record). The Tithe Map of 1840 is also a valuable record of the parish's field system, some of which has changed little in over 170 years.

Hedgerows removed since that time can sometimes be discerned by the presence of a line of mature trees in an otherwise open field. Many old hedgerows, however, are species-rich and important for wildlife. Maps and aerial photographs show that the mature trees are confined very largely to hedgerows, along stream and river valleys, and the canal. Plantations and field copses are scarce. However, Tree Preservation Orders are in place to protect older or more 'valuable' specimens.

3.2 Geology

Our land consists mainly of glacial deposits of clay, sand and gravel, and the glacial sequence is well exposed in the Duckow and Weaver valleys. Along the southwest parish boundary (Coxbank Brook and River Duckow) there is some exposure of Triassic rocks and Jurassic mudstones containing fossils.

Around Kinsey Heath and to the east of Audlem the glacial deposits are flat lying and produce a gently rolling surface. The Upper and Lower boulder clays are dark grey in colour, weathering to brown, and separated by the Middle Sand. The sandy nature of the deposits is indicated by the name Sandy Lane, and well displayed in the nearby Holmes Bank, just south of the village centre.

3.3 Land Quality

The Agricultural Land Classification (ALC) provides a method for assessing the quality (productiveness) of farmland to enable informed choices to be made about its future use within the planning system. It helps to underpin the principles of sustainable development. The ALC classifies land into 5 grades, with Grade 3 subdivided into 3a and 3b.

The data for Audlem parish lacks detail and the only available map indicates a mix of Grade 2 (very good) and Grade 3 (good to moderate). The work to subdivide Grade 3 in this area has apparently not been done. CNBC NE.12 contains a presumption that Grades 1, 2 and 3a will not be permitted to be developed for non-agricultural uses unless there are specified overriding considerations.

3.4 The Importance of Open Countryside for the Parish⁶

The relatively unspoiled open countryside of the parish is important for the following reasons:

- The good network of public footpaths and quiet lanes (extending some 16 miles within the parish boundaries and with links much further afield) provide a much appreciated amenity for residents and our many visitors. There are also fine viewpoints from higher ground. Cyclists, walkers and boaters make an important contribution to the local economy by using the shops, cafes and pubs. Audlem has established an attractive

⁶ VDS Village Design Statement 2009 rev 2011: Appendix 8.3

reputation in this respect, which is likely to be enhanced as its location within the Weaver Valley Regional Park becomes established⁷;

- Though the contribution of farming to the local economy and employment has decreased in recent decades, the continuation of farming is essential if the attractive and historic character of the landscape is to be preserved. Food security issues may also, before long, dictate the retention of farmland rather than its use for building;
- The identity of Audlem and its individuality would be diminished if green land separating it from the adjoining settlements were to be built over. The gaps are now quite small between Audlem and Buerton to the east. Note - the gap between Hankelow to the north and Audlem will be significantly eroded following the granting of planning permission for 120 houses at Little Heath.



Audlem and its neighbouring Parishes

3.5 Demographics

For a hundred years from the middle of the nineteenth century the population was more or less static at around 1300 to 1500 residents. Unless otherwise stated, all of the data referred to in this section is taken from Community profile for Audlem (Parish), ACRE, OCSI 2013 and relates to the 2011 census⁸.

Population	Number of households	Children under 16	Working age adults	People over 65
1,990	865	295	1095	600
48.2% male 51.8% female		14.8% (England average = 18.9%)	55.1% (England average = 64.7%)	30.1% (England average = 16.3%)

⁷ Plans for the development of the Park now no longer exist. The 40-mile Weaver Way now commences in Audlem and leads to Frodsham. In addition Audlem is on the Sustrans regional route 75 and Cheshire cycleway 70.

⁸ Appendix 8.3

Lone parent families with children	Single pensioner households	People from Black or Minority ethnic groups	People born outside the UK	Dependency Ratio ⁹
130	145	55	65	0.81
16.3% of all families with dependent children (England average = 24.5%)	16.5% of households (England average = 12.4%)	2.8% (England average = 20.2%)	3.5% (England average = 13.8%)	(England average = 0.55)

Audlem's residents are 'as well as can be expected' in that 12.3% of 16-65 year olds have a limiting long-term illness against the 12.8% English average. However, that changes when the older residents are taken into consideration. Then 22.8% of the total Audlem population suffer from a limiting long-term illness against a Cheshire East and England average of 17.5%. Clearly this has an impact on demand at the Audlem Medical Practice, which already has on its list over 2000 patients to each (FTE) GP. It should be borne in mind that there are two Nursing Homes in the village – Corbrook Court, which incorporates a separate dementia unit (Cedar Court) and Audlem Country Nursing Home – which may influence the post-65 data.

3.5.1 Housing

As the table below demonstrates, there is a high proportion of detached, larger properties in Audlem. The Housing Questionnaire has confirmed that residents believe there is sufficient detached, 4-5 bedroom housing supply and that future requirements are for 1-2 bedroom bungalows and terraced houses, 2-3 bedroom semi-detached houses and 3 bedroom detached houses.

Detached	Semi-detached	Terrace	Flats (purpose built)	Flats (other)	Caravan or other temporary accommodation
536	233	83	38	35	7
58.1% of dwellings (England average = 22.3%)	25.3% of dwellings (England average = 30.7%)	9% of dwellings (England average = 24.5%)	4.1% of dwellings (England average = 16.7%)	2.7% of dwellings (England average = 5.4%)	0.8% of dwellings (England average = 0.4%)

⁹ Dependency ratio is the ratio of non-working age to working age population.

3.5.2 Housing Tenure

Housing that is owner-occupied	Housing that is social rented	Housing that is private rented	Other rented accommodation
702	55	75	35
81.0% of households (England average = 64.1%)	6.3% of households (England average = 17.7%)	8.7% of households (England average = 15.4%)	4.0% of households (England average = 2.8%)

3.5.3 Housing Affordability

Affordability ratio (median house prices as ratio of median incomes)	Dwellings in Council Tax Band A	Dwellings in Council Tax Band B	Dwellings in Council Tax Band C
18.0	28	58	116
(England average = 15.4)	3.3% of dwellings (England average = 24.8%)	6.8% of dwellings (England average = 19.6%)	13.7% of dwellings (England average = 21.8%)
Median house price: Detached houses	Median house price: Semi-detached houses	Median house price: Terraced houses	Median house price: Flats
£340,000	£237,500	£270,000	£120,000
England average = £320,268	England average = £211,043	England average = £174,653	England average = £131,110

The January 2015 Audlem Housing Questionnaire asked the following question: "In your opinion, what percentage of full-market value does 'affordable' mean?"

Information gathered¹⁰ suggests that the average price of a property in Audlem is about £270,000. The Government's guideline is 80% of market value in the local area. Assessing housing need is a complex issue and takes into consideration many factors. Based simply on the responses collated from the 2015 Housing Questionnaire, Audlem residents believe that the average affordable cost should be 63.1% (£170,370).

% of average price	No of responses
80% (£216,000)	18.5%
70% (£189,000)	23.9%
60% (£162,000)	28.5%
50% (£135,000)	29.3%

¹⁰ Zoopla 2015: Appendix 8.3

3.5.4 Disadvantaged Households

Only 6% of housing in the village is vacant, although this is higher than the England average of 4.3%. Only 24 households (2.8%) are deemed to be living in overcrowded conditions against an England average of 8.7% of households. A relatively low number of 18 households are still without central heating yet 11.9% of Audlem households are considered to be in ‘fuel poverty’ compared with an England average of 10.9%. The fact that there is no mains gas supply to the village may have an impact on these statistics, as oil has traditionally been a higher price fuel.

3.5.5 Environment

Residents of Audlem are fortunate to live in a comparatively unpolluted area of the UK, with a low population density per hectare and no residents living in Living Environment ‘deprivation hotspots’¹¹.

3.5.6 Employment

Audlem is a relatively prosperous and well-educated village with 37.7% of those aged 16-65 having degree level education or equivalent against the 27.4% England average. Of those in employment 29% work in the public sector and 16% are self-employed. The main employment sectors are retail, education and health & social work.

In August 2012 only 43 residents were receiving ‘out of work’ benefits. Only 16 children were living in ‘out of work’ households at the time of the 2011 census (4.8% of the population against 19.2% English average). However, for those struggling to find employment, the nearest Job Centre is 19km away, whereas the national average distance is only 4.6km. There is no direct bus service to Crewe, the nearest large centre of employment, nor to any of the major employment centres such as Manchester, Stoke-on-Trent, Chester or Shrewsbury.

3.5.7 Transport

As stated in 3.5.6, the poor public transport system from the village is highlighted in the 2015 Housing questionnaire and also by our younger residents (Brine Leas Survey 16 Sept 2014). The figures below show that the majority of homes have two or more cars available, which possibly reflects the poor public transport infrastructure and the most common types of employment engaged in by Audlem residents.

No cars	One car	Two cars	Three cars	Four+ cars
80	345	335	80	30
9.1% of 870 households (England average = 25.8%)	39.9% of 870 households (England average = 42.2%)	38.5% of 870 households (England average = 24.7%)	9.2% of 870 households (England average = 5.5%)	3.2% of 870 households (England average = 1.9%)

¹¹ Community profile for Audlem (Parish), ACRE, OCSI 2013: Appendix 8.3

Statistics from the 2011 Census report show a high percentage of people working from home, with relatively few working within 2km of their home and almost 10% of the population travelling more than 40km to reach their place of employment. The average distance to travel to work is 18.37 km.

The rural location of the village with its lack of local employment and inadequate public transport is reflected in the data below:

Average travel time to nearest town centre by public transport/walking	People travelling to work by public transport
43 minutes	20
County average 19 minutes	1.5% (England average =11%)

Audlem’s population is primarily served by hospitals at Leighton (Crewe) and North Staffordshire (Stoke), neither of which can be easily reached by public transport and this is a source of concern to our more elderly residents who may no longer be fit enough to drive. This is one of the many infrastructure issues raised by residents in the January 2015 questionnaire and are addressed in Section 6.6.3, Community Infrastructure Levy.

4 AUDLEM NEIGHBOURHOOD PLAN

4.1 Purpose

The purpose of the ANP is to set out clearly:

- what residents see as their 'Vision' for Audlem in the future;
- policies that will be used to help determine future planning applications in line with the National Planning Policy Framework (NPPF) paragraph 17. It is intended that the policies will provide a guide to the type and design of development that is in keeping with our Parish and reflect the way residents wish their village to evolve in a sustainable, well-managed manner;
- proposals for how the Community Infrastructure Levy, Audlem Medical Trust, and the existing S106 regime should be incorporated to help mitigate against the impact of future development on village services.

4.1.1 Sustainable Growth

It should be noted that the Plan covers the period 2010 - 2030. Sustainable development is seen as a positive requirement for Audlem to grow and prosper. To this extent, planning approvals in the early part of 2015 will meet this need. Proposed developments at Little Heath (120 dwellings) and Heathfield Road (26 dwellings) mean that any further allocation of potential sites is unnecessary at this time (see Section 6.1.2.2). Should neither of these proposed developments come to fruition, the Plan will be reviewed.

For this reason, no site allocation process was carried out. Audlem Parish Council will work with CEC during the next stage of their Local Plan that will include LSCs.

This strategy is consistent with CEC's revision of its Local Plan. As recently stated by Michael Jones, Leader of the Council, "new plan policies will be reviewed to increase development on brownfield and infill". This also conforms to proposed changes to planning legislation currently proposed by the Government.

4.2 The Process

The Audlem Neighbourhood Plan was produced by the Parish Council and members of the community following an Extraordinary Parish Council Meeting in July 2014. Residents were given information on Neighbourhood Planning and asked if they wished to take this opportunity to plan proactively for the challenges of the future. There was unanimous agreement to draw up a Neighbourhood Plan so the community could ensure gradual, sustainable development to allow the local infrastructure to keep pace with the additional demands more housing will create.

Over the next few months the Parish Council set about investigating what was required to produce a robust, evidence-based Neighbourhood Plan. Newsletters and the local website (AudlemOnline) were used to publicise the process and a request was made for volunteers from the community to participate in the exercise. In September the Parish Council delegated responsibility to a group of 30 volunteers from whom a Steering Committee of 11 (8 residents and 3 Parish Councillors) was formed to oversee the development of the ANP. Its contents reflect the views of our community following surveys and extensive consultation over the period.

Following the pre-submission consultation on the draft ANP, adjustments have been made to reflect representations received.

The submission ANP builds on earlier work undertaken by the Parish Council in partnership with other village organisations to provide a planning framework and design context for the Parish.

A comprehensive Parish Plan was produced in 2005, revised in 2010, and is to be updated in 2015. A Village Design Statement was produced in 2009 and describes the distinctive character of the area through the landscape setting, settlement shape and individual buildings. This was revised in 2011 and sets out various design principles. These substantial documents were also produced following consultation with residents and have been used to inform and underpin this Neighbourhood Plan.

4.3 The Planning Environment

It was impossible to draft this Neighbourhood Plan without reference to the NPPF, the draft CEC Local Plan or without taking into account the impact of recent planning decisions in Audlem.

4.3.1 The Draft Cheshire East Council Local Plan

When the CEC Local Plan was submitted for Inspection in May 2014, the examining Inspector expressed concerns about the economic and housing strategies put forward by the Council. The inspector found that the Council's economic strategy was "unduly pessimistic" and that there was a "serious mismatch between the economic strategy and the housing strategy"¹². That revision of the Local Plan was subsequently withdrawn for review of these specific areas.

In the submitted Local Plan Audlem was identified as one of 13 Local Service Centres (LSCs) where 'small scale development to meet localised, objectively assessed needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities'¹³. However, in the Local Plan, Audlem as an LSC is defined as Audlem Ward.

Audlem Ward consists of a significantly larger area than the designated Audlem Neighbourhood Plan Area defined by the Audlem Parish Boundary. The Ward additionally includes the neighbouring Parishes of Hankelow, Buerton, Dodcott cum Wilkesley and Newhall, where additional planning permissions are also being sought and granted.

Initially, the 13 LSCs were together expected to provide 2500 houses in the period 2010 to 2030¹⁴. After taking into account allocation and approvals since 2010, CEC informed Audlem Parish Council that this would translate into an additional requirement for 80-100 homes in the Audlem through the period to 2030¹⁵. The questionnaire issued in January 2015 was based on that figure and further information on its outcome is detailed below.

¹² The Inspector's Interim Report: Appendix 8.4

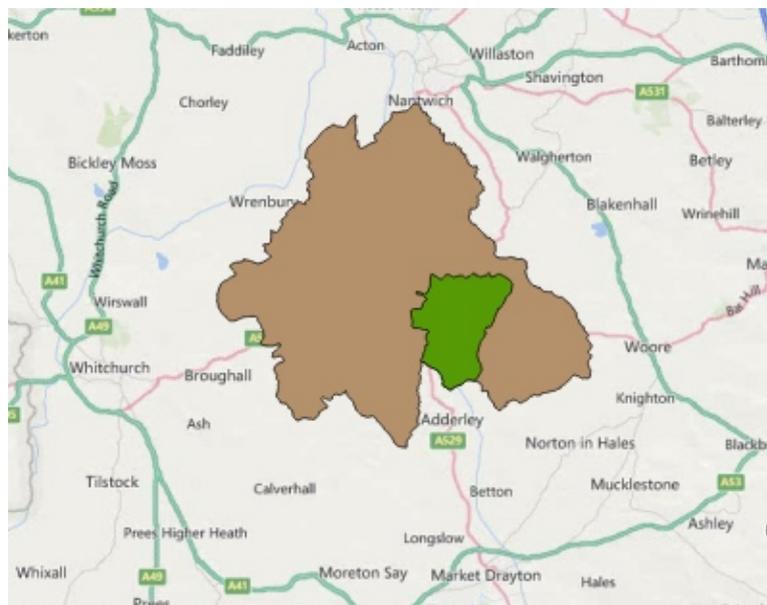
¹³ P77 Cheshire East Council Local Plan (submission version), Cheshire East Council evidence document BE046 - Determining the Settlement Hierarchy: Appendix 8.4

¹⁴ P91 Cheshire East Council Local Plan submission version: Appendix 8.4

¹⁵ Adrian Fisher email and subsequent conversations with Michael E Jones & CEC Spatial planners: Appendix 8.3

In July 2015 Cabinet approved CEC’s revised Local Plan¹⁶. This has resulted in a higher requirement for housing throughout the authority for 3500 homes to be located in LSCs, proportionally increasing the number of homes to be built within each LSC. Assuming 3500 new homes in the LSCs, the revised requirement for Audlem Ward would appear to be around 160 dwellings based upon population.

However taking into consideration planning permissions granted as at 31st March 2015, of the 3500 new homes required, 3267 have been committed, completed, allocated or on strategic sites. As a result, the additional number of new homes now required in the LSCs is 233¹⁷ up to 2030. The distribution of development at these settlements will be determined by further site-specific testing through the site allocations process. With the indicative number of new homes required already granted planning permission, it seems probable that Audlem Parish will have met and exceeded these expectations.



Audlem Parish (green) versus Audlem Ward

4.3.2 Recent planning outcomes

Gradual growth throughout the period of the ANP, especially to expand the number of affordable homes and those for young families, is welcomed. The word ‘gradual’ is carefully chosen; if the village is to remain sustainable the infrastructure has to expand concurrently to support the additional number of residents using its services. Residents fear the village infrastructure, especially the Medical Practice, could not cope with any potentially overwhelming and rapid change in population (see below). It is vital to allow services and infrastructure providers to plan meaningfully for the needs of new residents over a manageable timeframe.

¹⁶ Cheshire East Council Cabinet Agenda 21st July 2015, page 63

¹⁷ Cheshire East Council Cabinet Agenda 21st July 2015, page 63



Recent large planning applications

During 2013/2014 Audlem was the subject of two planning applications on good quality agricultural land outside the existing settlement boundary. The first was for 120 homes at Little Heath, to the north of the settlement boundary. The second, off Heathfield Road to the east of the village and adjacent to the Salford Conservation Area, was initially for 34 homes, subsequently reduced to 26 homes. Audlem Parish Council and CEC initially rejected these applications on many grounds.

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. In the absence of an approved Local Plan, in December 2014 CEC concluded it had no choice but to approve the re-submitted 26-house Heathfield Road application, despite the local concern at the impact on services. In January 2015 the Planning Inspectorate found in favour of an Appeal by Gladman Developments to build up to 120 houses at Little Heath. These two large-scale (in local terms) developments, will alone result in an additional 146 homes in Audlem Parish within the next 3 – 5 years.

In addition to the 146 houses on the above two sites and 35 other houses already approved for Audlem Parish, a further 124 houses have been granted permission in the neighbouring Parishes of Hankelow, Buerton, Dodcott cum Wilkesley and Newhall. This means that the total housing stock in Audlem Parish will now increase by at least 181 (20.9%) and in Audlem Ward by at least 305 before 2020 – whilst still leaving another 10 years in the lifetime of the Plan.

Regrettably, no S106 agreements were imposed to help mitigate against the relatively immediate impact of these developments and it is to ensure that these infrastructure issues are identified and managed that the ANP contains proposals for use of the Community Infrastructure Levy and/or Audlem Medical Trust once CEC’s policy is adopted. (Section 6.6)

The policies drawn up for the ANP continue to reflect and support the desire for ongoing growth in a phased manner – but not to the detriment of the village, its services and its unique rural character.

4.3.3 Settlement Boundary



Settlement Boundary (blue) Conservation area (red) and 2 large developments

CEC’s Settlement Boundary Methodology Section a) Extant Planning Consents states:

‘A site currently outside, but adjoining the existing settlement boundary, has extant planning consent for housing, with no exceptional circumstances attached (e.g. previous allocation), should be included within settlement boundary.’

Accordingly, Audlem Parish Council accepts that in view of the land for the two approved major developments (Little Heath and Heathfield Road) being outside, but adjoining, the current settlement boundary, the boundary should be changed to incorporate them. Once these sites are completed they will inevitably form a functional part of the existing settlement. Audlem Parish Council will work with CEC to facilitate this change.

4.4 Consultation Process

The ANP belongs to the people of Audlem. It has been developed from the views of local people gathered using a variety of different consultation approaches including: meetings; presentations; interactive workshops; website and village-wide on-line/paper surveys. In addition to the residents’ consultation a wide range of stakeholders were invited to participate in an event aimed specifically at gathering their views and concerns. Local businesses were also asked to complete either a paper-based survey or respond on-line.



Village consultation meeting

The following are some of the reference documents to the ANP:

- Pre-existing Audlem village documents including the Parish Plan and Village Design Statement;
- Consultation Statement;
- Basic Condition Statement.

Please refer to Appendices, Section 8

Sustainability and Equality Impact Assessments

The purpose of the Sustainability Appraisal is to ensure that the principles of sustainable development are considered throughout the plan making process and that the Audlem Neighbourhood Plan has considered all aspects of economic, social and environmental sustainability in its production.

The Audlem Neighbourhood Plan and all of its Policies have been subject to Sustainability Appraisals using assessment forms provided by Cheshire East Council¹⁸.

All of the assessments were carried out by volunteers to ensure impartiality.

4.4.1 Pre-submission Consultation

The ANP has been submitted to the list of statutory and other bodies provided by CEC as required under Regulation 14, Town and Country Planning, England Neighbourhood Planning Regulations (General) 2012.

This is fully documented in the Consultation Statement, Appendix 8.1.

4.4.2 Strategic Environmental Assessment

The Environment Agency confirmed to CEC on 29th May 2015 that an SEA was not required.¹⁹

4.4.3 Habitat Assessment

A Habitat Regulation Assessment (HRA) screening opinion was sought from Cheshire East Council in order to confirm whether an HRA was required to support the Audlem Neighbourhood Plan. The screening exercise concluded that there were no European sites that would be affected by the proposals within the Neighbourhood Plan.

4.5 Designating the Neighbourhood Area

The first formal stage in producing a Neighbourhood Plan is to define the Neighbourhood Area. There were a number of decisions that the Parish Council had to make. Should we work with adjacent Parishes? Should we include the whole of Audlem Ward or just the Parish? Should we review just the area inside the settlement boundary? As the Parish Plan and Village Design

¹⁸ Basic Conditions Statement: Appendix 8.5

¹⁹ Basic Conditions Statement: Appendix 8.5

Statement already gave a strong body of evidence to support a Neighbourhood Plan and were restricted to the area within the parish boundary the Parish Council decided that CEC should be asked to agree that the area within the parish boundary should be the designated area for the ANP. See Appendix 8.2 for official notification.



Audlem Neighbourhood Plan Area

The formal consultation process commenced on 11 August 2014 and the notification that the designated Area had been agreed was received on 21 October 2014²⁰.

²⁰ Appendix 8.2

5 AUDLEM NEIGHBOURHOOD PLAN VISION

Based on feedback from village meetings and conversations held with residents at two Saturday morning Q&A sessions held under the Buttermarket the Steering Committee drew up a draft Vision which they hoped encapsulated the prime concerns expressed by the community. It was important that residents felt this statement truly reflected their overall wishes for the village over the lifetime of this Plan. Residents were asked to comment on and endorse the Vision by means of a questionnaire²¹ that was delivered to every household within the village boundary in January 2015 and also at a public forum on March 12, 2015.

Audlem is an ancient village full of history and character set in a rural, predominantly agricultural environment - 'the jewel in the crown' of South Cheshire. We intend to proactively enhance its position as the Local Service Centre for the area through gradual, managed, well planned development to ensure Audlem will continue to be:

- a vibrant, thriving and caring community for people of all ages, incomes and abilities;
- a self-sufficient, dynamic, balanced and socially cohesive place to live and work;
- a sustainable community – providing whatever our residents need to maintain an outstanding quality of life for present and future generations.

During consultation with village residents it was also stated that Audlem should continue to be an attractive place to visit. It was felt that this was inherent in the existing Vision so no changes were made.



Audlem from Holmes Bank

²¹ Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

6 POLICIES

Our policies have been separated into different themes, but it should be noted that all new development is expected to meet the requirements of **all** relevant policies.

6.1 HOUSING

6.1.1 Objective

Residents recognise that to continue to thrive as a vibrant and distinctive village, Audlem needs to evolve and grow in a sustainable way²². Residents also want the village to continue to provide an outstanding quality of life for current and future residents²³. These aspirations combined to produce a housing objective:

To provide existing and future residents with the opportunity to live in a decent home by:

- **facilitating the building of sufficient houses to meet the locally identified housing need in the period 2010-2030;**
- **requiring that individual developments be relatively small²⁴ and absorbed in the Audlem 'scene' as unobtrusively as possible;**
- **requiring that all developments include a substantial proportion of smaller and affordable properties.**

6.1.2 Policies

6.1.2.1 Introduction²⁵

Answers to the January Housing Questionnaire 2015 indicated a strong desire for:

- more balanced housing stock with an increased number of smaller houses in particular
- more housing suitable for older people;
- housing of a scale which is appropriate to the character of the village and will enable new residents to integrate easily into village life;
- more affordable housing;
- those with a strong local connection to have preferential access to affordable housing.

Audlem is a popular village in which to live. Once having moved to Audlem, many residents remain for the rest of their lives. As a result Audlem has a disproportionate number of older residents; 30% over 65, compared with the national average (note – throughout this section national means England) average of 16%. This disparity is likely to become more marked in coming years, with 18% of Audlem residents in the 55-64 age bracket, compared with 12% nationally. This threatens the

²² Q20a of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

²³ Q20b of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

²⁴ Q11 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

²⁵ Community profile for Audlem (Parish), ACRE, OCSI 2013: Appendix 8.3

vitality of the community and places extra, and different, demands on local health, transport and housing.

Audlem's housing stock is dominated by detached owner-occupied properties. 58% of Audlem's houses are detached (22% nationally) and 81% owner-occupied (64% nationally).

House prices in themselves are not particularly out of line with the national average, as evidenced by the following data:

- Average detached house price: Audlem £340k; National £320k;
- Affordability ratio (mean house price as ratio of median income): Audlem 18.0: National 15.4.

What is different about Audlem's housing stock is the mix; only 24% is placed in Council Tax bands A to C, as against 66% nationally.

All the above points to a relative shortage of small homes that can be afforded by people on relatively low incomes. This is confirmed by the following:

- Proportion of terraced housing & flats: Audlem 16%; National 47%;
- Social rented housing: Audlem 6%; National 18%.

Audlem needs more young people and families for the community to retain its age balance but the current shortage of affordable housing denies young people and families the opportunity to live in the village where they grew up. The village needs smaller homes for elderly villagers wishing to downsize and remain in Audlem and also for young singles or couples. This is evidenced by an extract from *Cheshire East Council: Rural Housing Needs Survey 2013 –Audlem Parish*:

“The survey highlighted several types of resident that had an affordable housing need within Audlem, including:

- 29 respondents requiring alternative housing within the parish, most commonly because they needed smaller accommodation;
- 40 current Audlem residents who might wish to form a new household inside Cheshire East within the next 5 years;
- 29 ex-Audlem residents who might move back into the parish within 5 years if affordable housing were available.

Therefore, there was a potential total 98 new households that might be required within Audlem within the next 5 years. Of these 98 potential new households at least 37 would need to be subsidised ownership or rentable properties, with the majority of these being for a son or daughter of a current resident.”

As to the location of housing development, most residents want priority to be given first to using redundant brownfield sites and, second to infill. Building on greenfield sites is strongly opposed, particularly if the recently approved Little Heath and Heathfield Road sites go ahead²⁶.

6.1.2.2 Housing number

The objectives of the ANP are realised by a set of policies that:

- conform to and develop the relevant policies in the Cheshire East Draft Local Plan;
-

²⁶ Q5 & Q7 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

- address the preferences of the Audlem community as indicated by the responses to the Housing Questionnaire and the Housing Needs Survey.

A large majority of respondents (82%)²⁷ do not wish to see major new housing developments in Audlem, as they would lead to a significant change in the character of the village. Of those who hold different views 90% favoured a number less than 80 (average 29); only 10% favoured a number greater than 100²⁸.

As stated in Section 4.3.1 the Cheshire East Local Plan submission version (2014) and information from Council officials indicated that 80-100 homes should be built in Audlem from 2010 to 2030²⁹. Residents are aware that the Local Plan is under review. Whilst it is understood from the latest version of the Cheshire East Local Plan (July 2015)³⁰ that this number will be higher there is no indication that Audlem should expect a disproportionate amount of any increase that might result.

With 305 existing permissions in Audlem Ward, of which 181 are in Audlem Parish, Audlem has in all likelihood met and exceeded the probable housing target with the majority of the housing located outside the current settlement boundary. These permissions, although outline, are unlikely to be refused at reserved matters stage and it is anticipated that development will go ahead.

The existing settlement boundary for Audlem is that identified in the Crewe and Nantwich Local Plan (2011) (C&NLP). Audlem Parish Council acknowledge that this is likely to change as a result of recently approved planning applications at Little Heath and Heathfield Road. Therefore the ANP assumes that the settlement boundary now incorporates these two developments – see Section 4.3.3.

Policy H1: Number of New Homes

Any additional new housing in excess of those permissions granted at 27 April 2015 will only be supported within, rather than outside, the Audlem Settlement Boundary³¹ except where in accordance with other policies outlined in this plan (i.e. brownfield or garden infill).

Audlem Parish Council will work with CEC on the next stage of the Cheshire East Local Plan to ensure that local housing needs are met and reflect the outcome of the 2013 and 2015 Housing questionnaire. Unless CEC's site allocation policy has a significant effect upon the number of dwellings required, progress towards meeting the confirmed Local Plan target housing number will be reviewed in 2020 and to the extent the target appears unlikely to be met, policies will be reviewed and amended accordingly.

²⁷ Q3 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

²⁸ Q4 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

²⁹ Adrian Fisher email and subsequent conversations with Michael E Jones & Spatial Planners: Appendix 8.3

³⁰ Cheshire East Council Cabinet Agenda 21st July 2015, page 63

³¹ Q5 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1 & CNBC LP policy Res.4: Appendix 8.4

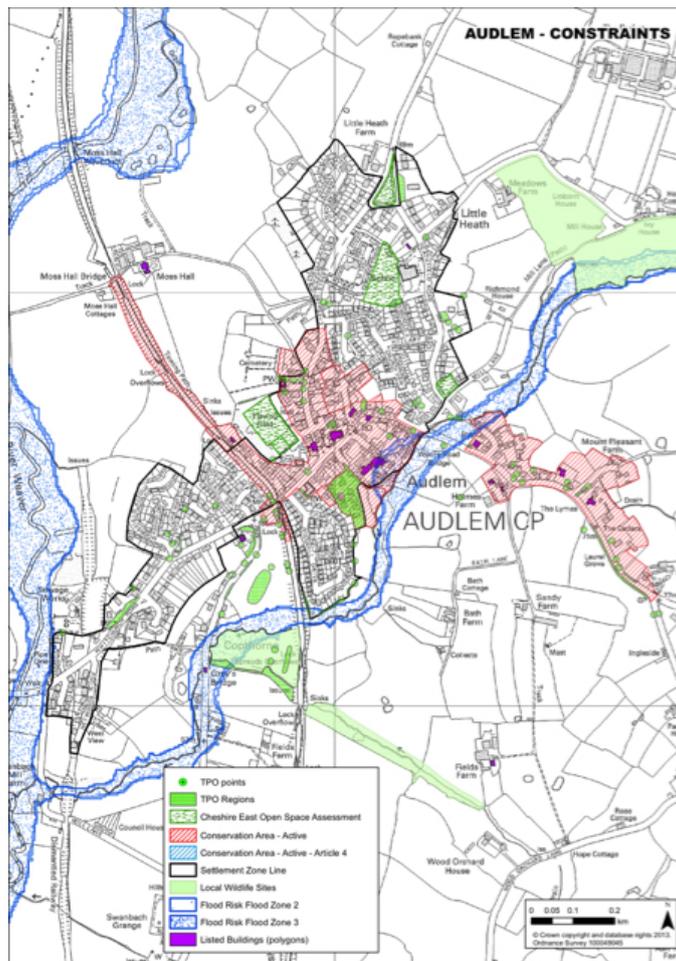
6.1.2.3 Housing location

Such developments as there are should accord with community preferences as to location and interface with existing buildings. Specifically:

- development should be restricted to brownfield and infill land;³²
- development should protect and enhance the setting of existing buildings;³³
- development should have consideration for any impact on utilities' underground infrastructure and the service provided.

Development of isolated homes in rural areas will be resisted in line with NPPF para 55.

Development on the flood plains will be resisted in line with National³⁴ and CEC policies.³⁵ It is anticipated that any such proposals will be discussed between CEC and the Environment Agency.



Audlem Constraints Map

³² Q7 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

³³ Q9 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

³⁴ Section 17- Water Environment (Water Framework Directive) (England and Wales) Regulations 2003: Appendix 8.4

³⁵ Audlem Constraints Map Page 26

Developments should not significantly reduce the Open Countryside between Audlem and its surrounding parishes so as to maintain its distinctive character - (Section 3.4).

Policy H2: Redevelopment of infill land* and brownfield land*

Permission will be granted for minor,³⁶ well designed, residential developments that meet all other relevant policies within this Plan and where such development:

- fills a small, restricted gap in the continuity of existing frontage buildings, or within the confines of existing housing land or sites within the built up area of the village where the site is closely surrounded by buildings;
- is located within the confines of the settlement boundary or is within the confines of existing housing land or brownfield land outside the settlement boundary;
- is not considered to harm amenity value³⁷ as defined on our Policy D3 or is inconsistent with the character of the locality and is consistent with our Policy D5;
- is subject to a positive environmental assessment, provided by the developer.

*'Infill land' means land within the existing Audlem settlement boundary or gardens within the curtilage of existing properties immediately adjacent to the existing Audlem settlement boundary³⁸ and is not listed as an 'open space' site within Policy D8.

*'Brownfield land' means previously developed land³⁹: land that is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

6.1.2.4 Scale of New Development

Audlem residents have expressed their strong opposition to large developments. Most (46%) would prefer sites of no more than 10 houses with a further 35% favouring developments of between 10 and 20 homes⁴⁰.

Further discussions at the meetings listed below resulted in the view by residents that a limit of 10 dwellings was preferable, unless a development greater than 10 houses was deemed to be of

³⁶ Cheshire East Council definition of 'minor' is 10 or fewer

³⁷ As defined in Borough of Crewe & Nantwich replacement local plan 2011 5.10 B1: Appendix 8.4

³⁸ CNBC LP policy Res.4: Appendix 8.4

³⁹ NPPF: Appendix 8.3

⁴⁰ Q11 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

significant community benefit. In both cases⁴¹, it is recognised that such developments for new homes must be commercially viable.

- Public forum review of policies - 12th March 2015;
- Annual Village Meeting, Public Hall – 29th April 2015;
- Drop-in Consultation Workshop for Pre-submission Consultation of the ANP – 30th May 2015.

The Community also favours the inclusion of communal green spaces in any design.

Policy H3: Scale of New Development

Any development within the settlement boundary should be limited to 10 properties. Any development in excess of 6 houses should include a provision for communal green space⁴². All developments will have to make a contribution towards the village infrastructure⁴³, in the form of a Community Infrastructure Levy or whatever charging system CEC has in place, as set out in Section 6.6.

Exception to Policy H3

Any development greater than 10 houses may be considered should it be deemed by the community to be of significant benefit to the community e.g. a specific development of Social Housing or village centre car parking.

6.1.2.5 Size and Type of New Homes

Audlem has 2.6 times the number of detached homes compared to the national average and less than 0.4 times the number of terraced homes⁴⁴. This reduces the supply of less expensive homes in a village where, in local terms, housing is relatively expensive.

Policy H4: Size of Homes

New development should favour smaller dwellings, so meeting the needs of Audlem, as indicated by the evidence set out below, unless an independent viability study, or other material considerations, show a robust justification for a different mix.

This requirement:

- reflects the response to Question 15 of the Housing Questionnaire, which showed 1, 2 & 3 bedroom properties as being of the highest priority, with properties of 4 bedrooms or more being of far less importance. Respondents were required to ascribe ranking points to their preferred housing type; 93% of those ranking points were allocated to 1, 2 & 3 bedroom properties and only 7% to 4+ bedroom properties. Breaking down the above groups, by far the highest category housing types, by ranking points, were 2&3 bed semi-detached (29%), 1&2 bedroom bungalows (21%), 1&2 bed terraced (16%) and 3 bed detached (14%);
- reflects the need of those actually requiring a house, as indicated by the response to the Housing Needs Survey (see Section 6.1.2.2);

⁴¹ Q13 of Audlem Housing Questionnaire January 2015: Consultation Statement Appendix 8.1

⁴² Communal green space' means grassland, landscaped in keeping with the immediate surroundings.

⁴³ In the absence of an NHS policy on the use of infrastructure contribution monies for medical infrastructure needs then payment of this element to the Audlem Medical Trust in line with section 6.6.5 will be expected

⁴⁴ Community profile for Audlem (Parish), ACRE, OCSI 2013: Appendix 8.3

- produces smaller and therefore more affordable family homes;
- provides home for elderly residents wishing to downsize;
- is in line with NPPF para 50.

Policy H5: Type of Homes

To redress the imbalance of the current housing stock and ensure a full mix of housing in Audlem, a majority of new homes on developments of 3 or more should be limited to one-third detached properties, the rest being bungalows, terraced or semi-detached, unless viability or other material considerations show a robust justification for a different mix.

This requirement:

- provides more relatively affordable open market homes;
- reflects the priority given by residents for bungalow, terraced and semi-detached housing; these groups aggregating 73% of the ranking points allocated in Q15 of the Housing Questionnaire and
- complies with CEC's requirement for a mix of dwelling types and sizes (Policy SC4).

6.1.2.6 Affordable Housing

In 2013, the Housing Needs Survey produced the results that 68% of respondents were in favour of a small development of affordable housing being built within the parish, with 17% against and 15% unsure either way.

The ANP supports the development of affordable housing in Audlem for rent, shared-ownership (intermediate) and for sale to local people. In the 2015 Housing Questionnaire 80% of respondents indicated that Audlem should have more affordable housing built. Those residents supporting the building of affordable homes think that 36% of any development should be affordable homes⁴⁵. However, when the effect of those voters who did not support the building of any affordable homes is taken into account, the figure reduces to 30%. The sustainability and balance of the community is threatened as young people brought up in Audlem are forced to move away because the village is unable to meet their housing needs in the open market. Starter homes and shared green space are priorities for a community that needs to retain its young families.



Witton Close - affordable housing

⁴⁵ Q16 of Audlem Housing Questionnaire 2015: Consultation Statement Appendix 8.1

90% of the respondents favour the following groups being given priority for any intermediate affordable housing, subject to their being unable to afford market priced housing:

- young and elderly people with family living in Audlem;
- individuals with jobs in, or adjacent to Audlem, who would ideally live in Audlem to do their job effectively⁴⁶.

The above wishes should be set in context of a community desire that the principle of affordable housing should be to give a leg-up to those unable to afford market priced housing and not a windfall gain as a result of their being able to subsequently sell on any 'affordably' acquired property at market price. Ideally a proportion of any affordable housing should be retained as affordable stock in perpetuity.

Where affordable properties are either rented or intermediate, then pre-determined policies apply for assessing eligibility. For intermediate properties the Registered Provider will follow the Homes and Communities Agency guidelines. Allocations for rented units are determined by CEC as set out in the adopted Common Allocations Policy. Within the Allocations Policy the Local Connection and Community Connection criteria are stipulated⁴⁷.

The community would welcome any constructive proposals by Housing Associations and the like, to provide innovative solutions to the above wishes; in particular in relation to the anticipated detailed planning proposals on the approved Little Heath and Heathfield Road sites.

CEC's current guidelines cannot fully guarantee that affordable housing will give preference to local people. The Parish Council will look into the possibility of setting up a Community Land Trust (CLT) to help facilitate the provision of affordable housing for local people in perpetuity.

Notwithstanding the above, there is concern that affordable housing for outright purchase remains out of reach for many aspirants, particularly because of the high deposits required. Whilst the government guideline of affordability is 80% of the market value in the local area, the average opinion of respondents to the Housing Questionnaire was 63%⁴⁸. To help overcome the difficulties described above, affordable housing proposals should include a proportion of shared-ownership houses.

Policy H6: Affordable Housing

Proposals for developments that result in a net gain of three or more dwellings will be expected to provide a minimum of 30% of affordable housing on the site which will be fully integrated into the development unless a Financial Viability Assessment or other material considerations demonstrates a robust justification for a different percentage.

In cases where the '30%' calculation provides a part unit then either the number of affordable units must be rounded up to the next whole unit, or a financial contribution will be sought, equivalent to that part unit.

⁴⁶ Q18 of Audlem Housing Questionnaire 2015: Consultation Statement Appendix 8.1

⁴⁷ Cheshire Homechoice Common Allocation Policy V2: Appendix 8.4

⁴⁸ Q17 of Audlem Housing Questionnaire 2015: Consultation Statement Appendix 8.1

Policy H7: Tenancy Mix

Proposals for development will need to consider local housing need and should normally provide a tenure mix of 35% of the affordable homes being for shared-ownership (intermediate) housing unless viability or a specific housing needs survey, carried out by the developer, shows a robust justification for a different mix⁴⁹.

The ANP delivers the requirement for affordable housing while maintaining the flexibility necessary to meet the specific local requirements needed within our proposed housing developments. The full integration of affordable and open market housing is a requirement of CEC policy SC5.4

6.2 DESIGN

6.2.1 Objective

To incorporate design and sustainability principles into any new development in Audlem to ensure that the external appearance and form of the development blend into and enhance the village environment and to reflect community feedback on the development design requirements needed for Audlem.

6.2.2 Policies

6.2.2.1 Introduction

The design policies are informed by the guidelines laid out in the December 2011 update to the Audlem Village Design Statement. The original version (2009) of this document was adopted by Crewe and Nantwich Borough Council on 29th July 2009 as “a material consideration” in relation to planning applications affecting the parish. The subsequent revision in 2011 was similarly adopted by CEC in February 2012. The policies laid out here have been endorsed by the community at the public forum event in March 2015.

The NPPF indicates clearly the importance of good design in any new development in particular this is noted in clause 56 of the framework document - *The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.* The NPPF continues with significant support to the importance of good design in the determination of planning approval.

The initial discussions of the design working group determined that the design policies were best separated into four sections:

- the importance of maintaining the character of the village of Audlem is recognised; this does not imply that any new building should replicate existing buildings but that all new buildings should be designed to complement the existing appearance of the village;

⁴⁹ Housing Needs Survey 2013: Appendix 8.3

- sustainability and efficiency are recognised as essential within all new buildings and will ensure that the environmental footprint of the building is minimised;
- green spaces within the village environment and the views both to and from the surrounding landscape not only enhance the appearance of the area but also positively improve the experience of living in the community: the importance of green spaces is recognised within the NPPF documentation;
- elements of the built environment that if designed correctly will enhance the experience of living within the community.

6.2.2.2 Character

The character of Audlem comes from the mix of building types and the layout of the village settlement that has evolved slowly as the settlement has expanded over the past centuries. Buildings of differing styles and ages come together to provide a pleasing feel to the village; the policies within this section are designed to maintain these pleasing characteristics within the village building environment allowing buildings of quality and good design that enhance and complement the established character of Audlem.

Policy D1: Character and Quality

Design of all new buildings shall be in character with existing buildings within the village; and will respect and enhance the natural, built, and historic environment of the village. All new buildings shall use materials chosen to complement the design of the development and add to the quality or character of the surrounding environment. Imaginative and creative design and the use of high quality materials will be encouraged⁵⁰.

Policy D2: Size and Space

New buildings will provide internal and external space standards for living environment as set out in national best practice standards⁵¹.

Policy D3: Position and Topography

New buildings will be positioned such that they do not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour, or in any other way⁵².

New buildings will be no more than 2 storeys high except where the topography of the proposed site allows a 3-storey building to fit unobtrusively with existing neighbouring properties.

All new building shall take account of the topography and natural features of the site to maximise the views from the site to the surrounding areas of countryside and to minimise impact on the skyline. The development shall be required to be a considerate neighbour by arranging the orientation of new buildings such as to maintain as far as is possible the views from existing

⁵⁰ Village Design Statement & 2015 Housing Questionnaire: Appendix 8.3

⁵¹ Case for Space RIBA: Appendix 8.3

⁵² Borough of Crewe & Nantwich replacement local plan 2011 5.10 BE 1: Appendix 8.4 & Village Design Statement Appendix 8.3

buildings. Important views⁵³ shall be protected by ensuring that the visual impact of any development on these views is carefully controlled.

Policy D4: Conservation Areas

Any proposal for a new building or external modification to any existing building within a Conservation Area shall be designed to ensure a truly contextual and harmonising change that will enhance the character of the conservation area. Such proposals will be considered taking account of any potential detriment to the existing appearance and unique identity of the adjacent area as described in Conservation Area documentation⁵⁴.

Policy D5: Demolition

Within a Conservation Area any proposal to demolish existing sound buildings that contribute to the character of the village environment will be rejected. Any proposal to demolish existing sound buildings solely to provide a route through to potential development will be rejected.

Policy D6: Street Furniture and Lighting

All street furniture, lighting columns etc. within the Conservation Area shall be in character with existing such items. Within all other areas lighting systems will complement the design of the development. In all cases outdoor lighting sources should have a minimum impact on the environment, should minimise light pollution and should minimise adverse effects on wildlife. Individual timer controls shall be installed for each light source, and all lighting shall comply with BS5489-1: 2013 (or its successor). As and when existing lighting systems are maintained and replaced they should be updated to meet modern low environmental impact standards. The numbers of traffic signs, advertisements etc. should not exceed what is necessary to meet the requirements of safety and commercial viability⁵⁵.

6.2.2.3 Sustainability

A key requirement within national standards for new construction is that all new homes should be designed and constructed in a sustainable manner using products and methods that reduce environmental impact, adapt to climate change, have lower running costs, and incorporate features that enhance the health and well-being of the constructors, occupiers, and the wider community⁵⁶.

Energy efficiency will be enhanced by the use of light and thermal energy from the environment. The ability to make use of available energy from the sun for use within a living space will be influenced by the positioning of the building within a site; parts of any new building that will not normally be occupied e.g. garages or outbuildings can be positioned to allow the occupied spaces to take best advantage of the available energy.

⁵³ Village Design Statement: Appendix 8.3

⁵⁴ Conservation Area Documentation: Appendix 8.3

⁵⁵ Audlem village design statement guidelines: Appendix 8.3; NPPF: Appendix 8.3;

⁵⁶ Design Quality Standards – Housing Corporation: Appendix 8.3

Policy D7: Efficiency and Sustainability

All new buildings will be designed to high standards of efficiency and sustainability so as to minimise energy use. Efficiency standards in line with the highest level of sustainable development supported by current building regulations should be implemented⁵⁷. Wherever possible new buildings shall have a roof area orientated to ensure optimal energy input for solar-powered energy systems.

6.2.3 Open/Green/Amenity Spaces⁵⁸

Green spaces within the layout of the village are an important part of the characteristic of the settlement and enhance the experience of living within the community. Where local green spaces have been specifically designated they are afforded additional protection under planning rules. We believe that it is important for all existing green spaces within the village of Audlem as identified by the community to remain as such. Further for any new development of any significant size a communal green space will enhance the design and improve the experience of living within the development. Nature conservation will be encouraged to ensure that biodiversity is protected and enhanced on any new development⁵⁹ and within all of the village green spaces⁶⁰.



Salford

Policy D8: Retaining Green Space

New buildings shall have no detrimental impact on any existing open green space or recreational facilities as identified in Section 3.1; and these spaces shall be maintained as green spaces⁶¹.

⁵⁷ The 2015 Deregulation Bill will require that local Building Regulation standards will include policy requirements on achievement of required level of the Code for Sustainable Homes: Appendix 8.3

⁵⁸ See List of Open Spaces: Appendix 8.3

⁵⁹ In accordance with paras 109 to 125 of the NPPF: Appendix 8.3

⁶⁰ Policy BE.1 of the Crewe and Nantwich Local Plan Appendix 8.4

⁶¹ Village Design Statement & Plan: Appendix 8.3 & 2015 Housing Questionnaire: Consultation Statement Appendix 8.1

Policy D9: Planting

Historic hedgerows and trees will be protected, and tree preservation orders shall be respected. Where a development is in proximity to protected trees an arboricultural assessment will be submitted with development proposals.

New developments will be required to include suitable plantings of trees and, where appropriate, hedgerows. Where available, this must be in compliance with the most up to date local planning authority guidelines.

New developments of 6 houses or more shall include communal green space within the development in addition to any individual garden areas. Proper arrangements (e.g. management company) for the ongoing maintenance of any new communal green/open spaces shall be provided.

Policy D10: Drainage

Parking areas shall be built with a base of permeable material allowing water drainage⁶².

6.2.3.1 Built environment

The appearance and the functionality of the village as a whole will be influenced by the design of each new development. There is a high level of car ownership within this rural community and issues of road safety and road congestion and parking availability are key concerns of the community. Access for emergency vehicles and delivery vehicles should not be compromised by vehicles parked on the roadway of any new development. It is recognised that by encouraging cycling and walking for all shorter distance journeys traffic volumes could be reduced; however safety considerations will often inhibit this.

The appearance of the village will be enhanced by the use of good design within all new developments including affordable home schemes, individual houses, and redeveloped buildings.

Policy D11: Residential Parking

All new buildings with 2 or more bedrooms shall be provided with space to park at least 2 cars. In the case of a new 1-bed property a single parking space shall be provided. A garage shall only be considered as a parking space where this is large enough to fit an average family car and allow a driver to get in and out of the car within the garage. Where appropriate to the layout of the development of 2 or more properties parking may be provided by allocated spaces that are not immediately adjacent to the house⁶³. Parking areas shall not encroach on the garden/green space of the development.

Exception to Policy D11

Where it can be demonstrated that a development is specifically targeted at members of the community unlikely to have multiple vehicles (e.g. sheltered housing) then the parking requirements of D11 may be relaxed.

⁶² Environment Agency guidance on the permeable surfacing of front gardens 2008 Appendix 8.3

⁶³ Building for Life – 2012: Appendix 8.3

Policy D12: Road Widths

Road widths on new developments of 6 dwellings or more shall be sufficient to allow safe parking on the roadway without encroaching on the pavements whilst leaving sufficient space for other vehicles such as delivery vehicles or refuse trucks to continue to use the roadway. This will be achieved by a minimum width between building frontages of 14 metres⁶⁴.

Policy D13: Safe Access

Safe access for pedestrians and cyclists routes from any new development to the village centre, the village school and the recreational areas must be ensured. Cycling and pedestrian routes will be segregated with cyclists using the roadway where this is appropriate. Where these routes necessarily cross main roads a safe crossing arrangement shall be provided in line with policy T4⁶⁵.

Policy D14: Storage Space

All new buildings will be designed to include adequate hidden storage space for refuse and recycling bins and cycles⁶⁶.

Policy D15: Reuse of Redundant Buildings

Development of substantially built but redundant agricultural buildings for business or residential use will be supported. This policy is linked to the employment and business section policy B2.

Policy D16: Affordable Housing Standards

Small developments of affordable housing in line with Policy H6 will be supported. Affordable houses shall be built to comply with the Homes and Communities Agency Design and Quality standards (2007 and as updated) and where feasible should comply with Policy D7.

Policy D17: Self-Build

Proposals for individually designed single self-build or custom-built houses will be supported. Such developments should show imaginative and creative design and use high quality materials whilst complying with all other policies of this document.

6.3 BUSINESS, TOURISM AND EMPLOYMENT POLICIES

6.3.1 Introduction

Historically, Audlem developed as a rural village servicing the surrounding agricultural area and acting as a market place for buying and selling produce. In the 19th century the canal and railway system opened up a wider market, resulting in increased employment and economic prosperity. The commercial demise of the canals and the closure of Audlem Railway Station by the 1960s heralded in the new era of motor transport. The latter part of the twentieth century saw the demise of established businesses, such as Bonnells and Moseleys, which occupied large employment sites.

⁶⁴ Mid-range of width recommendation for residential street – Department for Transport Manual for Streets: Appendix 8.3

⁶⁵ Borough of Crewe & Nantwich replacement Local Plan 2011 8.18: Appendix 8.3

⁶⁶ Building for Life – 2012 and Dept for Transport Manual for Streets: Appendix 8.3

Instead of new businesses replacing them, these sites have been redeveloped for housing, reflecting its higher value use. Public houses have reduced from 5 to 3 and again, these sites have been redeveloped for housing.

Whilst traditional businesses and employment have been in decline, the 21st century has brought some surprises. Against national trends, the new retail developments in the centre of the village have expanded the retail sector, with an improved supermarket and new shops, offering a more sustainable choice for local people. Tourism and visitor spend has helped to sustain some local village shops and businesses. These are mainly centred around the activities generated by the Shropshire Union Canal with its flight of 15 locks, overnight and permanent moorings. The canal corridor is also popular with walkers and Audlem is a popular stopping-off point for cyclists. There are also some holiday accommodation providers for bed and breakfast and self-catering. Audlem is tourism friendly and has tourist interpretation signs and tourism leaflets to encourage longer stays in the village. The visitor economy has expanded with the development of the Overwater Marina and the introduction of the Audlem Lass, and more recently, the new Wheelyboat. There is a wide range of volunteer-led events and activities within the village, which attract thousands of visitors throughout the year.

With an ageing population there has also been an expansion of the care home sector, with two nursing homes (one a specialist dementia unit) providing a range of employment opportunities.

Following national trends we have experienced a growth in self-employment and home businesses. Audlem has a surprising range of enterprises, as evidenced by listings on the AudlemOnline website and data provided by CEC. The introduction of Superfast Broadband in 2015 is helping some of these businesses and will hopefully give an opportunity for new enterprises to develop and grow. Audlem Parish Council is continuing its efforts through Connecting Cheshire to ensure that Superfast Broadband is extended to the more outlying areas of the Parish

Whilst a high proportion of residents have to commute to work outside Audlem, it is clear from the Housing, Business and Youth Questionnaires that residents would like their village to develop and grow in a sustainable way. This includes supporting the development of employment opportunities to ensure that the village continues to thrive.

Whilst the business community was given the opportunity to comment in the Housing Questionnaire and at the workshop, it was considered appropriate to send a separate questionnaire to the 47 businesses in Audlem with valid email addresses listed on the AudlemOnline website and an additional 12 were mailed. These businesses ranged from home tuition to shops. In addition the survey was open to any other local business to complete the survey online and this was well publicised on the AudlemOnline website. This allowed identification of any additional issues and provided written feedback on the policy options proposed. 22 responses were received.

6.3.2 Objective

To sustain and enhance a range of employment opportunities within Audlem, reflecting its growth and role as a service centre by supporting existing businesses and encouraging the development of new enterprises. Through business support our aim is to maintain a vibrant and varied retail, service, tourism and leisure offering within the village.

Over 90% of the businesses that responded to the Businesses Questionnaire supported this objective.

The Housing Questionnaire demonstrated that 98.2 % of respondents wanted to strengthen and support employment in the village and 99.5 % of respondents wanted to sustain and improve the excellent local facilities. It also showed that the community strongly values tourism as a means to improve the local economy.

In the Youth Questionnaire a high number of respondents requested more shops and restaurants in Audlem.

6.3.3 Review of options and planning policies

A wide range of options to protect existing employment and business uses have been considered as well as opportunities which might arise over the next 15 years to increase and enhance employment within the village. From this longer list a number of options had to be dropped on the basis that they could not be enforced under existing planning policy.

There was a view that it would be beneficial to protect existing retail, office, cafés, etc. (planning uses A1, A2, A3, A5) within the village centre by preventing a change of use to residential. Similarly, existing industrial, storage and office uses (B1, B2, B8) would support employment by retaining those uses. However, permitted development under existing planning legislation now allows changes of use between most use classes without the need for planning permission. On these grounds these options were not pursued further, apart from general policy support for maintaining and improving the main retail and service areas in the village centre. This issue also came out strongly from the volunteer group consultation.

It is also recognised that the Post Office and cash machine at the Co-operative store provide essential services to some businesses although these cannot be protected through a Neighbourhood Plan.

Given the inability to protect existing businesses and employment uses, options for bringing forward new business space were considered. Nationally, redundant farm buildings have, in the past, been widely converted to employment uses and in some cases to live-work units, i.e. residential use with some workspace designed into the scheme to allow people to live and work at the same location. This approach has great merit but permitted development rights allow change of use from agricultural to residential, although prior approval needs to be sought from the local planning authority. Given that the authority might have some influence over the outcome, it is considered worthwhile to put this policy forward, although there is uncertainty over its outcome.

Another opportunity for bringing forward new business space might arise if buildings that have a community use, e.g. churches (D1), hall, pubs (A4) etc., become redundant from their original use. In the absence of an alternative community use, a policy to promote business/employment use in preference to residential use could be adopted. Permitted development currently allows changes of use without planning permission for up to 2 years but planning policy could have control over more permanent uses. There is also the scope for the Plan to list buildings as Assets of Community

Value⁶⁷, which then gives communities the ability to raise funds and bid⁶⁸ for a property on the open market within 6 months.

The final option considered was to identify and allocate an employment site within or at the edge of the village. Since this gives a relatively low return, it was considered that landowners would be reluctant to support this. It is also questionable whether there would be any demand for land from end users or from a developer to fund and build an employment site speculatively. Past evidence suggests that a development scheme would only be viable through a public subsidy, which is unlikely to be available, or if a specific end-user came forward with 100% funding which is also unlikely and uncertain.

The Business Survey tried to identify any demand for land or buildings and only four businesses identified any need for additional space, only one of which wished to move from their existing premises. Interestingly, in the same survey 45.4% of businesses believe greenfield land should be used for employment purposes. However, within the Housing Questionnaire, which elicited a higher response rate, over 83% of respondents did not want any greenfield land developed for housing, which indicates there is little public support for using greenfield land for any development. Clearly businesses in the retail, service and café/pub sector would benefit financially if there were more employment/footfall within the village.

Given no proven demand and for the reasons outlined above no specific policy option for allocating an employment site on greenfield land has been promoted.

6.3.4 Business and Employment Policies

Feedback from the volunteers meeting held on February 26th 2015, together with 22 responses from the Business Questionnaire⁶⁹, was positive in supporting the policies shown below.

From the review and analysis of the Business Questionnaire the biggest issue and concern was the continued need for additional free off-street car parking as at peak times, the availability of parking spaces can be a problem.

All developments in this Section must also comply with those in the Traffic and Parking Policies (See Section 6.5).

Policy B1: Development for small businesses

Development for small businesses will be supported on brownfield sites both within and outside the settlement boundary, subject to a positive environmental assessment, provided by the developer.

⁶⁷ Appendix 8.3

⁶⁸ Policy CW1

⁶⁹ Policies B2 (77.2%), B3 (100%), B4 (90.9%) and B5 (90.9%): Consultation Statement Appendix 8.1

Policy B2: Redundant Farm Buildings

Over and above Permitted Development, redundant farm buildings should be utilised for employment purposes wherever possible and, where residential use is favoured, an element of workspace should be provided within development proposals.

The conversion of farm buildings for employment purposes will be acceptable where such proposals meet the wider criteria of policies contained within this Neighbourhood Plan.

Where a change of use is sought and an assessment must be made by the LPA, proposals must incorporate a flexible design to accommodate future employment⁷⁰.

Policy B3: Redundant Community Buildings

Should buildings which have an established community use including D1 (churches) and A4 (halls, pubs) planning uses become redundant from their original use, then employment or business use should be promoted as an alternative to residential⁷¹.

Policy B4: Home Working

Proposals that promote home working, businesses operating from home and tourism enterprises will be supported, provided there is no impact on residential amenity and that they are in line with Policy D3.

Policy B5: Retail and Service Areas

Support will be given to proposals and applications that promote the maintenance and improvement of the size and character of the main retail and service areas in the centre of the village.

6.3.5 Tourism Policy

As previously stated, Audlem is attractive to both residents and tourists. It has a wide range of public footpaths and bridleways. The Shropshire Union Canal provides for a number of outdoor activities such as fishing, boating, walking, cycling and bird watching. The health and performance of the inland waterway network is directly linked to the quality of the neighbourhood and environment through which the waterway passes⁷². The Canal Wharf is ever popular with visitors, as are the pubs and cafés. There are also a number of interesting and ancient buildings and old wells within the parish.

⁷⁰ Should be read in conjunction with Policy H2 and D15

⁷¹ Should be read in conjunction with Policy CW1

⁷² Inland Waterways Policy Advice Note: Appendix 8.3



Audlem Wharf and Shropshire Union Canal

Consideration has been given to planning policies that support the development and enhancement of tourism and visitor amenities including accommodation facilities and tourism/visitor attractions. National and local policies generally support this sector and the Neighbourhood Plan can reinforce this approach whilst ensuring that any development is at the appropriate scale and use in keeping with the heritage and character of the village. The policy complies with paragraphs 132 and 127 of the NPPF, Policy EG4 of the Cheshire East Local Plan Strategy (Submission Version 2014).

Policy B6: Tourism

Improvements to services and facilities associated with tourist attractions will be supported.

Development proposals should:

- **comply with policies for the countryside and conservation/heritage;**
- **be appropriate in scale, character and location for the development;**
- **create no harm to the existing character of the local area;**
- **have no adverse impact on any adjoining residential amenities;**
- **have no conflict with matters of highway safety.**

6.4 COMMUNITY WELL-BEING POLICIES

6.4.1 Objective

To continue to provide an outstanding quality of life for current and future residents of Audlem.

6.4.2 Policies

6.4.2.1 Introduction

There is strong community and national support for safeguarding and improving important village assets and facilities. Those specific to Audlem are described below⁷³.

⁷³ Q19c of Housing Questionnaire: Consultation Statement Appendix 8.1 & NPPF paras 28, 69 & 70 : Appendix 8.3

6.4.2.2 Community and Recreational Facilities

For a community of 1990 residents Audlem is reasonably well endowed with community and recreational facilities. The village has:

- Public Hall with a kitchen, a main hall, a small recreation room and a committee room. These facilities are relatively outdated and limited, such that efforts are currently being expended to obtain funding for an annexe;
- Scout & Guide Hall, again with a kitchen, which is also used for a wide range of activities;
- Methodist Church community rooms, including a kitchen;
- recreation area, comprising football pitch, tennis court, a playground and a car park. CEC owns these assets, but Audlem Parish Council is currently negotiating with Cheshire East to take ownership;
- cricket club;
- bowling green;
- a cemetery;
- public toilets.

The Shropshire Union Canal, flowing through the village, and the rural surroundings are important leisure assets to Audlem residents, with many opportunities for walking, cycling, horse riding, boating and other outdoor pursuits.

Policy CW1: Assets of Community Value⁷⁴

Proposals that will result in either a loss or significant harm to an Asset of Community Value listed on the Asset List will be rejected⁷⁵.

Audlem Parish Council will review and formalise this during the development of the Neighbourhood Delivery Plan.

6.4.2.3 Health and Health Care

The Audlem Medical Practice is highly valued. The ageing of the village population coupled with any significant new housing development will add to the existing strain upon the medical facilities. This concern was expressed time and again in general comments made by respondents to the Housing Questionnaire and by Audlem Medical Practice⁷⁶.

A letter from Audlem Medical Practice, dated October 2014, stated:

“This is a rural area and as such we are the only Practice where local patients can register. The closest neighbouring Practices in Nantwich, Wrenbury and Market Drayton do not accept patients from Audlem, being outside of our practice boundaries. This means that any new residents will have to register at Audlem. Any additional housing will mean an increase in population that we will not be able to accommodate. We will be left with no other option than to ‘close our list’, i.e. not take on ANY new patients at all. This will therefore adversely affect both residents of the new development and any other new-born children, residents at the local nursing homes and anyone moving into an

⁷⁴ Appendix 8.3

⁷⁵ Policy B2

⁷⁶ Statement can be found at: <http://np.audlem.org/doc/D113763.pdf>

existing property. Once ‘closed’ we have no discretion to register new patients. Due to current spending cuts there is no likelihood that our capacity will improve in the near to medium term.”

6.4.2.4 Schools

Audlem has a nursery and primary school. At present, the primary school is not fully subscribed, but villagers have concerns that significant additional development will alter that situation to one of over-subscription. The environmental and health benefit for children walking to their local school or nursery should not be overlooked⁷⁷.

6.4.2.5 Shopping

Audlem currently has more than 20 shops, an exceptionally large number for a village of its size. The wide range includes a Co-operative store, Post Office, chemist, newsagent and general store, butcher, hairdresser and three cafés. In addition there are three public houses.

6.4.2.6 Community Facilities

Additional residents in Audlem will generate a need to improve facilities at, for example, the medical practice, schools, Public Hall, playing field and village greens. Communities with a Neighbourhood Plan will receive 25% of the Community Infrastructure Levy (CIL) – see 6.6.3 below. In the absence of CIL the Parish Council will seek developer contributions for nominated projects by agreement with CEC and developers.

Policy CW2: Community Facilities and Services

Proposals for additional services and facilities will be supported subject to the following criteria:

- **the proposal will not generate unacceptable noise, fumes, smell or other disturbance to adjoining properties;**
- **the proposal will not lead to traffic congestion or adversely affect the movement of traffic on the adjoining highway;**
- **access arrangements and off-street parking can be satisfactorily provided without negatively impinging on adjoining residential and non-residential uses.**

Policy CW3: Infrastructure support

For any proposal of 6 houses or more, the Design and Access Statement shall include an infrastructure evaluation which will quantify the likely impact on the community infrastructure; including, but not limited to, the effect on the medical facilities, schools, sewers, traffic, parking and public transport. To the extent that this evaluation indicates improvements to the existing infrastructure will be necessary to maintain existing quality of services, the proposal shall either incorporate the necessary improvements or include a contribution towards such improvements, in the form of a Community Infrastructure Levy or whatever charging system CEC has in place⁷⁸.

⁷⁷ Policies T4 & D13

⁷⁸ Section 6.6

6.5 TRAFFIC AND PARKING POLICIES

6.5.1 Objective

To reduce the hazards associated with the current flow of traffic through the village and risks to pedestrians and cyclists.

6.5.2 Policies

6.5.2.1 Introduction

Audlem is crossed by two main roads which merge in the village centre; the A525 from Woore to the east and Whitchurch to the west; the A529 from Nantwich to the north and Market Drayton to the south. The village traffic problems are caused less by the volume of traffic itself than the narrowness of roads and on-street parking.

The two most significant concerns expressed by respondents to the 2015 Housing Questionnaire were traffic and parking. Similar views were also expressed in the Business Questionnaire.



Stafford Street



Shropshire Street

6.5.2.2 Specific issues

The specific issues causing traffic congestion in Audlem, along with the associated risks to pedestrians and cyclists are:

- the substantial amount of Heavy Goods Vehicle and agricultural through traffic⁷⁹;
- the narrowness of the A525 as it passes by the church, opposite the Post Office;
- on-street parking on the A525, particularly adjacent to the Co-operative store;
- on-street parking on the A529, immediately to the north of its junction with the A525;
- the lack of parking in the village centre⁸⁰. There is already a high demand on the existing parking because of its proximity to shops, the Medical Practice and the Public Hall. Additional demand is created by visitors to the village who wish to park for lengthy periods to enjoy the many local walks and recreational facilities. Any additional housing will further exacerbate the problem. In order for Audlem to remain sustainable, people need to be able to park with reasonable ease adjacent to all these services. Further parking is therefore a key requirement for the future;
- the narrowness of and lack of pavements on Heathfield Road and Salford that connect the A529 at the north end of the village with the A525 at the east end of the village. These are frequently used as a 'rat run' to avoid the village centre. As the village primary and nursery schools are in Heathfield Road, there are significant parking issues on the roadside creating further risks to pedestrians⁸¹.

Policy T1: Heavy Goods Vehicle through traffic

Developments that will increase the volume of Heavy Goods Vehicle traffic through the village will be rejected.

Policy T2: Traffic Congestion and Risks to Road Users

Proposals requiring planning permission and which seek to increase the number of access points or which would involve an increase in traffic generation will need to demonstrate that they do not further inhibit the free flow of traffic, exacerbate conditions of parking stress, including conflict with larger vehicles, or increase risk to the safety of pedestrians and cyclists, in the following areas:

- **the village centre and the three main road exits;**
- **Stafford Street as far as the Salford/School Lane crossroads;**
- **Shropshire Street and Whitchurch Road as far as the Mill Lane/Weaver View crossroads;**
- **Cheshire Street as far as the cemetery;**
- **Green Lane, from its junction with Shropshire Street to the river bridge;**
- **the entire length of Heathfield Road and Salford.**

⁷⁹ Audlem Traffic Survey: Appendix 8.3

⁸⁰ Audlem Housing Questionnaire 2015: Consultation Statement Appendix 8.1 & Audlem Parish Plan: Appendix 8.3

⁸¹ Residents Association objection document and commissioned report Planning Application 14/3976: Appendix 8.3

Policy T3: Parking, close to the village centre

Proposals to provide a limited increase in short-term and off-road parking spaces within 250 metres of the Bellyse monument in the village centre will be supported.

Should any brownfield land become available in a central village location⁸² where safe pedestrian and wheelchair access can be assured, any planning permission granted under the conditions of the ANP must include provision of a minimum of 6 suitably landscaped short-term off-road public parking spaces designed to blend into the historic village centre.

Policy T4: Pedestrian Footways

Proposals that improve the safety of pedestrians and cyclists throughout the village will be supported, in line with Policy D13.

6.6 MITIGATING THE IMPACT OF DEVELOPMENT: S106 AND THE COMMUNITY INFRASTRUCTURE LEVY

6.6.1 Objective

To provide existing and future residents with the opportunity to live in a decent home by:

- facilitating the building of sufficient houses to meet the locally identified housing need in the period 2010-2030;
- requiring individual developments be relatively small and absorbed into the Audlem 'scene' as unobtrusively as possible;
- requiring all developments include a substantial proportion of smaller and affordable properties.

6.6.2 Section 106 Agreements

Section 106 Agreements are made under Section 106 of the Town and Country Planning Act 1990 (as amended). They are legally binding agreements that are negotiated between the Planning Authority and the applicant/developer and any others that may have an interest in the land (landowners). Alternatively applicants can propose them independently, this is known as a 'unilateral undertaking'. They are attached to a piece of land and are registered as local land charges against that piece of land. Section 106 Agreements, sometimes referred to as planning obligations, enable a council to secure contributions to services, infrastructure and amenities in order to support and facilitate a proposed development and are intended to make unacceptable development acceptable.

Section 106 Agreements are generally used to minimise or mitigate the impact of development and to implement the Councils planning policies through:

- prescribing the nature of development (e.g. by requiring a proportion of affordable housing); securing a contribution from a developer to compensate or provide loss created by development (e.g. open space);
- mitigating a development's impact on the locality (e.g. contribution towards infrastructure and facilities).

Developers can either pay a contribution to the council or deliver the benefit themselves.

⁸² For the purpose of clarity, a central location is defined as within 250 metres of the Bellyse Monument

It is a legal requirement that Section 106 agreements meet three tests as set out in the Community Infrastructure Levy Regulations. These tests are that the obligations in the Section 106 Agreement must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

If an obligation does not meet all of these tests it cannot in law be taken into account in granting planning permission: they have to be fair and reasonable. Planning officers will not ask for any contribution unless it relates fairly to the development. It would not be fair to expect a developer to contribute towards existing service deficiencies, such as a shortage of school places or library facilities, or repairs to the highway, where no additional need would arise from the development. However, it would be fair to expect them to contribute to limiting the impact of their own development on the local area.

If a developer offers any unrelated contribution, that does not meet the three legal tests, as an inducement, planning officers will disregard this when determining the application. As an example, it may not be appropriate for a Council to seek contributions towards the development of a swimming pool arising from an application for a supermarket development. However, it could be appropriate to expect a supermarket developer to contribute towards highway improvements (if appropriate) and an enhanced landscaping plan.

On receipt of an application for development the Council undertakes a consultation exercise, and whether the Parish Council supports or objects to a proposal, it has have the opportunity to put forward suggestions, which could potentially inform any negotiated S106 agreement.

It is therefore incumbent on communities to identify those areas where there are weaknesses in social and physical infrastructure to which contributions could be sought from new development, provided that the contribution relates in scale and kind to the development. For example, affordable housing, sheltered accommodation, open space and local environmental improvements.

Unfortunately, whilst the S106 agreement and unilateral undertakings involved in the two larger developments have been overturned, future Section 106 agreements are expected to continue as a planning tool for ensuring more general infrastructure deficiencies are dealt with. A new tool, the Community Infrastructure Levy (CIL), can be used by the Local Authority and Parish Councils to mitigate specifically identified infrastructure issues. It is anticipated that S106 and the CIL will run side by side.

6.6.3 Community Infrastructure Levy

CIL regulations have changed the developer payment landscape by introducing the levy and also by changing when Councils can seek S106 obligations⁸³.

⁸³ PAS website: Appendix 8.3

CIL provides a mechanism for developer contribution to contribute towards infrastructure needed to support the development of the area. It is not to remedy existing deficiencies unless the new development will make it worse. CIL is not mandatory – Councils must develop a policy to support the imposition of CIL and must spend the income on infrastructure.

CEC does not yet have a CIL in place as this has to be based on an approved Local Plan, evidence of the infrastructure gap and the potential impact on viability. However, once this is in place a Parish Council with a 'made' Neighbourhood Plan can claim 25% of the Levy, uncapped, paid directly to the Parish.

Cheshire East Charging authorities, i.e. Cheshire East Council, can choose to pass on more than 25% of levy, although the wider spending powers that apply to the Neighbourhood funding element of the levy will not apply to any additional funds passed to a Parish. Those additional funds can only be spent on infrastructure, as defined in the Planning Act 2008 for the purposes of the levy.

CIL can be paid 'in kind', as land or infrastructure, as well as by cash, if the charging authority (i.e. CEC) chooses to accept these alternatives. However, the relevant percentage of cash value of levy receipts must be passed on to Parish Council in cash.

What can CIL be spent on?

- the provision, improvement, replacement, operation or maintenance of infrastructure e.g. play areas, parks, green spaces, transport, schools, health and social care facilities, cultural and sports facilities;
- anything else that is concerned with addressing the demands that development places on an area, e.g. at Parish level, affordable housing.

As with the S106 agreements it is incumbent on communities to identify those areas where there are weaknesses in social and physical infrastructure to which contributions could be sought from new development (provided that the contribution relates in scale and kind to the development).

6.6.4 Preferred use of CIL and Section 106 funds

The main infrastructure issues that have been identified during the production of the Neighbourhood Plan through the questionnaires⁸⁴ are shown below:

- Traffic
- Parking
- Medical
- Sewers
- Recreation
- Employment
- Public transport/Cycling/cycle paths

⁸⁴ Q22 - Audlem Housing Questionnaire 2015: Appendix 8.3

A Neighbourhood Delivery Plan will be produced by the Parish Council informed by the issues raised within this Plan. Further work on infrastructure issues will be undertaken as part of the Parish Plan update later in 2015 and will be incorporated into the Neighbourhood Delivery Plan.

POLICY CI1: Infrastructure

All new development will be expected to address the impacts and benefits it will have on community infrastructure and how any negative aspects can be mitigated.

Financial contributions paid direct to the local community as a result of New Homes Bonus, Section 106 contributions, any CIL proposals (or any other such levy as in place nationally or within CEC at the time) will be pooled to deliver priorities identified in the Neighbourhood Delivery Plan.

Provision of community infrastructure by developers in lieu of financial contributions will be supported where such community infrastructure projects are identified in the Neighbourhood Delivery Plan and the Parish Plan.

6.6.5 Audlem Medical Trust

Comments made by Audlem Patient Participation Group have requested that, in the absence of a NHS England policy for the local distribution of developer contributions, all developers should instead make a contribution to Audlem Medical Trust⁸⁵. Such a contribution should be commensurate with the additional pressure on medical services created by the development. Both the Audlem and District Carers Association and Audlem District Amenities Society also support such a practice.

POLICY CI2: Existing and new facilities

The retention, continued use, refurbishment and improvement of all community buildings and recreational facilities together with the shops and public houses will be supported.

The loss of the shops, Post Office, public houses and other community infrastructure from the Parish will be resisted unless it can be demonstrated that the existing uses have been marketed for at least 12 months and any replacement use will provide equal or greater benefits to the community including benefits through contributions from any other sites within the Parish.

⁸⁵ Based on calculations made in line with the NHS funding formula

7 ACKNOWLEDGEMENTS

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- Members of the Audlem Parish Council and the Neighbourhood Plan Steering Committee;
- All the Volunteers who gave up their time to help;
- Officers and members of Cheshire East Council for the support and advice they gave as the Plan was developed;
- Officers of Cheshire Community Action for the support and advice they gave as the Plan was developed;
- Audlem residents of all ages who participated so enthusiastically in the consultation process and throughout the creation program for the Plan.

8 APPENDICES

8.1 Consultation Statement

This document can be found here:

<http://np.audlem.org/doc/D114236.pdf>

8.2 Neighbourhood Plan Decision Notice and Area Map

Neighbourhood Area Decision notice

<http://np.audlem.org/doc/D85465.pdf>

Neighbourhood Area Notification:

<http://np.audlem.org/doc/D85466.pdf>

8.3 References

Audlem Parish Plan 2005:

<http://np.audlem.org/doc/D111957.pdf>

Audlem Parish Plan 2010:

<http://np.audlem.org/doc/D111958.pdf>

Audlem Centre Conservation Area

<http://np.audlem.org/doc/D117073.pdf>

Salford Conservation Area:

<http://np.audlem.org/doc/D117070.pdf>

Coxbank Conservation Area:

<http://np.audlem.org/doc/D117059.pdf>

Village Design Statement 2009 rev 2011:

<http://np.audlem.org/doc/D111959.pdf>

Zoopla 2015:

http://www.zoopla.co.uk/market/audlem/?search_source=top_nav

Community profile for Audlem (Parish), ACRE, OCSI 2013:

<http://np.audlem.org/doc/D111961.pdf>

Adrian Fisher email:

<http://np.audlem.org/doc/D113064.pdf>

Subsequent conversations with Michael E Jones & CEC Spatial planners:

<http://np.audlem.org/doc/D113912.pdf>

National Planning Policy Framework document:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Housing Needs Survey 2013:

<http://np.audlem.org/doc/D112016.pdf>

Conservation Area Documentation:

<http://audlempc.audlem.org/doc/D17753.pdf>

Design Quality Standards – Housing Corporation:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/313392/design_quality_standards.pdf

Environment Agency guidance on the permeable surfacing of front gardens 2008:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

Building for Life – 2012:

<http://www.designcouncil.org.uk/knowledge-resources/guide/building-life-12-third-edition>

Dept. for Transport Manual for Streets:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf

Case for Space RIBA:

<http://www.architecture.com/Files/RIBAHoldings/PolicyAndInternationalRelations/HomeWise/CaseforSpace.pdf>

Inland Waterways Policy Advice Note:

<http://www.tcpa.org.uk/data/files/InlandWaterways.pdf>

Assets of Community Value:

<http://np.audlem.org/doc/D114064.pdf>

Audlem Traffic Survey:

<http://np.audlem.org/doc/D114085.pdf>

List of Open Spaces:

<http://np.audlem.org/doc/D114065.pdf>

**Residents Association objection document and commissioned report Planning Application
14/3976:**

<http://np.audlem.org/doc/D112560.pdf>

PAS website:

<http://www.pas.gov.uk/community-infrastructure-levy>

8.4 Cheshire East Council Document Library

<http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

8.5 Basic Conditions Statement

<http://np.audlem.org/doc/D114438.pdf>

8.6 Glossary Of Terms

Affordable Housing⁸⁶

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable Rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing.

Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable). Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Affordable housing is not available on the open market. It is available as social rented, affordable rented or as shared ownership housing, and is managed by a Registered Social Landlord, who may be the local authority.

Brownfield

Previously developed land⁸⁷: land that is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Conservation Area

Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

⁸⁶ as defined in the NPPF

⁸⁷ as defined in the NPPF: Appendix 8.3

CNBC

Crewe & Nantwich Borough Council

Development Plan

A Development Plan is the legal term used to describe the set of planning policy documents that are used to determine planning applications within a particular area.

Flood Risk Assessment

An assessment of the likelihood of flooding in a particular area so that development needs and flood mitigation measures can be carefully considered.

Greenfield

Land (or a defined site) usually farmland that has not previously been developed.

Highway Authority

Highway authorities are responsible for producing the local transport plan and for managing existing or proposed new local roads in the area. In most places, the local highway authority is part of the county council, the metropolitan council or the unitary authority.

Household

One person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room or sitting room or dining area.

Infill

Land within the existing Audlem settlement boundary or within the curtilage of existing properties immediately adjacent to the existing Audlem settlement boundary⁸⁸ and not listed as an open space' site.

Infrastructure

Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities.

Jobs (or employment)

For the purposes of this Paper and the Local Plan objective assessment of housing need, "jobs" or "employment" means the number of (filled) jobs located in the local area (Cheshire East in this case) which are undertaken by employees or self-employed people, members of HM Forces or Government-supported trainees. This includes jobs undertaken by casual staff, people on fixed-term contracts and other non-permanent staff. (This is different from the number of employed people who work in the local area, because an employed person can have two or more jobs and, conversely, two people can share the same job.)

⁸⁸ Crewe & Nantwich Borough Council LP policy Res.4: Appendix 8.3

Listed Building

A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building and any buildings or permanent structures.

Local Authority

An umbrella term for the administrative body that governs local services such as education, housing and social services.

Local Plan Strategy

This is the name given to the high-level strategic planning policy document for CEC. Once approved and adopted it will set out a vision, objectives and detailed delivery policies for the District to 2030. The Audlem Neighbourhood Plan must be in conformity with the adopted Strategy.

If the Audlem Neighbourhood Plan is released before the Cheshire East Local Plan Strategy is approved or adopted then the Audlem Neighbourhood Plan will take precedence, subject to the weighting level applied by the external examiner for the Department for Communities and Local Government (DCLG).

Localism Act 2011

A major piece of new legislation that includes wide ranging changes to local government, housing and planning. Included in this new Act is the introduction of Neighbourhood Development Plans.

NPPF - National Planning Policy Framework

National planning policies that local planning authorities should take into account when drawing up Development Plans and other documents, and making decisions on planning applications. In the past these policies have been included in Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs). The Government has introduced the new National Planning Policy Framework (NPPF) in April 2012.

Neighbourhood Plan

Neighbourhood Plans, or Neighbourhood Development Plans, were introduced by the Localism Act 2011. The term may also be used by some to refer to the Neighbourhood Development Orders, which were also introduced by the Localism Act 2011 and are a second tool to enable neighbourhood planning. Communities will be able to prepare neighbourhood planning documents, outlining how they would like to see their area developing in the future. Details of how neighbourhood planning will work in practice are still being ironed out. Please go to www.planning.org.uk for the most up to date information.

Open Space

Open space is defined in the Town and Country Planning Act 1990 as land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground. However, in applying the policies in Planning Policy Guidance 17: 'Planning for Open Space, Sport and Recreation', open space should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs that offer important opportunities for sport or recreation and can also act as a visual amenity.

Parish Council

Parish councils are the tier of governance closest to the community. Around 30% of England's population is governed by a parish or town council, predominantly in rural areas. Parish or town councils are elected bodies and have powers to raise taxes. Their responsibilities vary, but can

include provision of parks and allotments, maintenance of village halls, litter control and maintenance of local landmarks.

Planning Permission

Formal approval that needs to be obtained from a local planning authority to allow a proposed development to proceed. Permission may be applied for in principle through outline planning applications, or in detail through full planning applications.

Public Open Space

Urban space, designated by a council, where public access may or may not be formally established, but which fulfils or can fulfil a recreational or non-recreational role (for example, amenity, ecological, educational, social or cultural usages).

Renewable Energy

Energy generated from the sun, wind, oceans, plants, the fall of water, biomass and deep geothermal heat.

Section 106 Agreement

A legal agreement under section 106 of the 1990 Town & Country Planning Act, Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.

SEA

Strategic Environmental Assessment. Assessments made compulsory by a European Directive (the SEA Directive). To be implemented in planning through Sustainability Appraisal of Development Plan Documents.

SHLAA

Strategic Housing Land Availability Assessment. A study to identify sites with potential for housing, assess their housing potential and assess when they are likely to be developed.

Sustainability Appraisal

This assesses the economic, environmental and social impacts of a proposed policy or plan, to ensure that it would contribute to achieving sustainable development. Development Plan Documents (DPDs) have to undergo Sustainability Appraisal, but Supplementary Planning Documents (SPDs) do not.

9 REVIEW

The ANP will adopt a similar cycle to the Cheshire East Council Local Plan i.e. every 3 to 5 years as appropriate.

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CHESHIRE EAST COUNCIL**CABINET MEMBER FOR HOUSING AND PLANNING**

Report of:	Director of Planning and Sustainable Development
Subject/Title:	Sandbach Neighbourhood Plan
Portfolio Holder:	Councillor Ainsley Arnold: Housing and Planning
Date of PH Meeting:	5 February 2016

1.0 Report Summary

- 1.1 The Sandbach Neighbourhood Development Plan (SNDP) was submitted to the Council in September 2015 and, following a statutory publicity period, proceeded to Independent Examination. The Examiners report has now been received and recommends that, subject to some modifications, the Plan should proceed to referendum.
- 1.2 The Portfolio Holder for Housing and Planning must now consider the recommendations of the Examiner and decide how to proceed.

2.0 Recommendations

- 2.1 That the Portfolio Holder accepts the Examiner's recommendations to make modifications to the Sandbach Neighbourhood Plan as set out in the Examiner's report (at Appendix 1) and confirms that the Sandbach Neighbourhood Plan will now proceed to referendum in the Sandbach Neighbourhood Plan area.

3.0 Reasons for Recommendations

- 3.1 The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.
- 3.2 Subject to the modifications set out in the Examiner's Report, the Sandbach Neighbourhood Plan is considered to meet the statutory "Basic Conditions" along with other legal and procedural requirements set out in regulations. As such it can now proceed to referendum.

4.0 Wards Affected

- 4.1 Elworth, Sandbach Town, Ettiley Heath and Wheelock, Sandbach Heath and Sandbach East

5.0 Local Ward Members

- 5.1 Councillor Sam Corcoran; Councillor Gill Merry; Councillor Barry Moran; Councillor Gail Wait

6.0 Policy Implications

- 6.1 Neighbourhood planning allows communities to establish land-use planning policy to shape new development. This is achieved through the formation of a vision and the development of objectives and policies to achieve this vision. If a neighbourhood plan is supported through a referendum and is 'made' it then forms part of the statutory development plan and becomes, with the adopted Local Plan, the starting point for determining relevant planning applications in that area.
- 6.2 A neighbourhood plan must meet a number of legal and procedural requirements and meet the 'Basic Conditions' (as prescribed in Schedule 10, paragraph 8 of the Localism Act). These Basic Conditions require neighbourhood plans to:
- Have appropriate regard to national policy.
 - Contribute to the achievement of sustainable development.
 - Be in general conformity with the strategic policies in the development plan for the local area
 - Be compatible with EU obligations
 - Be compatible with human rights requirements
 - Not be likely to have a significant effect on a European site or a European offshore marine site.

7.0 Implications for Rural Communities

- 7.1 Sandbach is a rural Parish and the Sandbach neighbourhood plan addresses a number of rural issues including Protecting the Open Countryside, Biodiversity and Landscape Character. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

8.0 Financial Implications

- 8.1 The referendum is estimated to cost £27,500. This will be paid for through government grant (£30,000) and the service's revenue budget.

9.0 Legal Implications

- 9.1 The Neighbourhood Plan is considered to meet the basic conditions and all relevant legal and procedural requirements and this is supported in the Examiner's Report. Should there be a positive majority at referendum the Council would be obliged to "make" the plan following which it would form part of the Development Plan in accordance with which planning decisions should be made unless material considerations indicate otherwise. The absence of a 5 year housing land supply will render housing policies in the development plan out of date and adversely affect the weight that can be ascribed to them.

10.0 Risk Management

- 10.1 The decision to proceed to referendum and subsequently to 'make' the Neighbourhood Plan is, like all decisions of a public authority, open to challenge by Judicial Review. The risk of any legal challenge to the Plan being successful

has been minimised by the thorough and robust way in which it has been prepared and tested.

11.0 Background and Options

- 11.1 The preparation of the Neighbourhood Plan began in September 2014.
- 11.2 The location and extent of the Sandbach neighbourhood area is shown on the map in Appendix 2.
- 11.3 The final Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council on 17th September 2015.
- 11.4 The supporting documents included:
- Plan of the neighbourhood area
 - Consultation Statement
 - Basic Conditions Statement
 - Evidence Base Register (including Screening Opinion on the need to undertake Strategic Environmental Assessment)
 - Project Plan
 - Relationship of NDP and Other Evidence Base Documents
- 11.5 Cheshire East undertook the required publicity between 18th September 2015 to 2nd November 2015. Relevant consultees, residents and other interested parties were provided with information about the submitted Plan and were given the opportunity to submit comments to the Examiner.
- 11.6 The Borough Council appointed Mr. Terry Heselton as the independent Examiner of the Plan. On reviewing the content of the Plan and the representations received as part of the publication process, Mr. Heselton decided not to hold a public hearing.
- 11.7 A copy of the Examiner's Report is provided at Appendix 1. A copy of the Neighbourhood Plan (as submitted to the Council prior to examination) is included at Appendix 3.
- 11.8 The Examiner's Report contains Mr. Heselton's findings on legal and procedural matters and his assessment of the Plan against the Basic Conditions. It recommends that a number of modifications be made to the Plan. These are contained within the body of the Report. In addition there is a list of minor modifications for the purpose of correcting errors or for clarification which are set out in the Report.
- 11.9 Overall it is concluded that the Sandbach Neighbourhood Plan does comply with the Basic Conditions and other statutory requirements and that, subject to recommended modifications, it can proceed to a referendum.
- 11.10 The key modifications are outlined within the examiners Report and are a mixture of minor modifications to bring the plan into conformity with the Basic Conditions and other legislation and deletions of policy that are not considered to comply with the Basic Conditions. A sample of the main modifications is outlined below:

- The policy on limitations on new development to sites under 30 homes in size has been deleted
- Areas of separation have been made more flexible and the blanket restrictions on development removed
- Settlement boundary policy has been amended to allowed plan led growth
- Capricorn site (CELPS Site CS24) – the wording has been altered to ensure more flexibility in line with the emerging local plan
- Areas of ecological value – amended to be more flexible and bring the designation into line with equivalent designations in the Congleton Local Plan.

11.11 The Examiner comments that the Plan consultation process was “comprehensive and conducted in an open and transparent manner from start to finish, with lots of opportunities for engagement, involvement and feedback.”

12.0 Next steps

12.1 The Councils agreement to implement the recommendations of the examiner and proceed to a referendum would be followed by the publication of a decision statement to that effect along with the reasons for that decision. This would appear on the Council’s website and a copy of it would be sent to Sandbach Town Council and those who have asked to be notified of the decision. The Plan would also be modified and published in its final form on the Council’s website with a schedule of the modifications made.

12.2 An information statement about the referendum and other specified documents required by the regulations must also be published. This signals the start of the referendum process. The referendum date has to be at least 28 clear working days after the information statement and other documents are published. Assuming the Council endorses the recommendation in this report, and then all necessary procedures which follow can be undertaken promptly, it is anticipated that a referendum could take place on or around mid/late March

12.3 The referendum would follow a similar format to an election. All those registered to vote within the neighbourhood area would be eligible to participate. The regulations require that the ballot paper contains only the following question: “Do you want Cheshire East Borough Council to use the Neighbourhood Plan for Sandbach to help it decide planning applications in the neighbourhood area?”. There would be two voting options, ‘yes’ or ‘no’.

12.4 If more than 50% of those voting in the referendum voted ‘yes’, then Cheshire East Council would be required to ‘make’ the plan as soon as reasonably practical. The Sandbach Neighbourhood Plan would then form part of the statutory development plan for the area. If there is a majority ‘no’ vote or a tied vote, then the neighbourhood plan would not come into legal force.

13.0 Appendices:

1. Examiners Report
2. Neighbourhood Area
3. Neighbourhood Plan

14.0 Access to Information

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

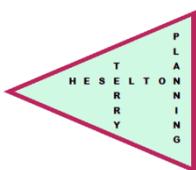
Name: Tom Evans
Designation: Neighbourhood Planning Manager
Tel No: 01625 383709
Email: Tom.Evans@cheshireeast.gov.uk

Sandbach Neighbourhood Plan (Examination Version)

Report of the Independent Examination

Terry Raymond Heselton BA (Hons), Dip TP, MRTPI

Independent Examiner



Terry Heselton Planning

January 2016

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Summary

I have examined the Sandbach Neighbourhood Plan as submitted to Cheshire East Council by Sandbach Town Council. The examination has been undertaken by written representations.

I conclude that the Neighbourhood Plan meets all of the statutory requirements, including those set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990. However a number of modifications are required to ensure that the Plan meets the four 'Basic Conditions', as defined in Paragraph 8(2) of the Schedule.

Subject to making the modifications set out in my report I recommend that the Sandbach Neighbourhood Plan proceed to referendum, and that the voting area corresponds with the Sandbach Neighbourhood Area as designated by Cheshire East Council on 21 October 2014.

1.0 Introduction

- 1.1 I have been appointed by Cheshire East Council, with the consent of Sandbach Town Council, to examine the Sandbach Neighbourhood Development Plan and report my findings as an Independent Examiner.
- 1.2 The Sandbach Neighbourhood Plan (referred to as ‘the Neighbourhood Plan’ or ‘the Plan’) has been produced by Sandbach Town Council under the provisions of the Localism Act 2011, which introduced the means for local communities to produce planning policies for their local areas. The Town Council is a qualifying body for leading the preparation of a neighbourhood plan¹.
- 1.3 The Neighbourhood Plan covers the built up area of Sandbach Town, and Elworth, Ettiley Heath, Wheelock and Sandbach Heath villages and surrounding countryside. The built up area is mostly contained by the M6 motorway to the east and the Trent and Mersey Canal the south and west.
- 1.4 Significant new residential development is already planned adjacent to the built up area. The Plan focuses primarily on managing future development, and shaping development in a way that is beneficial to existing communities while protecting and enhancing the local environment.
- 1.5 My report provides a recommendation as to whether or not the Neighbourhood Plan should proceed to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Neighbourhood Plan would be *made* by Cheshire East Council. The Plan would then be used to determine planning applications and guide planning decisions in the Sandbach Neighbourhood Area.

2.0 Scope and Purpose of the Independent Examination

- 2.1 The independent examination of neighbourhood plans is intended to ensure that neighbourhood plans meet four ‘Basic Conditions’², together with a number of legal requirements. Neighbourhood plan examinations are narrower in scope than Local Plan examinations and do not consider whether the plan is ‘sound’.
- 2.2 In order to meet the ‘Basic Conditions’, a neighbourhood plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State’,
 - contribute to the achievement of sustainable development,

¹ Section 38C of the Planning and Compulsory Purchase Act 2004 and Section 61F of the Town and Country Planning Act 1990.

² Set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990

- be in general conformity with the strategic policies of the development plan for the area of the authority (or any part of that area), and
 - not breach, and be otherwise compatible with EU obligations
- 2.3 In addition to reviewing the examination version of the Neighbourhood Plan I have considered a number of background documents which are listed in Appendix 1, together with thirty three submitted representations, as part of the examination.
- 2.4 The general rule is that examination of the issues is undertaken through consideration of written representations, unless the examiner considers that a public hearing is necessary to ensure adequate examination of an issue (or issues) or to ensure that a person has a fair chance to put a case.
- 2.5 In reviewing the Neighbourhood Plan and the accompanying background documents and submitted representations, I have not identified any issues on which I require clarification. I am also of the opinion that all parties have had full opportunity to register their views and put their case forward. I have therefore undertaken the examination through consideration of written representations, supported by an unaccompanied site visit of Sandbach and the surrounding area.
- 2.6 In undertaking the examination I am also required to check whether:
- the neighbourhood plan policies relate to the development and use of land for the designated neighbourhood area ³;
 - the neighbourhood plan meets the requirement to specify the period for which it is to have effect, not to include provision relating to 'excluded development', and not to relate to more than one neighbourhood area ⁴,
 - the neighbourhood plan has been prepared for an area that has been properly designated ⁵ and has been developed and submitted for examination by a qualifying body ⁶, and
 - adequate arrangements for notice and publicity have been made in connection with the preparation of the neighbourhood plan ⁷.
- 2.7 As Independent Examiner, I must make one of the following recommendations:
- that the Neighbourhood Plan is submitted to referendum, on the basis that it meets the 'Basic Conditions' and other legal requirements; or
 - that modifications (as recommended in the report) are made to the draft Neighbourhood Plan and that the draft Neighbourhood Plan

³ Section 38A (2) Planning and Compulsory Purchase Act 2004 as amended

⁴ Section 38B (1) Planning and Compulsory Purchase Act 2004 as amended

⁵ Section 61G Town and Country Planning Act 1990 as amended

⁶ Section 38C Planning and Compulsory Purchase Act 2004 and Section 61F of the Town and Country Planning Act 1990.

⁷ Section 38A (8) Planning and Compulsory Purchase Act 2004 as applied by the Neighbourhood Planning (General) Regulations 2012

as modified is submitted to Referendum; or

- that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the 'Basic Conditions' and other relevant legal requirements⁸.

2.8 Modifications may only be recommended to ensure that the Neighbourhood Plan meets the 'Basic Conditions', that it is compatible with Convention Rights, or for the purpose of correcting errors⁹.

2.9 If recommending that the Neighbourhood Plan should proceed to referendum, I am required to then consider whether or not the Referendum Area should extend beyond the Sandbach Neighbourhood Area, and if so what the extended area should be¹⁰.

2.10 I make my recommendations in this respect in the final section of this report.

3.0 Representations

3.1 Responses were received during the Regulation 16 Publicity period from 33 organisations and individuals. These comprise 11 local residents/visitors, 2 local businesses, 2 Local Authorities (including Cheshire East Council), 10 developers/house builders/landowners, 7 utility and other organisations (including Natural England and the Environment Agency) and 1 local organisation (a disability access group).

3.2 A late response was accepted from Natural England owing to illness of a key member of staff within the organisation.

3.3 Comments range from expressions of general support, particularly from local residents, to those challenging the ability of the Plan to satisfy the Basic Conditions.

3.4 The general and detailed points raised on specific issues and policies in the Plan by those submitting representations are considered in Section 6 of my report.

4.0 Compliance with Legal Requirements

(a) Plan Area

4.1 The Neighbourhood Plan relates to the whole of the Neighbourhood Area

⁸ Paragraph 10(2) Schedule 4B of the Town and Country Planning Act 1990 as amended

⁹ Paragraph 10(3) Schedule 4B of the Town and Country Planning Act 1990 as amended

¹⁰ Paragraph 10(5) Schedule 4B of the Town and Country Planning Act 1990 as amended

that was designated by Cheshire East Council on 21 October 2014, following an application by Sandbach Town Council submitted on 10 July 2014. The Parish Council is recognised as a Qualifying Body for the purposes of preparing Neighbourhood Plans under Sections 61F and 61G of the Town and Country Planning Act 1990.

- 4.2 The Sandbach Neighbourhood Area is coterminous with the area covered by Sandbach Parish.
- 4.3 I am therefore satisfied that the relevant statutory requirements in relation to the designation of the Neighbourhood Area and the authority of the organisation preparing the Neighbourhood Plan have been complied with.
- 4.4 I am also satisfied that the Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans for the designated Neighbourhood Area in accordance with statutory requirements.

(b) Policies for the Development and Use of Land

- 4.5 The Neighbourhood Plan sets out policies in relation to the development and use of land for the defined Neighbourhood Area, which accords with the definition of neighbourhood plans in Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended).

(c) Time Period

- 4.6 A neighbourhood plan must specify the period during which it is to have effect. The Neighbourhood Plan states on its title page that it covers the period up to 2030. It is a moot point as to whether the Regulations require both a start and an end date to be specified and I note that Gladman Developments as part of their response to the Regulation 16 Publicity have requested clarification on this issue as various references are made in the Plan to the 2010 – 2030 period.
- 4.7 In my view as the base date for the housing supply calculation is 2010 it would make sense for this to correspond with the start date of the Plan. I am mindful of the fact that this date precedes the Localism Act which empowers Local Councils to prepare neighbourhood plans, but as there is no necessity to apply the provisions of the Plan retrospectively I do consider this would create any practical difficulty.

Recommendation 01

Change the Plan period quoted in the Plan from ‘Up to 2030’ to ‘2010 – 2030’

(d) Excluded Development

- 4.8 The Neighbourhood Plan does not include policies on excluded development such as national infrastructure, mineral or waste related development.

(e) Publicity and Consultation

- 4.9 Public consultation on the production of land use plans, including neighbourhood plans, is a legislative requirement. Building effective community engagement into the plan-making process encourages public participation and raises awareness and understanding of the plan's scope and limitations.
- 4.10 The submitted Neighbourhood Plan is accompanied by a comprehensive Consultation Statement which describes in some detail the process followed in preparing the Neighbourhood Plan as well as the methods used to engage with the local community and other stakeholders. It also demonstrates how comments received from members of the public and other stakeholders have been taken into account, and how these have influenced the preparation of the plan.
- 4.11 I have considered the various stages of consultation undertaken prior to and during preparation of the Neighbourhood Plan with particular regard to content, openness and transparency, as well as the extent to which the Regulatory requirements have been satisfied.
- 4.12 The stages of consultation and engagement can be summarised as
- Phase 1 Consultation (September – December 2014)
 - Phase 2 Consultation (January – March 2015)
 - Pre-submission (Regulation 14) consultation on the draft Plan
- 4.13 At the start of the process a Neighbourhood Plan Working Group was established comprising Sandbach Councillors and community representatives from each ward, with a 'launch event' held on 5 September 2014 in Sandbach Town Hall. This event, which was an open public meeting, focussed on the possible scope and content of the Plan and identifying key issues. 145 people attended.

Phase 1 Consultation (September – December 2014)

- 4.14 In order to get members of the public and other stakeholders involved in the preparation of the Plan at an early stage a 'free format' questionnaire was delivered to every household and business in the Plan area. This asked five basic questions about what people considered good and bad about living in the area, what should be looked after, and what was needed in the future, and asked them to name the 3 most important issues which should be addressed in the Plan. Copies of the questionnaire were also available at Sandbach Town Council offices.

- 4.15 A total of 1,539 questionnaires were returned including a significant response from young people who had been specifically targeted by approaching local schools. This demonstrates a positive approach to engaging young people in the preparation of the plan.
- 4.16 The response to the questionnaire was considered at a series of workshops in Sandbach Town Hall and Sandbach Literary Institute during October/November 2014. At the workshops members of the public were actively involved in considering the views expressed at the launch event and subsequent consultation, and helped to identify themes and develop more detailed questions for the next stage of consultation.
- 4.17 An additional workshop was held in December 2014 to gather views from the business and retail community.

Phase 2 Consultation (January – March 2015)

- 4.18 Based on the themes, aims and objectives that had emerged during the previous consultation a detailed questionnaire, accompanied by a Housing Needs Survey, was delivered to every household and business in January 2015. This was preceded by a post card drop to advertise the start of the publicity campaign.
- 4.19 The questionnaire was also available on the Council's website and dedicated neighbourhood plan website. Paper copies were available at the Town Council offices and at eleven collection points. Six weeks were allowed for responses to be made.
- 4.20 A total of 1268 completed questionnaires were returned, approximately 50% of which were submitted online as a result of the expressed preference for responses to be made electronically in order to reduce the volume of work and costs.

Pre submission (Regulation 14) Consultation on the Draft Plan

- 4.21 Following consideration of all the information gathered during the previous stages of consultation the draft Plan was further amended and published for consultation in March 2015. The Pre- Submission (Regulation 14) consultation took place between 17 March 2015 and 1 May 2015.
- 4.22 The consultation was publicised through the Town Council and dedicated Neighbourhood Plan websites, press releases, and social media. Notification letters/e-mails were sent to organisations considered likely to have an interest in the Plan including local businesses and community groups and relevant consultation bodies. Printed copies of the Plan were also placed in Sandbach Library and Sandbach Literary Institute, and additional copies were made available to community groups on request.
- 4.23 Members of the Working Group attended a 'drop in' event at the Literary Institute on 23 April 2015, in order to answer questions about the Plan. A number of organisations were specifically invited to this event, including developers and local landowners.

Comments

- 4.24 Specific evidence is provided in the Consultation Statement to
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demonstrate how the publication of the Plan and the opportunity to comment on it has been publicised. This includes details of the private individuals and various statutory bodies consulted including Cheshire East Council. The pre-submission consultation resulted in a total of 105 responses from local residents and other individuals, developers/ house builders, landowners, local and national organisations, and local community groups.

- 4.25 In considering the adequacy of the consultation undertaken during preparation of the Plan I also need to address a number of concerns raised in response to the Regulation 16 Publicity.
- 4.26 It has been suggested by Gladman Developments as part of their representations that both the Phase 1 and Phase 2 consultation was inadequate because it did not explore other options and alternative levels of growth. However there is no requirement for neighbourhood plans to explore development options other than in connection with the preparation of a Strategic Environmental Assessment Report which is not required in this case. Evidence from the Consultation Statement also indicates that the Phase 1 consultation was carried out in such a way as to enable the wider community and others to express a view on future growth as part of their response to the consultation.
- 4.27 Morris Homes consider that they were not properly informed of the consultation. While I note they are not included in the lists of organisations specifically invited to participate in the Phase 1 and Phase 2 consultation or to make representations on the draft Plan there is no requirement and no practical means of ensuring that all organisations that may have an interest in the Plan can be identified and contacted. Identifying landowners can often be a particular challenge in this respect.
- 4.28 Other than a requirement to consult specific consultation bodies the Regulations are satisfied by 'publicising details of the Plan (and when and where it may be inspected, and how and by what date representations may be made) in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area'.¹¹
- 4.29 I also note that Cheshire East Council is criticised for publishing misleading information on its website about the Neighbourhood Plan and the Working Group is criticised for not responding positively to a request from an individual developer to meet with them to discuss development proposals. However these are matters for the respective organisations to respond to and do not affect the ability of the Plan to satisfy the Basic Conditions.
- 4.30 A local business owner expresses concern that undertaking all consultation via the internet alienates the community. While I agree that there is a need to strike a balance between electronic and more traditional forms of consultation in order to ensure that the consultation is inclusive I am satisfied that as all households received paper copies of both questionnaires and printed copies of the draft Plan were available for

¹¹ Regulation 14 Neighbourhood Planning (General) Regulations 2012

inspection no one has been disadvantaged in this respect. And clearly a significant number of responses (about 50%) to the Regulation 14 Publicity were submitted in paper form.

- 4.31 A local resident suggests that the report should comment on how representative the response rates to the various consultations have been. While this would be useful information it is not a matter which affects my ability to assess whether the Plan satisfies the Basic Conditions.

Conclusions

- 4.32 During the preparation of the Plan it is apparent that a wide variety of methods have been used to inform and engage with the local community and other stakeholders including open meetings, workshops, drop in sessions, press releases, websites (including a dedicated Neighbourhood Plan website), and social media, as well as by letter and email.
- 4.33 The publication of the consultation draft Plan which was available in both paper and electronic formats has also been well publicised, and I am satisfied that those with an interest in the Plan have been made aware of the opportunity to comment on it and that the views of relevant consultation bodies have been pro-actively sought.
- 4.34 Taking this and all of the previous stages into account, there is therefore plenty of evidence to show that the consultation process was comprehensive and conducted in an open and transparent manner from start to finish, with lots of opportunities for engagement, involvement and feedback. The Regulation 14 requirements for consultation and publicity have therefore been met and in some case exceeded.

Regulation 16 Publicity

- 4.35 The draft Neighbourhood Plan, as amended in response to the consultation, was subsequently submitted to Cheshire East Council in September 2015. The submitted plan, incorporating a map identifying the area covered by the Neighbourhood Plan, was accompanied by a Consultation Statement, and a Basic Conditions Statement explaining how the proposed Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990.
- 4.36 The Consultation Statement provides details of those consulted and explains how they were consulted. It also contains a schedule identifying specific comments and objections made in relation to individual paragraphs and policies in the Plan, with a summary of individual issues raised and a commentary as to how and why the points raised have been accommodated in the submitted version of the Plan, or the reasons for rejecting them.
- 4.37 Cheshire East Council subsequently published details of the Plan and the accompanying documents, notified interested parties and 'consultation bodies' of its receipt, and provided details as to how and by when representations could be submitted. The formal six week publicity stage for submitting representations covered the period Monday 18 September to Monday 2 November 2015.

- 4.38 In the light of the foregoing I am satisfied that the Regulation 15 and Regulation 16 requirements for publicity have been met.

5.0 Basic Conditions

- 5.1 This section of my report considers whether the Neighbourhood Plan taken as a whole has regard to national policies and advice contained in guidance issued by the Secretary of State, whether the Plan contributes to the achievement of sustainable development, and whether it is in general conformity with local strategic policy. It also addresses EU obligations. Each of the Plan policies is considered in turn in the section of my report that follows this.

(a) National Planning Guidance

- 5.2 National Planning Guidance is set out principally in the National Planning Policy Framework (NPPF) which was published in 2012. At the heart of the NPPF is a presumption in favour of sustainable development¹² which when applied to neighbourhood planning means that neighbourhoods should develop plans which support the strategic development needs set out in Local Plans, and which plan positively to support and shape local development that is outside the strategic elements of the Local Plan.¹³
- 5.3 The NPPF incorporates 12 Core Principles¹⁴ which underpin both plan-making and decision-taking. These are summarised in paragraph 17 of the NPPF and elaborated in the remainder of the NPPF through individual policy topics such as building a strong economy, delivering a wide choice of high quality homes, requiring good design, promoting sustainable transport, and conserving the historic environment.
- 5.4 Included in the 12 Core Principles is a requirement to produce neighbourhood plans which set out a positive vision for the future of the area and which provide a practical framework within which decisions on planning applications can be made.
- 5.5 The NPPF also (paragraph 184) requires neighbourhood plans to be 'aligned with the strategic needs and priorities of the wider local area, and to be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them.

¹² National Planning Policy Framework (2012) para 14

¹³ National Planning Policy Framework (2012) para 16

¹⁴ National Planning Policy Framework (2012) para 17

Neighbourhood plans (and neighbourhood development orders) should not promote less development than that set out in the Local Plan or undermine its strategic policies.

- 5.6 It goes on (paragraph 185) that once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict.
- 5.7 More detailed guidance and advice, expanding on the general policies in the NPPF has been available since March 2014 as Planning Practice Guidance (PPG). This includes specific guidance as to ‘What evidence is needed to support a neighbourhood plan?’¹⁵, and ‘How policies in a neighbourhood plan should be drafted’¹⁶, that is “*a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise, and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared*”.
- 5.8 I have had regard to these principles in carrying out the examination, since the manner in which policies are drafted and whether or not they are supported by appropriate evidence is clearly fundamental to determining whether or not individual policies and a plan as a whole satisfies the Basic Conditions.
- 5.9 Less straightforward to determine is whether a policy is distinct, and whether it reflects local circumstances. For example while it is clear that many policies in the Sandbach Neighbourhood Plan are driven by local circumstances and community preferences, to a certain extent some could apply to other, if not all, locations. I have taken the view that the fact that a local community has chosen to include a particular policy, reflects its awareness that the particular issue is of special importance to the locality, and this does not therefore prevent that policy from satisfying the Basic Conditions.
- 5.10 Taken as a whole I conclude that the Neighbourhood Plan reflects the broad principles embedded in the NPPF and PPG. In those instances where individual policies and/or supporting text have been found to be inconsistent with national policy I have made specific recommendations to correct this later in the report.

(b) Sustainable Development

- 5.11 In carrying out the examination I am also required to consider whether the

¹⁵ Planning Practice Guidance para 040 Ref ID: 41-040-20140306

¹⁶ Planning Practice Guidance para 041 Ref ID: 41-041-20140306

Plan would contribute to the achievement of sustainable development, as described in the NPPF.

5.12 There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of interdependent roles, namely:

- **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.

5.13 Although the Neighbourhood Plan does not make specific provision for new development, for example through site allocations, it does recognise there will be new development in the Plan area, and includes policies to manage and integrate that development. Other policies aim to conserve and enhance the natural and historic environment, and ensure the retention and improvement of local facilities and greenspaces. These are key aspects of sustainable development, as set out in the NPPF, which states (paragraph 9) that *“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):*

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes”.*

5.14 Subject to the modifications recommended later in my report I am satisfied that the Neighbourhood Plan is capable of contributing to the achievement of sustainable development.

(c) Strategic Local Policy

- 5.15 Statutory weight is given to neighbourhood development plans that are closely aligned with and in general conformity with the strategic policies of the development plan for the local area. Neighbourhood plans are also required to plan positively to support local strategic policies¹⁷. This ensures neighbourhood plans cannot undermine the overall planning and development strategy for the local area set out in the development plan.
- 5.16 The current development plan for the area comprises
- Remaining saved policies in the Congleton Borough Local Plan (First review) (adopted 27 January 2005)
 - Saved policies in the Cheshire Replacement Minerals Local Plan (1999), and
 - Saved policies in the Cheshire Replacement Waste Local Plan (2007)
- 5.17 The Cheshire Replacement Minerals Local Plan and the Cheshire Replacement Waste Local Plan have no relevance for the Sandbach Neighbourhood Development Plan.
- 5.18 Policies in the Congleton Borough Local Plan (First review) were initially saved on adoption for a three year period under the provisions of the Planning and Compulsory Purchase Act 2004 (as amended). A number of policies that remained relevant and compliant with (at the time) national and regional or Structure Plan policies were then extended beyond that date by Direction of the Secretary of State on the 25 January 2008. These remain in force until replaced by new development plan policies and are still part of the 'development plan' for the area, although in accordance with national planning policy less weight may be attributed to them after April 2013.
- 5.19 Remaining 'Saved' Policies, of a strategic nature, which are of relevance to the Neighbourhood Plan area are:-
- PS3 Settlement Hierarchy
 - PS4 Towns
 - PS8 Open Countryside
 - GR1 New Development (General)
 - GR2 Design
 - GR3 Design
 - GR4 Landscaping
 - GR5 Landscaping
 - GR9 Accessibility, Servicing and Parking Provision (New Development)
 - GR14 Cycling Measures

¹⁷ National Planning Policy Framework (2012) para 184

- GR15 Pedestrian Measures
- GR16 Footpath, Bridleway and Cycleway Networks
- GR17 Car parking
- GR19 Infrastructure
- GR23 Provision of Services and Facilities
- NR2 Statutory Sites
- NR4 Non Statutory Sites
- BH3 Change of use/Conversion of Listed Buildings
- BH7 Enabling Development
- E5 Employment Development in the Countryside
- E16 Tourism and Visitor Development (Facilities and Attractions)
- E17 Tourism and Visitor Development (Serviced Accommodation)
- E18 Tourism and Visitor Development (Camping and Caravanning)
- H6 Residential development in the Open Countryside
- H16 Extensions to Dwellings in the Open Countryside
- S4 Principal Shopping Areas
- S5 Other Town Centre Areas
- S6 The Use of Upper Floors Within Town Centres
- S11 Shop Fronts
- S14 Advertisements
- S15 Advertisements in Conservation Areas
- RC1 Recreation and Community Facilities (General)
- RC2 Protected Areas of Open Space
- RC10 Outdoor Formal Recreational and Amenity Open Space Facilities
- RC11 Indoor Recreational and Community Uses (General)

5.20 As the 'saved' policies in the Congleton Borough Local Plan (First review) predate the NPPF, the NPPF takes precedence where there is a conflict.

5.21 I am also mindful of the fact that Cheshire East Council is preparing a new Local Plan Strategy Document which has reached examination stage. When adopted this will form part of the development plan and will replace a number of 'saved' Congleton Borough Local Plan (First review) policies.

5.22 As there are a number of remaining unresolved objections to policies in the new Local Plan until the Inspectors report following public examination of the Plan is received only limited weight may be given to the policies in the emerging Plan. In any case even if the document is found to be sound it may have some way to go to reach adoption. There is therefore no certainty as to when this document may be adopted and the extent to which it may be changed.

- 5.23 In assessing whether the Neighbourhood Plan is in general conformity with strategic policies contained in the Development Plan for the area I have therefore taken the 'saved' policies in the adopted Local Plan as the starting point. In so doing I have taken into account that in accordance with national planning policy less weight may now be attributed to these policies than formerly, and in any case that some policies are now out of date and superseded by national planning policy.
- 5.24 A number of modifications are necessary for the Neighbourhood Plan to be in general conformity with 'saved' strategic policies. These are set out in the *Comments on the Neighbourhood Plan* section of my report.

(d) European Union Obligations

- 5.25 Local Planning Authorities are legally responsible for deciding whether neighbourhood plan proposals are compatible with EU obligations, including obligations under the Strategic Environmental Assessment (SEA) Directive¹⁸.
- 5.26 In circumstances where a neighbourhood plan is likely to have significant environmental effects, for example where it includes proposals to allocate land for development, it may require an SEA to be undertaken as part of the preparation process, in accordance with the SEA Directive. Draft neighbourhood plan proposals should therefore be screened to assess whether they are likely to have significant environmental effects¹⁹. Where significant environmental effects are identified plans should be accompanied by a full SEA report.
- 5.27 At the request of Sandbach Town Council Cheshire East Council have prepared a Strategic Environmental Assessment (SEA) screening opinion²⁰ on the draft Plan.
- 5.28 The screening has been undertaken in accordance with the SEA Directive and Environmental Assessment Regulations²¹.
- 5.29 Cheshire East Council's assessment, which included consideration as to whether a separate Habitats Regulations Assessment (HRA)²² was required under the Habitats Directive²³, concludes that the Neighbourhood Plan does not require a full SEA as no negative significant environmental effects will occur as a result of the implementation of policies contained in the Neighbourhood Plan. It further concludes that no further consideration of European designated sites (or Natura 2000 sites) is required. (The screening opinion dated July

¹⁸ European Directive 2001/42/EC

¹⁹ Planning Practice Guidance para 027 Ref ID: 11-027-20150209

²⁰ in accordance with European Directive 2001/42/EC

²¹ Environmental Assessment of Plans and Programmes Regulations 2004

²² in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

²³ European Directive 92/42/EEC

- 2015 is attached as an appendix to the Basic Conditions Statement).
- 5.30 The three statutory consultation bodies comprising English Heritage, the Environment Agency and Natural England were consulted during the preparation of the screening report, in accordance with the Regulations.
- 5.31 All three bodies have confirmed in writing that they agree with the conclusion of the screening report that no negative significant effects will result from the implementation of the policies and that it is unnecessary to undertake a full SEA or HRA.
- 5.32 As part of the response to the Regulation 16 Publicity I note that the assessment has been challenged on the grounds that the assessment is unlawful and should test a number of different scenarios including the impact of a pro-growth scenario and what the implications of a no-growth scenario will be by displacing development to other locations.
- 5.33 There is however no requirement to test alternative scenarios in connection with a screening opinion. That may be the case were a full SEA report required or if a Sustainability Appraisal had been prepared in connection with the Plan, but in comparison with Local Plans there is no requirement for Sustainability Appraisals to be prepared in connection with neighbourhood plans. As the development proposals in the Plan are generally compatible with proposals in the emerging Local Plan the wider implications of different growth scenarios are being evaluated as part of the Local Plan process.
- 5.34 It is also suggested by another objector that the Plan should not rely on the Sustainability Appraisal and SEA prepared Cheshire East Council in connection with its own Local Plan, particularly when that plan has not yet been found sound and it is not known whether the assessments have been robustly carried out.
- 5.35 For the reasons explained above that is not the case. The screening exercise has clearly been undertaken independent of the Local Plan and in accordance with the requirements of the relevant Regulations.
- 5.36 Although an equalities impact assessment has not been undertaken the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics. And no evidence has been put forward to suggest otherwise.
- 5.37 I am therefore satisfied that the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and human rights requirements and therefore satisfies that 'Basic Condition'.

6.0 Comments on the Neighbourhood Plan

- 6.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of my report, particularly whether individual policies and supporting text have regard to national policy, and whether they are in

general conformity with ‘saved’ local strategic policies in the Congleton Borough Local Plan (First review). Where modifications are recommended, they are highlighted in **bold print**, with any proposed new wording in *italics*.

(a) General Comments

Cross Referencing to Emerging Local Plan Policies

- 6.2 Numerous references are made throughout the plan to ‘higher tier’ planning policies contained in the emerging Cheshire East Local Plan (Strategy Document) which is being prepared in parallel with the Neighbourhood Plan by Cheshire East Council. The justification accompanying each policy also concludes with a paragraph identifying relevant policies in both the Congleton Borough Local Plan (First Review) and the emerging Cheshire East Local Plan (Strategy Document) which have been complied with.
- 6.3 It is clearly in the interests of joined up plan making that different tiers of plan making, which may have reached different stages in the process, should inform one another, and the regard that has been given to both extant and emerging policy in the Neighbourhood Plan is to be welcomed.
- 6.4 However as the Cheshire East Local Plan Strategy Document is an emerging plan which is still subject to unresolved objections until it is found to be ‘sound’, and the Inspectors report has been published, only limited weight may be attached to the policies in it. Even if the plan is found to be sound submitted policies and proposals may be subject to Modification.
- 6.5 In any case as neighbourhood plans are required to generally conform with strategic policies in the adopted development plan until the Cheshire East Local Plan Strategy Document has been adopted it is not appropriate to test the neighbourhood plan against the emerging policies. I acknowledge that an attempt has been made to future proof these references by referring to the ‘most relevant, recent and up to date Development Plan Document held by Cheshire East Council’ but it is clear that these relate to the emerging Plan as specific policies are referred to.
- 6.6 I therefore recommend that references to emerging Cheshire East Local Plan policies be removed from the Plan, including references to specific policies which the Neighbourhood Plan is considered to accord with.

Recommendation 02

Delete references to policies ‘contained in the most relevant, recent and up to date Development Plan Document held by Cheshire East Council’ in the justification supporting individual policies and throughout the document.

Scope of the Plan

- 6.7 A number of those responding to the Regulation 16 Publicity have commented on the fact that the Plan does not cover issues such as air quality or the desirability of promoting improved broadband or renewable energy initiatives.
- 6.8 Others consider more should be done to promote sustainable transport, particularly cycling, and traffic management initiatives. For example a range of initiatives have been suggested to increase cycle use by creating new cycleways, providing better facilities for cyclists and developing an Action Plan.
- 6.9 While the Plan would no doubt be improved by incorporating some of these suggestions there is no prescription about the range of topics that should be covered in neighbourhood plans, or the level of detail. It is also outside my remit to recommend the incorporation of additional policies or changes to introduce more ambitious targets or objectives. In addition some of the suggestions made such as the provision of traffic management measures and/or speed controls and improved broadband are outside the scope of the Plan which is concerned with land use issues.
- 6.10 Having said that some of the concerns raised in relation to improved cycle facilities are addressed where I make recommendations to remove inconsistencies in the Plan or to ensure it fully complies with national planning policy, for example in relation to Policy H6 (Footpaths).
- 6.11 A local 'disabled people's access group' consider that the needs of disabled people have not been adequately addressed in the Plan and wishes to see more specific references incorporated in individual policies. However Policy IFT1 (Sustainable Transport, Safety and Accessibility) specifically includes provision for the needs of those with disabilities to be positively considered in all new developments, including the provision of appropriate facilities within the transport infrastructure. Policy CW2 (Sport and Recreation Facilities) requires the design of new or enhanced sports and leisure facilities to be inclusive for all, including residents with disabilities.
- 6.12 I am also mindful of the fact that issues such as access for disabled people to public buildings and shops and the design of buildings are catered for by specific legislation, including the building regulations.

(b) Introductory Sections

- 6.13 The introductory sections of the Neighbourhood Plan comprise an Introduction explaining the background to the plan and the neighbourhood plan process followed by a section on Key Issues, Vision and Key Aims.
- 6.14 The Introduction includes a map identifying the Plan area and a helpful quick reference guide to the policies in the Plan and supporting maps,

figures and appendices. A section entitled 'About Sandbach' provides information on the evolution of the town, describes its character and relationship with adjoining settlements, and includes background information on population and demographics, the local economy and local facilities and services. This is supported by a series of photographs which illustrate some of the essential characteristics and heritage assets of the area.

- 6.15 The Key Issues/Vision/Aims section summarises the main points to emerge from analysis of the evidence base and views expressed by the local community and other stakeholders during the preparation of the Plan, namely; Protecting the Countryside, Preserving Heritage and Character, Managing Housing Supply, Promoting Jobs and the Local economy, Improving Infrastructure and Community Well-Being.

Comments

- 6.16 These opening sections are clearly written and informative. They provide the background to the policies that follow and a comprehensive assessment of issues, which helps to develop a strong sense of place and to demonstrate how the vision, core aims and objectives have been arrived at.
- 6.17 The response to the Regulation 16 publicity has highlighted a small number of anomalies and inconsistencies in the text which require amendment.
- 6.18 In this respect I agree with the point made by a local house builder that paragraph 5 in section 1.1 (Overview) should reflect the fact that all developments should make appropriate contributions toward facilities and services not just housing developments. To be strictly accurate reference should also be made to new infrastructure provision.

Recommendation 03

On page 6 in section 1.1 (Overview) insert '*infrastructure*' after 'towards' in paragraph 5 and delete 'housing'.

- 6.19 It is also pointed out by a local resident that in addition to the primary schools identified in paragraph 3 in section 1.8 (About Sandbach) Sandbach Heath has its own primary school.

Recommendation 04

On page 12 in section 1.8 (About Sandbach - Location) insert '*Sandbach Heath*' after 'Elworth' in line 7 of paragraph 3.

- 6.20 As suggested by another local resident, the section on population and demographics on page 18 should more accurately reflect the evidence referred to. For example in the second paragraph (under the heading

‘Population’) it is stated that the latest government figure indicates a net fall from present numbers in the local population by year 2030. However this conflicts with the findings in the Housing Vision (The implications of household projections for meeting housing need in Sandbach 2013 – 2013) Report which concludes that the number of households is expected to increase by 9% (689) during the period up to 2030.

- 6.21 Additional explanation should be provided that future housing projections are only the starting point for assessing future need and as referred to in paragraph 1.9 of the Housing Vision Report do not necessarily coincide with ‘objectively assessed housing need’ reflected in policies in the emerging Cheshire East Local Plan.

Recommendation 05

On page 18 in section 1.8 (About Sandbach – Population) in the paragraph beginning ‘Latest Government figure etc...’

- a) Remove references to housing numbers being forecast to fall**
 - b) Insert a summary of the key conclusions from the Housing Vision Report such as an expected 9% increase in the number of households, and a projected 40% increase in the 65+ age group, corresponding with a 5% decline in the 16-34 age group and a 19% decline in the 35 -54 age group.**
 - c) Clarify that the Housing Vision projections provide information on anticipated changes to the composition of the local population to help identify future need for particular types of housing, and that they do not necessarily coincide with ‘objectively assessed housing need’ reflected in policies in the emerging Cheshire East Local Plan.**
- 6.22 Other residents are concerned that the section on facilities and services on page 22 does not accurately reflect the current situation with regard to the operation of Sandbach Leisure Centre which is a shared use facility. It is suggested that the Plan should clarify that the Leisure Centre (which is operated by the Everybody Trust) is available for use by the adjacent High School during the school day as part of a longstanding agreement by the former Congleton Borough Council and the former Cheshire County Council (as the Local Education Authority). As this agreement is due for renewal it is further suggested that the opportunity should be taken to ensure increased use by members of the public and that the school might reasonably be expected to contribute toward the running costs.
- 6.23 While the question of future management and operational arrangements is not a land use matter and something which I need concern myself with it would be more accurate to refer to the Leisure Centre as a public facility which is available for use by the High School rather than the more conventional shared use arrangement which facilitates use of school premises by members of the public. This point is also reflected in my

recommendation concerning Policy CW2 (Sport and Recreation Facilities)

Recommendation 06

On page 22 in section 1.8 (About Sandbach - Facilities and Services) substitute '*available for use by*' for 'supplied via a Joint User Agreement with the' in the first bullet point under 'Public Sector owned, managed or funded'

- 6.24 Gladman Developments challenge the key aims of the Plan on the grounds that there is too much focus on protecting the countryside and preserving heritage while ignoring the requirement in national planning to meet the development needs of the area and support sustainable development.
- 6.25 I am satisfied that the Plan tackles a wide range of issues and seeks to balance a number of competing aims, including managing housing supply, protecting the countryside and preserving heritage and character. However in the light of my recommendations on the Plans development strategy as a whole (see section 6c), and specifically policies PC1, PC2a, H1 and H5 it would be appropriate to incorporate additional text in the Aims for Sandbach - Managing Housing Supply' in section 2.2 (Vision and Aims of the Plan). This should emphasise that the Cheshire East Local Plan (Strategy Document) will set the agenda for housing numbers and growth.

Recommendation 07

- a) **On page 26 in section 2.2 (The Vision and Aims of the Plan – Managing Housing Supply) incorporate additional text to clarify that as the emerging Cheshire East Local Plan (Strategy Document) will set the agenda for housing numbers and growth the Plan does not attempt to establish an appropriate level of future housing or employment growth or identify specific sites to accommodate future growth. Rather it focuses on how new development will be managed, relying primarily on existing permissions and future windfall proposals on sustainable sites to cater for future needs, together with any subsequent allocations made through the Cheshire East Local Plan.**
- b) **Delete 'The settlement boundaries will be reviewed and amended to take account of committed development approvals (see Figure 2)'**
- 6.26 Finally while I appreciate that the various boundary lines identified in Figure 2 (Vision and Proposals Map) at the end of the section can be more easily interpreted on the online version of the Plan by expanding the

map that is not the case with the printed version. The boundaries of the town centre, principal shopping area, conservation area and wildlife corridor in particular are difficult to interpret. The notation of the settlement zone line is also the same as the town centre boundary.

6.27 Greater clarity could be achieved by incorporating an inset map or inset maps.

6.28 It is also apparent that the map comprises a mixture of proposed Neighbourhood Plan boundaries and other boundaries such as the settlement zone line which are identified in the Congleton Borough Local Plan (First review). As the settlement zone line has not been carried forward into the Neighbourhood Plan this is inappropriate and confusing.

Recommendation 08

Amend Figure 2 to delineate only those boundaries that relate to proposals in the Neighbourhood Plan (including boundaries carried forward from the Congleton Borough Local Plan First Review), clarify the notation, and incorporate an Inset Map for the central area.

6.29 There are also a number of typographical errors and inaccuracies to correct.

Recommendation 09

- a) On page 5 in section 4.4 Appendix 6 delete 'POLICY IFT3' as there is no such policy in the Plan.
- b) On page 18 change 'Appendix 8' to '*Appendix 7*'.
- c) On page 25 change '(see map Fig 2)' to '*(see map Fig 3)*' in the first line.
- d) On page 27 the 'Adapting to Climate Change' text is out of alignment

(c) Development Strategy

6.30 The Plan recognises that the emerging Local Plan Strategy Document being prepared by Cheshire East Council, which is currently at examination stage, will set the agenda for future housing and employment growth. (see justification to Policy H1 – paragraph 4.)

6.31 In terms of housing numbers it relies on the most up to date assessment of objectively assessed housing need (OAN) produced by Cheshire East Council. As the latest OAN matches the current number of dwellings with planning permission in Sandbach the Plan does not identify any additional housing sites to cater for future needs, focusing instead on managing future windfall proposals in a way which respects the heritage and

landscape assets of the Plan area. The emphasis is on achieving sustainable growth by maximising the use of brownfield land, providing an appropriate mix of dwelling types and safeguarding and enhancing community facilities and green spaces.

- 6.32 Similarly although the Plan does not allocate any new employment sites it recognises that a strategic site is identified in the emerging Local Plan adjacent to Junction 17 of the M6 and in view of current high levels of out-commuting aims to ensure that this site is retained for employment purposes.
- 6.33 In considering whether the Plans overall approach to accommodating future development needs satisfies the Basic Conditions I need to address a number of objections to the Plan submitted by local developers and volume house builders. A number of these objections are associated with specific proposals for additional housing, employment and retail development which are also being pursued through unresolved objections to the emerging Local Plan.
- 6.34 The main issues raised are that the Plan is too restrictive having regard to the towns status in the settlement hierarchy and its sustainability credentials, it is premature as a result of being prepared in a policy vacuum and in advance of the Local Plan, it will not meet established housing needs, it is based on a number of incorrect assumptions and inadequate evidence particularly in view of the continuing uncertainty over the scale and distribution of the housing requirement in the Local Plan which has not yet been found sound, and it will quickly become out of date and ineffective.

Comments

- 6.35 On the question of prematurity National Planning Guidance²⁴ makes it clear that neighbourhood plans do not have to wait for Local Plans to be in place and this guidance has been supported by the Court of Appeal. And while a number of house builders consider that the Plan should wait until the Local Plan housing figures are finally settled I am mindful of the implications if the Local Plan process stalled, for whatever reason.
- 6.36 I also reject the assertion that the Plan has been prepared in a policy vacuum. While the housing numbers in the Congleton Borough Local Plan (First Review) are clearly out of time as the Plan has been prepared in parallel with the Cheshire East Local Plan it reflects the most up to date evidence on housing need including recently updated evidence. This is in line with National Planning Guidance²⁵ which makes it clear that although draft neighbourhood plans are not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.
- 6.37 In this respect I note that during the course of the Local Plan examination

²⁴ Planning Practice Guidance para 009 Ref ID: 41-009-20140306

²⁵ Planning Practice Guidance para 009 Ref ID: 41-009-20140306

the overall housing requirement in Cheshire East has increased from 25,000 dwellings (in the Submitted Plan) to 37,000 dwellings following a review of objectively assessed housing need in response to concerns raised by the Inspector. At the same time the figure for Sandbach has increased by 25% from 2,200 dwellings to 2,750 dwellings (an increase of 550 dwellings).

- 6.38 While the housing figures may be subject to further change before the Local Plan is finalised the updated OAN assessment represents the most up to date evidence available.
- 6.39 I am also mindful of the fact that the Local Plan Inspector's Further Interim findings published on 11 December 2105, (after submission of the Neighbourhood Plan), suggest that "*the (updated) overall housing requirement would seem to provide a balanced level of housing provision, which is aligned with the economic strategy and would fully meet the identified objective assessment of housing needs*". Although the Inspector has indicated that he is still not in a position to fully endorse the key elements of the new evidence, which must be subject to widespread public consultation and debate at the resumed examination, it is clear that more confidence can be placed on the latest housing figures.
- 6.40 My only concern is whether the Plan is sufficiently flexible to ensure the delivery of the housing requirement, whether or not that requirement is increased, by responding to changing circumstances such as the non delivery of existing permissions or availability of alternative sites to make up any shortfall. National Planning Guidance²⁶ makes it clear that neighbourhood plans need to be deliverable and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that the ability of sites to be developed viably is threatened.
- 6.41 This is particularly important given Sandbach's role in the settlement hierarchy as a relatively sustainable location for growth with no green belt constraint.
- 6.42 For example it is questionable whether there are sufficient brownfield sites within existing built up limits to make up any shortfall, and no evidence has been provided to suggest there are. The Plan also resists the take up of any remaining greenfield sites within the defined Policy Boundary although from my own observations during my site inspection these are likely to be in short supply. And while the inclusion of sites with planning permission within the Policy Boundary establishes the principle of development on these sites (even if these permissions were to lapse), the proposed imposition of a 30 dwelling limit on future housing schemes could further suppress housing delivery.
- 6.43 In addition the viability of some existing permissions, particularly those dating from 2012 or earlier, has been called into question by house builders. Gladman Developments also challenge the accuracy of the housing commitments information for the Sandbach Neighbourhood Area

²⁶ Planning Practice Guidance para 005 Ref ID: 41-005-20140306

quoted in the Plan on the grounds that this differs from the Cheshire East Councils published information and incorrectly includes permission for 375 dwellings on land at the former Albion Chemical Works which is located outside the Neighbourhood area.

- 6.44 While the combined contribution from commitments and completions (2010-2015) at 31 March 2015 according to Cheshire East Council amounts to 2754 dwellings it is acknowledged that that this includes 375 dwellings at the former chemical works as this is considered to contribute to the development needs of Sandbach for Local Plan purposes. I see no reason why this principle should not also apply to the Neighbourhood Plan particularly in view of the need to ensure a consistent approach with regard to housing delivery. While I accept that this principle may not be accepted by the Local Plan Inspector that is all the more reason to ensure there is sufficient flexibility to address changing circumstances.
- 6.45 I note that as at 30 September 2015 there were 2,801 completions and commitments with the Neighbourhood area.
- 6.46 One way of overcoming a potential future shortfall in housing provision through the non delivery of existing permissions, as suggested by a number of house builders, would be to discount the potential contribution from existing permissions by somewhere in the region of 10-20%, and to allocate additional land to make up the shortfall.
- 6.47 However that would require a radically different approach including the possible identification of additional housing sites in the Plan. As the Plan already relies on the Local Plan to establish the future housing requirement another way of enabling the Plan to move forward now, while building in enough flexibility to deliver the housing required, would be to also rely on the emerging Local Plan to allocate any additional land needed to meet the housing requirement as part of the Local plan process following a review of the potential contribution from existing consents and windfalls.
- 6.48 This principle has already been established as there is a proposal in the emerging Local Plan Strategy Document for a strategic mixed use development adjacent to junction 17 of the M6 motorway in Sandbach, including residential and employment uses. If confirmed this could be supplemented through additional allocations, if needed, in the future Local Plan Allocations Document.
- 6.49 This would ensure that the Plan does not undermine the strategic objectives of the emerging Local Plan, whether or not there is an uplift in the housing requirement before the Local Plan is adopted. As recommended previously it would be helpful to confirm in the Vision and Aims section of the Plan that future housing and employment growth, (including allocations of land required for development), is being established through the Local Plan, and that the Neighbourhood Plan will manage growth in accordance with Local Plan proposals, when adopted.
- 6.50 I will address the implications of this recommended approach for individual policies in the next section.
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(d) Objectives, Policies and Justification

- 6.51 The land use policies part of the Plan is organised into seven sub sections, namely; Protecting the Countryside, Preserving Heritage and Character, Managing Housing Supply, Promoting Jobs and the Local Economy, Improving the Infrastructure, Community and Well-being, and Adapting to Climate Change.
- 6.52 Individual policies within each sub section are preceded by relevant objectives linked to the overriding sub section aim.
- 6.53 Policies are set out in a coloured box to distinguish them from the supporting text and justification which follows each policy.
- 6.54 Finally the justification accompanying individual policies incorporates a commentary as to how each policy is considered to accord with the core principles embodied in the NPPF, policies in the emerging Cheshire East Council Local Plan and 'saved' local strategic policies in the Congleton Borough Local plan (First Review).

Comments

- 6.55 The objectives, policies and accompanying justification in the Plan are presented in a well organised, consistent and clear way.

Subsection 3.1 Protecting the Countryside

- 6.56 **Policy PC1 (Areas of Separation)** is intended to protect the countryside setting and separate identities of Sandbach, Elworth, Ettiley Heath, Wheelock and Sandbach Heath by maintaining the open character of the land separating these settlements within which opportunities for leisure and recreation will be supported.
- 6.57 The 'Areas of Separation' identified in the Plan comprise the area of open countryside between Ettiley Heath and Sandbach/Wheelock, Sandbach Golf Course separating Sandbach Town and Elworth and land following Arclid Brook to the west of the A534 Congleton Road which effectively separates Sandbach Town from Sandbach Heath.
- 6.58 Although there is no equivalent local strategic policy the policy has regard to national policy by responding to local character and history and reinforcing a strong sense of place. This is consistent with the environmental dimension of sustainable development.
- 6.59 The policy reflects the genuine concerns of local residents that the scale of recent and committed development is eroding the character of Sandbach and the immediately adjacent settlements
- 6.60 In considering whether the policy satisfies the Basic Conditions there are a number of objections and other representations from house builders and local developers to take into account. These can be summarised as

- the policy is potentially more restrictive than green belt policy
- it will pre-empt decisions about the future scale and location of development, particularly since the concept was previously rejected by the Congleton Borough Local Plan Inspector because (inter alia) it would unduly restrict future development,
- The identification of 'strategic gaps should be dealt with at higher tier plan level and in any case none of the proposed Areas of Separation are included in the emerging Local Plan 'open gaps' policy.
- It is not based on a formal countryside assessment to demonstrate the value of particular areas of countryside, contrary to national policy (paragraph 109)
- No attempt been made to assess the capacity of the surrounding landscape areas and/or the implications for accommodating additional development
- It is a 'back door' method of introducing green belt/local green space policy without justification
- There are more effective ways of protecting the countryside and the historic environment
- It is a misplaced concept because the original settlements are physically connected fulfilling the combined role of a Key Service centre
- There is a discrepancy between the policy wording which does not permit development which would 'detract from the open character and/or function of the Areas of Separation and the glossary which refers to 'detract from open character or reduce visual separation'.

Comments

- 6.61 In the light of the foregoing I have two principal concerns. First there is a lack of clarity in the policy as to how it would operate in terms of the type and scale of acceptable development and how it fits with other policies in the Plan particularly policies PC2a, Policy H1 and Policy H5. For example is it intended to introduce tighter controls than those set out in Policy PC2a (Policy Boundary for Sandbach) for controlling development in the open countryside, or is the level of restraint intended to be the same as or even greater than Green Belt control by resisting all development.
- 6.62 Second the evidence used to justify the Area of Separation designations relates to landscape character and perceived ecological value, although the policy is principally concerned with maintaining the established pattern of development and preventing further coalescence.
- 6.63 The aim and justification for the policy is further confused by the direct reference to "maintaining and enhancing (the Areas of Separation) to support opportunities for recreation and leisure purposes", particularly since the largest area comprises mainly agricultural land with limited opportunity for public access.
- 6.64 While the aim of preventing further coalescence is a reasonable
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aspiration in its own right I conclude that as drafted the policy may prove to be unworkable. Not only could a blanket designation frustrate the continued sustainable growth of the town but this would prevent the introduction of more flexibility in the plan in line with my previous comments and recommendation made in section 6c) above.

- 6.65 A blanket restriction on all development would also be inconsistent with Policy PC2a which identifies the types of small scale development that will normally be acceptable within the countryside outside the defined Policy Boundary. Given the relatively extensive nature of the Areas of Separation which contain a number of farms and other rural businesses this could undermine other objectives which support the provision and enhancement of opportunities for recreation, leisure and tourism in the countryside.
- 6.66 In order to address these limitations I therefore recommend that the policy should be refocused on influencing the location of any future growth that may be identified through the Local Plan process and preventing further coalescence rather than precluding all future development.

Recommendation 10

- a) **Substitute the following text *'In order to maintain the established pattern of development and the distinctive identities'* for *'The Areas of Separation between the distinct settlements'***
- b) **Insert *'future planned growth and development permitted in accordance with Policy PC2a should minimise the impact on the open character of the Areas of Separation'* after Sandbach Heath.**
- c) **Delete *'will be maintained and enhanced to support opportunities for recreation and leisure purposes.'***
- d) **Substitute *'would result in further coalescence in the'* for *'detract from the open character and/or function of these'***
- e) **Make consequential changes to the accompanying justification.**

- 6.67 Subject to the above modifications the Policy meets the Basic Conditions.

Policy PC2 (Landscape Character)

- 6.68 The policy is intended to ensure that new development takes local landscape character into account in order to protect the identity of Sandbach as an historic market town within its open countryside setting. Proposals are expected to demonstrate through design statements how landscape considerations, in relation to the 3 landscape character areas identified in the Plan, have been taken into account.
- 6.69 Objections to the policy principally concern whether

- it is appropriate to apply a landscape policy to protect the unique sense of place of Sandbach when this relates more to the surviving historic core of the town rather than the surrounding built up areas which have been subject to considerable change
- the policy should be supported by a more detailed local landscape assessment rather than relying on landscape character areas identified through a strategic assessment
- whether guidance on development principles within each local character area should be provided
- whether the issue of landscape character should more appropriately be dealt with a higher tier level
- the policy duplicates development management considerations and the requirement to prepare design statements is an onerous requirement on landowners/developers

Comments

- 6.70 Whether or not the unique identity of Sandbach relates to the historic core or the built up area as a whole the policy reflects national policy by ensuring that new development responds to local landscape character and reflects the identity of local surroundings. This is consistent with the environmental dimension of sustainable development.
- 6.71 The policy also generally conforms with extant Local Plan policy which requires development to respect or enhance the landscape character of the area (Policy GR5 Landscaping).
- 6.72 While I agree that a more detailed landscape assessment of 'defining characteristics' could provide the starting point for developing guidance on the development principles to be taken into account in each local character area (NPPG paragraph 58 refers) there is no prescription in national policy or guidance as to the level of detail necessary.
- 6.73 Neither is the issue of landscape character restricted to higher tier level.
- 6.74 Similarly with regard to the final point although the impact of development on landscape character is something that would normally be taken into account in decision making, there is nothing to prevent policies in neighbourhood plans emphasising the importance of this issue particularly when the impact of future development is demonstrably important to the future vision for the area.
- 6.75 However I do agree with the point raised by Cheshire East Council that it is not clear how the policy will be applied. It may not for example be appropriate to apply the policy in all circumstances and to all types and size of development, particularly since a number of house builders consider the requirement for applications to be accompanied by design statements to be an onerous requirement even on larger schemes.
- 6.76 I have considered whether the introduction of different thresholds would overcome this difficulty, but in the absence of specific evidence and because interested parties have only had the opportunity to comment on the Plan proposals as published, this would be inappropriate. I therefore
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suggest the words ‘where appropriate’ should be incorporated in the first part of the policy. I appreciate this weakens the policy to a degree but without this qualification I am not confident that the policy could be applied in a consistent or meaningful way.

- 6.77 I further recommend that the reference to design statements should be removed from the second part of the policy and replaced with more positive wording to ensure developments respond positively to landscape character. This would bring the policy more in line with NPPF and obviate the need for applications to be accompanied by design briefs for which there is no apparent justification.
- 6.78 On a minor point there is an incorrect reference under the heading ‘Sandbach Landscape Character Area Assessment’ on page 33. This refers to ‘(see Section 9 – Related Documents)’, although there is no section 9 in the Plan. There is a section 9 in the accompanying Consultation Statement but the list of documents does not include the Landscape Assessment.

Recommendation 11

- a) Insert ‘*where appropriate*’ after ‘new developments must’ in line 2.
- b) Delete the last two sentences and substitute ‘*Future development should respond positively to the Landscape Character Areas identified in Figure 4 through the scale, massing, features and design of the development.*’
- c) Delete ‘(see section 9 – related Documents)’

- 6.79 Subject to the above modifications the Policy meets the Basic Conditions.
- 6.80 **Policy PC2a (Policy Boundary for Sandbach)** supports continued growth and regeneration within the defined ‘Policy Boundary’ while restricting development in the open countryside outside the boundary to that which requires a countryside location. The types of acceptable development includes development with an operational need such as agricultural or forestry operations, replacement buildings, small scale farm diversification schemes, re-use of existing rural buildings particularly for economic purposes and expansion of established businesses.
- 6.81 The policy boundary defined in the Plan corresponds with the ‘settlement zone line’ in the Congleton Borough Local Plan (First Review), updated to take account of recent planning consents.
- 6.82 Principal issues raised in response to the Regulation 16 Publicity comprise objections to future restrictions on growth outside the policy boundary, whether the list of acceptable types of development is too restrictive, and objections to the detailed policy boundaries.

i) Future Growth

- 6.83 Comments are linked to other objections that it is inappropriate to determine settlement boundaries before future housing and employment requirements are determined through the emerging Local Plan, that too much reliance is placed on existing consents and brownfield sites within the existing built up area to satisfy the identified housing requirement and there is insufficient flexibility to respond to changing circumstances.
- 6.84 It is also suggested that this approach will undermine Sandbach's role in the established settlement hierarchy in conflict with Congleton Borough Local Plan (First Review) Policy PS3 which makes it clear that the 'settlement zone line' is not intended to be a long term boundary and recognises that Sandbach is a location that can accommodate future urban expansion to meet identified needs

Comments

- 6.85 As referred to previously in my comments on the Plans overall development strategy (in section 6b) I consider that more flexibility is required to cater for the possibility that the final housing target may differ from the one on which the Neighbourhood Plan is based and/or the expected contribution from current planning permissions and windfall sites within the Policy Boundary is insufficient to meet the housing requirement.
- 6.86 Since the Plan is relying on the emerging Local Plan to establish the housing target for Sandbach I have therefore recommended a slight relaxation in the Plan Strategy to acknowledge that any identified future housing shortfall could be addressed by identifying additional sites through the emerging Strategy Document or a future Allocations Document. This would ensure that future decisions about the scale and location of additional housing development is plan-led rather than piecemeal which seems to be one of the principal concerns raised during preparation of the Plan.
- 6.87 Amendment is therefore required to facilitate future planned growth outside the defined Policy Boundary. This would also ensure that the emerging Local Plan proposal to allocate land for mixed housing and employment uses adjacent to junction 17 of the M6 motorway, as referred to in Policy JLE1(Future Employment and Retail Provision), is compatible with Policy PC2a.

Recommendation 12

Substitute '*With the exception of additional land allocated to meet development needs identified through the Cheshire East Local Plan outside the Policy Boundary development in the countryside will be restricted*' for 'The area outside of the boundary is countryside. The intrinsic character and beauty of the countryside will be protected by restricting development', and make consequential changes to the accompanying justification.

ii) Acceptable types of development in the countryside

- 6.88 As suggested by a number of respondents the policy takes a fairly restrictive approach to the types of development that may be acceptable in the countryside. However I do not agree as suggested by one respondent that the policy is akin to green belt policy because it identifies a wider range of acceptable development types than green belt policy.
- 6.89 In order to bring the policy in line with extant local strategic policy (in the Congleton Borough Local Plan (First Review) I recommend that the list of acceptable types of development be extended to include agricultural/forestry workers dwellings (in accordance with Policy H6), facilities for outdoor sport and recreation (in accordance with Policy PS8), the conversion of buildings (in accordance with Policy PS8 and Policy H6), extensions and alterations to dwellings (Policy PS8), and affordable housing (Policy PS8 and Policy H6)
- 6.90 Further amendment is required to fully reflect national planning policy which does not positively discriminate in favour of re-using redundant or disused buildings for residential purposes over employment uses.

Recommendation 13

- a) **Insert 'agricultural/forestry workers dwellings' after 'forestry operations' in sub section a)**
- b) **Insert '*the conversion and/or*' before 'reuse of existing rural buildings' in sub section d)**
- c) **Delete 'particularly for economic purposes' in sub section d)**
- d) **Incorporate an additional sub section '*f) extensions and alterations to dwellings*'**
- e) **Incorporate an additional sub section '*g)affordable housing*'**
- f) **Incorporate an additional sub section '*h)facilities for outdoor sport and recreation*'**

iii) Detailed Policy Boundaries

- 6.91 A number of local businesses and developers consider that the boundary as defined does not fully reflect current circumstances. For example it is claimed that brownfield land at the Zan Business Park in Wheelock which comprises former tip land and hard standing is erroneously excluded from the policy boundary and included within the adjacent Wildlife Corridor.
- 6.92 Other sites put forward for inclusion comprise land adjacent to Park Care Home off the A534 Congleton Road adjacent to junction 17 of the M6 motorway, land proposed as a mixed use development adjacent to the M6 junction in the emerging Local Plan, recently developed land at Sandbach Football Club, and land which is the subject of pending planning applications.

Comments

- 6.93 While it is not my role to examine the merits of site specific proposals,

particularly those that are also being promoted through the Local Plan process I note that no attempt has been made to review or update the boundary since the adoption of the Congleton Borough Local Plan (First Review), other than to take account of planning consents.

- 6.94 In order to eliminate any errors and to ensure a consistent approach to the definition of the built up area I recommend that the boundaries should be reviewed to ensure that all land forming part of the existing built up area, plus land with the benefit of planning permission, is included. For clarification the review should reflect the current situation and land which is the subject of undetermined planning applications should not be included as there is no certainty that these will be approved. Similarly sites proposed for development through the emerging Local Plan or which are the subject of unresolved objections should also be excluded as they may not be included in the Plan when adopted.
- 6.95 I also note that an inaccurate reference to paragraph 76 of the NPPF is made in the accompanying justification which should be deleted as the policy is not concerned with Local Green Space.

Recommendation 14

- a) Update the Policy Boundary to ensure that all land which forms part of the contiguous built up area, together with extant planning permissions, is included.**
- b) Delete the reference to 'paragraph 76 in the NPPF' in the second paragraph of the accompanying justification.**

- 6.96 Subject to the above modifications the policy meets the Basic Conditions.
- 6.97 **Policy PC3 (Areas of High Ecological Value and Wildlife Corridors)** is intended to protect and enhance those sites considered to contain the greatest natural assets to the community and to promote wildlife connectivity through wildlife corridors.
- 6.98 The conservation and enhancement of the natural environment, including biodiversity, is one of the core principles of national planning policy, which contributes to the environmental dimension of sustainable development.
- 6.99 However it is not clear how the natural resource assets identified in the policy are to be protected and enhanced, or precisely what level of protection is intended.
- 6.100 For example if, as assumed by a number of respondents, the policy is meant to provide 'unqualified' protection from future development this would conflict with national planning policy which indicates that a distinction should be made between the hierarchy of national, regional and locally designated sites so that protection is commensurate with their status (paragraph 113 of NPPG refers). In other words it would not be appropriate to afford the same level of protection to locally identified

‘areas of high ecological value’ as to sites of national importance. In this respect reference to ‘areas of high ecological value’ is perhaps misleading and reference to ‘areas of local ecological importance would be more appropriate.

- 6.101 It is also claimed by house builders and others that insufficient evidence has been provided to justify the designation of ‘areas of high ecological value’ as locally designated nature conservation assets, for example in comparison with Sites of Biological Importance (SBI’s) and Wildlife Corridors which have previously been designated as Non Statutory Sites in Policy NR4 of the Congleton Borough Local Plan (First review) following detailed field survey and expert assessment. While I do not necessarily agree with this point since the sites have been identified in a report commissioned from Cheshire Wildlife Trust²⁷ the policy is inconsistent with Policy PC5 (Biodiversity and Geodiversity) by affording non designated assets the same status and level of protection as designated assets such as Sites of Biological Importance (SBI’s), which are now referred to as Local Wildlife Sites.
- 6.102 Neither would the policy accord with Policy NR4 of the Congleton Borough Local Plan (First review) which recognises that development on non statutory sites of nature conservation or geological importance such as Sites of Biological Importance (SBI’s), Local Nature Reserves and Wildlife Corridors may be acceptable if there are overriding reasons and there are no suitable alternatives whereas Policy PC3 could be taken to mean that no development is permitted on both designated and non designated sites.
- 6.103 In order to rectify this inconsistent approach to the treatment of wildlife assets and resolve potential conflict with national/higher tier policy I recommend that policies PC3 and PC5 are combined. This will also remove the element of duplication between the two policies and address the concern registered by a number of respondents that Policy PC3 does not recognise the opportunities created by new development to enhance ecological assets and connectivity.
- 6.104 A number of additional changes are also required in order to improve the clarity and practicability of the policy.
- 6.105 First as no explanation is provided as to the purpose of the ‘areas of medium ecological value’ and the policy as drafted only seeks to protect areas of high value, I suggest the areas of medium value be deleted.
- 6.106 Second, Figure 5 is insufficiently clear to be of use for development management purposes. For example it is not possible to identify the boundaries of designated wildlife corridors, individual wildlife sites and other areas of ecological value. The key should also be amended to differentiate between designated wildlife corridors, local wildlife sites and areas of local ecological value and more accurately entitled ‘Local Nature Conservation Assets’.

²⁷ Protecting and Enhancing Sandbach’s Natural Environment (Cheshire Wildlife Trust) March 2015

- 6.107 Third, the boundaries of the Wildlife Corridors and Local Wildlife Sites delineated in Figure 5 which are based on the Congleton Borough Local Plan (First Review) boundaries should be updated to take account of any changes in circumstance including recent planning permissions.
- 6.108 Fourth as the final paragraph of the policy contains explanatory information which does not contribute to the policy wording this should be transferred to the accompanying text.
- 6.109 There is also an error in the accompanying justification which refers to the fact that more details of Local Wildlife Sites are provided in Appendix 1 but omits reference to site G 'Taxmere Local Wildlife Site'. Details of this site are also missing from Appendix 1.

Recommendation 15

- a) **Combine Policies PC3 and Policy PC5 by deleting Policy PC3 and making the following changes to policy PC5**
 - i) in paragraph 1 insert '*and opportunities to enhance wildlife connectivity will be supported*' after 'impacts of climate change'.
 - ii) in paragraph 5 substitute '*of local ecological value as identified in Figure 5*' for 'or a site valued by the local community as identified in the Neighbourhood Plan.'
 - b) **Incorporate the list of sites A-J and the final paragraph within the written justification for information**
 - c) **Refer to 'sites of local ecological value' rather than high ecological value**
 - d) **Delete medium ecological value sites from Figure 5**
 - e) **Combine the justification and incorporate an explanation about local ecological value sites**
 - f) **Rename Figure 5 as 'Local Nature Conservation Assets', improve the clarity of the map, amend the key to differentiate between local wildlife sites, wildlife corridors and areas of local ecological value with different notation for each, and update the boundaries of the Wildlife Corridors and Local Wildlife Sites.**
 - g) **Incorporate details of site G (Taxmere Local Wildlife Site) in Appendix 1.**
- 6.110 Subject to the above modifications the policy meets the Basic Conditions.
- 6.111 **Policy PC4 (Local Green Spaces)** aims to protect green areas and open spaces which have particular local significance. These comprise a mixture of woodland and greenspaces within the Sandbach Wildlife Corridor extending from the River Wheelock south of Wheelock village to Taxmere east of the M6 motorway. Ten Local green Spaces are delineated in Figure 6 and listed in the policy.
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6.112 Proposals for new development will not be permitted unless it is for the provision of appropriate recreational uses which improve and enhance the land.

Comments

6.113 Although there are no equivalent local strategic policies in the Congleton Borough Local plan(First Review) the policy complements the Development Principles for Sandbach in that document, particularly the intention to 'protect areas of local environmental importance in order to maintain the open character of the town'.

6.114 The desirability of identifying and protecting green areas that are of particular significance to local communities is also recognised in national planning policy and facilitated through the designation of 'Local Green Space' (NPPF paragraphs 76 and 77).

6.115 However I have a number of reservations about the extent to which the policy satisfies the criteria for designating Local Green Space set out in national policy (NPPF paragraph 77) and the supporting Planning Practice Guidance.

6.116 First, national planning policy stipulates that Local Green Space designation will not be appropriate for most green areas or open space and identifies three criteria which must all be satisfied, namely;

- that the green space is in reasonably close proximity to the community it serves
- the green area is demonstrably special to a local community and holds a particular local significance, and
- it is local in character and not an extensive tract of land.

6.117 While all the sites are located either on the edge of or within the existing built up area and therefore satisfy the first point only very limited explanation has been provided as to why the sites are individually special to the local community, or locally significant, in order to satisfy the second point. For example while reference is made in the accompanying justification to the opportunities for recreation through pathways and nature trails in accessible woodland and meadows, no attempt has been made to describe the individual characteristics of each of the sites or whether they are significant for historical, recreational, richness of wildlife or other reasons.

6.118 Although I am aware that the proposed Local Green Space designations overlap with other policy designations, such as sites with nature conservation value, it would have been better to articulate this evidence in the accompanying justification to the policy.

6.119 While there may be some doubt as to whether the second requirement of NPPF paragraph 77 is satisfied the fact that the sites are linked and form an almost continuous corridor along the edge of and through the built up area, (interrupted only by two highways and the Trent and Mersey Canal), makes it difficult to conclude other than the third requirement of (NPPF) paragraph 77 is not satisfied.

- 6.120 A number of those responding to the regulation 16 publicity have also commented on these issues.
- 6.121 Second, a number of sites are protected through saved Congleton Borough Local Plan (First Review) policies and other Neighbourhood Plan policies. For example
- Six sites (L, M, N, P, R and S) are designated and protected as Areas of Open Space/Recreational facility in the Congleton Borough Local Plan (First Review) (Policy RC2), and two of these sites (delineated as R/S21 and part of P/S22 in Figure 6) are also protected as amenity greenspace through Neighbourhood Plan Policy CW1.
 - Five sites (L, M, N, S, and X and parts of four other sites (P, T, U, and W) are identified as local wildlife sites in Policy PC5 and Figure 5, and
 - Eight sites (L, M, N, S, T, U, W and X) and part of one other site (site P) fall within the designated Sandbach Wildlife Corridor in Policy NR4 in the CBLP which has been carried forward into NDP Policies PC3 and PC5 and which is delineated in Figure 5 of the Plan. (I also note an error in the policy wording which refers to site N as the only site not within the Sandbach Wildlife Corridor, when the reference should be to site R and part of site P)
- 6.122 Not only does this duplicate saved Congleton Borough Local Plan (First Review) policies but it conflicts with Planning Practice Guidance on Local Green Space designation which suggests (paragraph 011) that where land is already protected by another designation consideration should be given as to whether any additional local benefit would be gained by designation as Local Green Space.
- 6.123 Third, Planning Practice Guidance (paragraph 019) emphasises the importance of contacting landowners at an early stage about proposals to designate any part of their land as Local Green Space. Although landowners will have had the opportunity to make representations on the proposals during formal consultation on the Plan, I can find no evidence of targeted consultation with landowners.
- 6.124 Fourth, it is apparent that the policy wording which precludes any form of development other than that linked to recreational uses which improve and enhance the land is potentially more restrictive than Green belt policy. This is contrary to national policy (NPPF paragraph 78) which indicates that local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.
- 6.125 I also acknowledge, as pointed out by Wardell Armstrong, that the inclusion of sites T, U and X could potentially undermine the delivery of a mixed use development at Capricorn Park as the proposed Local Green Space will be affected by the construction of a bridged access road. This would conflict with the guidance in Planning Practice Guidance²⁸ which

²⁸ Planning Practice Guidance para 008 Ref ID: 37-008-20140306

indicates that Local Green Space designation will rarely be appropriate where land has planning permission for development unless development would be compatible with the reason for designation. As land at Capricorn Park (including proposed LGS sites T, U and X) is allocated as a strategic employment site in the emerging Local Plan I am also mindful of the fact that the designation of Local Green Space should be consistent with the principles of sustainable development and complement the provision of new homes, jobs and other essential services (NPPF paragraph 76)

- 6.126 Having regard to the above factors I conclude that as the policy does not comply with the criteria for designating Local Green Space set out in national planning policy and the accompanying Planning Practice Guidance it does not satisfy the Basic Conditions and I recommend it be deleted. Figure 6 should be retained in an amended form with all references to Local Green Space removed, as it supports Policy CW1.
- 6.127 I have also identified an anomaly in Figure 6 which delineates a number of sites with a red outline which are described in the key as 'Local Green Space in Wildlife Corridors' although with the exception of land to the east of the M6 motorway and 'Site X', these do not fall within the Sandbach Wildlife Corridor designated in the Congleton Borough Local Plan (First Review) and identified in Figure 5 (in conjunction with Policies PC3 and PC5). I also note that the site located to the east of the M6 motorway while falling within the Wildlife Corridor is not identified in the policy as Local Green Space (and is not annotated with a letter in Figure 5). As I am recommending deletion of the policy these anomalies are of little consequence although the sites should also be deleted from Figure 6 for consistency.

Recommendation 16

- a) Delete policy PC4
- b) Retain Figure 6 which should be renamed 'Amenity, Play, Recreation and Outdoor Sports Facilities' (see Recommended changes to Policy CW1))
- c) Delete sites identified (using capital letters L-X) in Figure 6 as 'Local Green Space' and delete 'Local Green Space in Wildlife Corridors' sites identified with red outline.

- 6.128 Subject to the above modifications the policy meets the Basic Conditions.
- 6.129 **Policy PC5 (Biodiversity and Geodiversity)** is intended to protect wildlife assets and to ensure that new developments result in a net gain for biodiversity and geodiversity. The policy deals with 3 tiers of biodiversity, namely; national designations, local/regional designations and non designated assets
- 6.130 Policy PC5 has regard to national policy by seeking to conserve and

enhance the natural environment, particularly biodiversity. This is consistent with the environmental dimension of sustainable development, which includes the objective of ‘moving from a net loss of biodiversity to achieving net gains for nature’ (NPPG paragraph 9).

- 6.131 It also generally conforms with and updates wildlife and nature conservation policies in the Congleton Borough Local Plan (First Review) particularly policies NR2 (Statutory Sites) and NR4 (Non Statutory Sites).
- 6.132 While there is some criticism of the policy on the grounds that it is ambiguous and there is insufficient evidence to justify some of the proposed designations my previous recommendation to combine Policy PC3 and Policy PC5 and other recommendations should address these issues.
- 6.133 Although Natural England advise that the scope of the policy should include reference to internationally designated sites as there are none within the Neighbourhood Area and the Habitats Regulations Assessment screening opinion did not identify any significant impacts on sites outside the Neighbourhood Area I do not consider this is necessary.
- 6.134 I acknowledge that the policy is effectively duplicating an emerging policy (SE3) in the Cheshire East Local Plan but as it precedes that plan I have to consider it, particularly since there is no certainty about when the Local Plan will be adopted. As the Submitted version of the Local Plan policy may be modified before adoption it would be advisable to amend the policy to reflect the latest iteration of the Local Plan policy, in order to ensure consistency
- 6.135 I also recommend inserting sub-headings to reflect the 3 tiers of conservation assets in order to improve the clarity of the policy, and expressing the last paragraph more positively to fully reflect national and local strategic policy.
- 6.136 Finally there is an incorrect NPPF reference in the third paragraph of the accompanying justification which refers to ‘It accords with Neighbourhood Plan Policy PC5 of the NPPF’ which does not make sense.

Recommendation 17

- a) Insert subheadings relating to ‘*National Nature Conservation Designations, Local and Regional designations and Non Designated Assets*’**
- b) Update the policy wording to reflect the latest version of the emerging Local Plan Policy SE3**
- c) Substitute ‘*will be permitted provided*’ for ‘will only be permitted where’ after ‘Neighbourhood Plan will’ in the final paragraph**
- d) Amend the reference to the NPPF in the accompanying justification.**

- 6.137 Subject to the above modifications the policy meets the Basic Conditions.
- 6.138 **Policy PC6 (Footpaths)** is intended to protect and enhance the existing footpaths network and Public Rights of Way while ensuring that new development integrates with the wider network creating new links where possible. Proposals which would lead to the loss, diversion or degradation of existing public rights of way will be resisted.
- 6.139 The objective of protecting, enhancing and extending the Public Rights of Way network is embedded in national planning policy. The creation of safe and accessible developments containing legible pedestrian routes with good access to facilities and opportunities for informal recreation are also ways of promoting the creation of healthy. These are all key attributes of the economic, social and environmental elements of sustainable development.
- 6.140 The policy generally conforms with Policy GR15 (Pedestrian Measures) of the Congleton Borough Local Plan (First Review) which requires development to take account of its implications for pedestrian movement and Policy GR16 (Footpath, Bridleway and Cycleway Networks) which specifically requires proposals to take account of the existing footpath, bridleway and cycleway network.
- 6.141 While the aims of the policy seem to be generally well supported a number of house builders are concerned that there is insufficient flexibility to enable the diversion of existing Public Rights of Way in connection with new development. I tend to agree that the diversion of existing routes in appropriate circumstances can improve connectivity and enhance the walking experience for example if linked to existing or proposed areas of greenspace. There is also nothing in national policy that precludes the diversion of existing routes.
- 6.142 I am mindful that a number of residents feel the Plan should demonstrate more ambition in promoting and supporting sustainable transport, particularly walking and cycling. One way of encouraging more cycle use would be to expand the scope of Policy PC6 to ensure that existing cycle routes are given the same level of protection as Public Rights of Way.
- 6.143 Consequential changes would be required to Policy IFT1 (Sustainable Transport, Safety and Accessibility) in order to ensure a consistent approach in the Plan.
- 6.144 I also agree, as suggested, that for complete accuracy the Wheelock Rail Trail which is a promoted route should be added to the Public Rights of Way identified in Figure 7.

Recommendation 18

- a) Change the policy heading to 'FOOTPATHS AND CYCLEWAYS', insert '*and cycleways*' after 'wider footpath' in line 2 and after 'public footpaths' in line 3 in the first**

paragraph, and make consequential changes to Objective 6 and Policy IFT1 (bullet point 8).

- b) Delete ‘, diversion’ after ‘lead to the loss’ in the second paragraph.
- c) Insert ‘*or cycleway*’ after ‘Public Right of Way’
- d) Delete ‘focussing on’ after ‘very special circumstances’ and start a new sentence by inserting ‘*Proposals to divert public rights of way and cycleways should provide*’ before ‘clear and demonstrable’.
- e) Add the Wheelock Rail Trail to Public Rights of Way identified in Figure 7.

6.145 Subject to the above modifications the policy meets the Basic Conditions.

Subsection 3.2 Preserving Heritage and Character

6.146 **Policy HC1 (Historic and Cultural Environment)** is intended to conserve and enhance the historic environment of Sandbach, including local heritage associated with the Trent and Mersey Canal, and to ensure that development respects and contributes toward the enhancement of identified features. The re-use of redundant or functionally obsolete listed (or important) buildings is supported provided this does not harm their essential character.

6.147 The policy has regard to national planning policy which includes the conservation of heritage assets in a manner appropriate to their significance as one of its core principles. The conservation and enhancement of heritage assets contributes toward both the quality of the built environment and toward people’s quality of life – two of the key aspects of sustainable development. The policy also complements specific legislation on built heritage (such as listed building and conservation area legislation) and the approach to the historic environment in local strategic policies, including Policies BH3 (Change of Use/Conversion), and Policy BH7 (Enabling Development).

6.148 The policy is future proofed by cross referencing the heritage assets protected by the policy to the most recently adopted Cheshire East Council Sandbach conservation area assessment and the National Heritage List for England. For complete accuracy the policy should cross reference to the ‘most up to date’ National Heritage List as the list is produced and managed by Historic England and is not adopted by Cheshire East Council.

6.149 For consistency I also recommend that reference is made to the most up to date National Heritage List in relation to heritage assets associated with the Trent and Mersey Canal. Consequently it would be more appropriate to refer to Appendix 4 in the accompanying justification rather than in the policy text, and to clarify that this is the most up to date

information available at the time of producing the Plan.

- 6.150 I note there is a discrepancy between the policy heading which refers to the historic and cultural environment and the first line of the policy which refers to the built and historic environment. As the policy is not concerned with the cultural environment and has a narrower focus than the wider built environment I suggest reference to the built and/or cultural environment is omitted. Greater accuracy in line with national policy could also be achieved by referring to 'scheduled monuments' rather than 'scheduled ancient monuments' in the first paragraph, and by referring to 'designated heritage assets' rather than 'historic assets' in the second paragraph.
- 6.151 In response to the Regulation 16 Publicity it has been suggested that the protection of archaeological sites should only apply where sites have been identified following survey and assessment. As it is not clear whether the policy is intended to apply to sites with potential archaeological value or sites with known value following evaluation, I am left with a dilemma.
- 6.152 On the one hand in view of the fact that archaeological sites form part of the historic heritage in any given locality it is desirable to have safeguards in place to ensure adequate protection.
- 6.153 On the other hand it is also the case that most archaeological sites are categorised as non designated assets of archaeological value, as opposed to designated assets such as scheduled monuments, and often the precise value of a site cannot be understood until after investigation.
- 6.154 In those cases where development is proposed on land with potential for archaeological interest, the requirement established in national planning policy for applicants to submit an appropriate desk-based assessment and, where necessary, a field evaluation, may therefore be relied on to establish the nature of the archaeological interest. It would then be up to the Local Planning Authority to make a judgement as to whether a more detailed evaluation is required and following that to establish the nature of any measures required to protect and enhance the identified asset.
- 6.155 As the policy is not concerned with other non designated local heritage assets, such as locally important buildings identified in local lists held by Local Planning Authorities or buildings and features identified through the neighbourhood plan process, I therefore recommend that the policy focuses on conserving and enhancing designated heritage assets by removing reference to archaeological sites.

Recommendation 19

- a) **Delete 'AND CULTURAL' from the policy heading**
- b) **Delete 'built and' in the first line after 'character of the'.**
- c) **Insert '*the most up to date*' after 'area assessment and' in line 4.**
- d) **Delete 'ancient' in line 8**

- e) Delete 'c) Archaeological sites' in line 9
- f) Insert '*the most up to date*' after 'as defined by' in line 12.
- g) Delete 'and on Appendix 4' in line 13 and incorporate a reference to Appendix 4 in the accompanying justification which clarifies that this is the most up to date information available at the time of producing the Plan.
- h) Substitute '*designated heritage assets*' for 'historic assets' in line 15.

6.156 Subject to the above modifications the policy meets the Basic Conditions.

6.157 **Policy HC2 (Protection and Enhancement of the Principal Shopping Area)** is intended to ensure that future developments or changes of use enhance the existing character of the town centre by supporting proposals for A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) and A4 (drinking establishments) uses, managing the proportion of A5 (hot food take-away) uses, and ensuring that out of centre retail outlets complement the town centre.

6.158 A number of concerns have been raised in response to the Regulation 16 publicity regarding the clarity of the policy, its relationship with extant Congleton Borough Local Plan (First Review) policies and the extent to which it reflects national planning guidance namely :

- (i) The policy relies on saved Congleton Borough Local Plan boundaries which are out of date and should be amended to include Aldi and Homebase
- (ii) The policy is not informed by an up to date retail assessment to identify future need, in order to reverse the leakage of expenditure to other centres.
- (iii) The definition of town centres and primary shopping areas is a function of Local Plans
- (iv) The policy is ambiguous because the policy heading refers to the principal shopping area while the text refers to primary shopping frontages, and it is inconsistent with the CBLP which refers to principal shopping areas but does not define primary or secondary frontages.

Comments

6.159 National planning policy provides guidance for Local Planning Authorities on framing policies for the management and growth of town centres including defining a hierarchy of centres and the extent of town centres/primary shopping areas, and allocating sites for a range of town centres uses based on identified needs. However Qualifying Bodies may also allocate sites for development if they so wish²⁹ and I see no reason why they might not also undertake the role of defining or reviewing town

²⁹ Planning Practice Guidance para 042 Ref ID: 41-042-20140306

centre and principal shopping area boundaries. The corollary to this is that they are not obliged to either allocate new retail sites or review/define shopping area boundaries. What is important, as is the case with future housing growth and the identification of new housing sites, is that the plan is clear on who is doing what.

- 6.160 It seems to me that although the policy relies primarily on shopping area boundaries previously defined in the Congleton Borough Local Plan (First Review) the manner in which these are referred to is confusing and there are a number of other ambiguities which need to be resolved.
- 6.161 First the policy heading refers to the protection and enhancement of the principal shopping area although no further reference to this is made in the policy text. I also note that the boundary of the principal shopping area, which corresponds with the boundary defined in the Congleton Borough Local Plan (First Review), is defined in Figure 2 of the Plan.
- 6.162 Second the first paragraph of the policy refers to 'Sandbach Town Centre as defined in the most relevant, recent and up to date Sandbach Conservation area assessment report held by Cheshire East Council'. I assume this is a reference to the Sandbach Conservation Area Character Appraisal and Management Plan, which is currently being consulted on by Cheshire East Council as part of a Conservation Area review. However this document is concerned with conservation area boundaries and it does not provide an updated version of the Town Centre boundary defined in the Congleton Borough Local Plan (First Review) which is replicated in Figure 2 of the Plan.
- 6.163 Third the reference to the 'primary shopping frontage' in the second paragraph of the policy should presumably be a reference to the principal shopping area (as referred to in the policy heading and defined in Figure 2).
- 6.164 I also have a number of comments on the four separate policy strands which are set out below.

Town Centre Uses

- 6.165 In view of the ambiguities described above regarding the definition of Town Centre and other boundaries, it is not clear as to the precise area within which this part of the policy is intended to apply.
- 6.166 National planning policy advocates providing choice and diversity within town centres, which should be large enough to accommodate a range of town centre uses including, retail, commercial, office, tourism, cultural, community and residential. As the focus of the policy is more narrowly focused on supporting specific retail uses it would appear logical to apply the policy to the previously defined principal shopping area.
- 6.167 In addition, as the only presumption recognised in national planning policy is a presumption in favour of sustainable development the policy should be redrafted to avoid the use of a presumption in favour of particular types of development.
- 6.168 I would also recommend inserting additional wording to clarify that a wider
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range of uses will be acceptable within the defined Town Centre to ensure the policy is fully compliant with national policy, and with local strategic Policy S5 (Other Town Centre Areas).

A5 (hot food take-away) Uses

- 6.169 While I acknowledge the policy would undoubtedly provide a precise mechanism for assessing whether future proposals are acceptable or not no evidence been produced to justify why the proposed 10% limit is appropriate, such as evidence of recent retail losses and trends, potentially vulnerable units, impact on vitality etc. Neither on the evidence of my site inspection carried out as part of the examination does there appear to be an existing proliferation of take-away outlets either within the principal shopping area or the town centre as a whole.
- 6.170 In responding to the Regulation 16 Publicity a local resident has also questioned whether it is appropriate to discriminate against particular retail types such as A5 (hot food take-away) uses.
- 6.171 However while the policy reflects elements of Congleton Borough Local Plan (First Review) Policy S4 (Principal Shopping Areas) that policy has at least in part been overtaken by more recent national policy which suggests that retail policies should make clear which uses will be permitted in specific locations. As there are opportunities for establishing take-away outlets in other parts of the town centre outside the principal shopping area the policy is on balance acceptable.

Use of Upper Floors

- 6.172 By supporting the use of upper floors for residential and business use the policy reflects national policy which recognises the role that residential development can play in ensuring the vitality of town centres. Widening the choice of housing and facilitating job creation (through the use of upper floors of premises) are also key aspects of sustainable development. This part of the policy also generally conforms with Congleton Borough Local Plan (First Review) Policy S6 (The Use of Upper Floors Within Town Centres).
- 6.173 The policy text should also clarify that the policy is not restricted to the principal shopping area but applies to the whole town centre.

Out of Centre Retail Outlets

- 6.174 By supporting a town centre first approach this part of the policy reflects the emphasis on promoting competitive town centre environments in national planning policy, in a way which complements the application of the sequential test.
- 6.175 The policy should however be worded in a more positive manner and refer to the sequential test (NPPF paragraph 24) in line with national policy.

Recommendation 20

- a) Substitute 'Town Centre' for 'Principal Shopping Area' in the**

policy heading.

- b) Insert an additional paragraph at the beginning of the policy as follows *‘Proposals for commercial, office, tourism, cultural, community, residential and retail (including A5 hot food takeaway) uses will be supported within the Town Centre as defined in Figure 2’*.
- c) Replace the first paragraph of the policy with the following *‘Proposals that retain the provision of A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) and A4 (drinking establishments) uses will be supported in the Principal Shopping Area as defined in Figure 2’*.
- d) Insert *‘in the principal shopping area’* after *‘Class A5 (hot food takeaways)’* in paragraph 2 and delete *‘in the primary shopping frontage’*.
- e) Insert *‘in the town centre’* after *‘will be permitted’* in paragraph 3.
- f) Insert *‘following application of a sequential test’* after *‘only be supported’* in paragraph 4.
- g) Insert additional text in the accompanying justification to explain that town centre and principal shopping area boundaries carried forward from the Congleton Borough Local Plan (First Review) may be reviewed by Cheshire East Council in the future.

6.176 Subject to the above modifications the policy meets the Basic Conditions.

6.177 **Policy HC3 (Shop Fronts and Advertising)** is intended to ensure that shop frontages and signs are in keeping with the traditional character of the town centre and that outside the town centre advertisements and signage relates well to the premises and street scene or locality in which they are located.

6.178 The policy has regard to national policy by promoting designs which reflect local character and distinctiveness. The achievement of a high quality built environment and the protection of the built and historic environment contribute to the social and environmental aspects of sustainable development. It also complements Policy S11 (Shop Fronts) of the Congleton Borough Local Plan (First Review), and Policies S14 (Advertisements) and S15 (Advertisements in Conservation Areas).

6.179 The policy is future proofed by requiring shop front designs to reflect the most up to date guidance on street signage adopted by Cheshire East Council.

6.180 It is not clear however as to whether the first part of the policy is intended to apply to the town centre or the principal shopping area since, as described above in relation to Policy HC2, the policy refers to the town centre defined in the ‘Sandbach Conservation Area Assessment Report

adopted by Cheshire East Council' although this document defines the boundary of the Town Centre Conservation Area rather than the extent of the town centre.

- 6.181 In view of the fact that this part of the policy is aimed at ensuring the maintenance of the traditional street scene it seems to me that it would be more appropriate for it to apply within the designated town centre Conservation Area, particularly since the Conservation Area (as currently defined) is more extensive than the principal shopping area, most of which in any case falls within the Conservation Area boundary.
- 6.182 In order to ensure that the policy is clear and unambiguous (in line with PPG advice³⁰) the following minor amendment is desirable.

Recommendation 21

Insert 'Conservation Area', after 'town centre' in line 1.

- 6.183 Subject to the above modification the policy meets the Basic Conditions.
- 6.184 **Policy HC4 (Markets)** supports the development and expansion of the existing outdoor market and the sensitive enhancement of the Market Hall to ensure the markets retain their unique place within the community and contribute toward the viability of the centre.
- 6.185 Although there is no equivalent policy in the Congleton Borough Local Plan (First Review) national planning policy recognises the role that markets can play in promoting attractive and competitive town centre environments.
- 6.186 The policy therefore meets the Basic Conditions and no modifications are recommended.
- 6.187 **Policy H1 (Housing Growth)** restricts future housing growth to small scale sites of up to 30 dwellings within the identified Policy boundary defined in Policy PC2a. This is intended to counterbalance the large scale rapid growth taking place on unplanned sites so that future growth takes place in a more incremental way. The only exceptions to this would be housing for an ageing population in line with Policy H4, or development on a brownfield site within the policy boundary. The policy also promotes a mix of housing types, sizes and tenures to meet identified need.
- 6.188 This approach reflects the strong community desire to avoid larger homogenous developments which are not well integrated into the existing settlements. The policy is justified (in the Plan) by evidence of planning permissions granted since 2010 which indicates that 2286 dwellings have been approved on sites larger than 50 dwellings, 390 dwellings have

³⁰ Planning Practice Guidance para 041 Ref ID: 41-041-20140306

been approved on sites between 10 and 48 dwellings, and 80 dwellings on sites less than 10 dwellings.

- 6.189 However although the policy heading refers to 'housing growth' the policy does not address the scale of future housing growth. As referred to previously in my comments on the overall development strategy (in section 6b) since the Plan is relying on the emerging Local Plan to establish the housing target for Sandbach this should be more explicitly stated in the Plan. For the reasons stated previously I also consider that more flexibility is required to cater for the possibility that the final housing target may differ from the one on which the Neighbourhood Plan is based and/or the expected contribution from current planning permissions and windfall sites within the Policy Boundary is insufficient to meet the housing requirement.
- 6.190 I therefore recommend a slight relaxation in the Plan strategy to acknowledge that an identified future housing shortfall could be addressed by identifying additional land through a combination of the emerging Local plan Strategy Document or a future Allocations Document. This would ensure that future decisions about the scale and location of additional housing development are plan-led rather than piecemeal which seems to be one of the principal concerns raised during preparation of the Plan.
- 6.191 While recommended changes to Policy PC2a (Policy Boundary) address this issue in part by facilitating future allocations to be made (if necessary) through the Local Plan process, as drafted Policy H1 is flawed, as it does not recognise the overriding requirement for the Plan to ensure that the housing requirement is met in full in line with national policy.
- 6.192 I also acknowledge concerns raised by house builders and others that restricting future housing growth to smaller sites of up to 30 dwellings may threaten the viability of schemes and is not consistent with the towns current role (and identified role in the emerging Local Plan) in the settlement hierarchy, and could constrain future housing supply, including the supply of affordable housing.
- 6.193 While restricting the scale of individual housing developments in smaller settlements and villages may be a realistic way of conserving the form and character of settlements that is not necessarily an appropriate response in the case of larger settlements. In any case this element of the policy is only applicable within the defined policy boundary area.
- 6.194 In that respect from my own observation I have reservations about the practicality of the policy since the opportunities for development on undeveloped land within the existing built up area are very limited, particularly since most of the remaining land is constrained by planning policy designations. It would also potentially defeat the national planning policy objective of making the most efficient use of land, since development within settlements reduces the need for development in edge of settlement locations.
- 6.195 Neither would treating housing proposals that cater only for an ageing

population, or development on brownfield land, as exceptions to the policy accord with national planning policy.

- 6.196 First, national planning policy advocates the creation of mixed and inclusive communities. While I acknowledge that exceptions may be made to planning policy to provide 100% affordable housing that is not the same as restricting the size and type of dwelling on schemes to cater for one particular need.
- 6.197 Second, while recent ministerial statements encourage building more homes on brownfield land, and the government is currently consulting on measures to achieve this, there is at the moment no scope in national policy to discriminate against greenfield sites in favour of brownfield development. I also agree with the point made by Gladman Developments and others that brownfield development is not necessarily more sustainable than greenfield depending on location and other factors. The prioritisation of brownfield sites over greenfield should therefore be removed in line with paragraph 111 of national planning policy.
- 6.198 Greater clarity could also be achieved in the Plan as to how the housing requirement is intended to be delivered if Policy H1 were to set the scene for the housing delivery policies that follow rather than duplicating elements of those policies. For example the final part of the policy duplicates Policy H3 which covers housing mix and type in more detail.
- 6.199 Amendment to the policy and accompanying justification is therefore required to address these issues. In order to future proof the Plan my recommended wording takes account of the possibility of additional allocations being made at a later date through the Cheshire East Local Plan, through a combination of the emerging Strategy Document (which includes a proposal for a strategic site for mixed use development adjacent to junction 17 of the M6 at Sandbach), and at a later date if necessary through an Allocations Document.

Recommendation 22

- a) After 'Future housing' in line 1 substitute '*growth to meet the housing requirement established in the Cheshire East Council Local Plan*' for '*proposals*' and after 'will be delivered' substitute '*through existing commitments, sites identified in the Cheshire East Council Local Plan (Strategy and Allocations Documents) and windfalls*' for 'on small scale sites of up to 30 houses'.
- b) Delete the remainder of the policy and make consequential changes to the accompanying justification cross referenced to Policy H5.

- 6.200 Subject to the above modifications the policy meets the Basic Conditions.

- 6.201 **Policy H2 (Design and Layout)** aims to ensure that all new development is of a high design quality which contributes to local distinctiveness, and establishes the criteria against which future proposals will be assessed.
- 6.202 The policy reflects the general intention of national planning policy to promote designs which respond to and make a positive contribution to local character, and create visually attractive environments. It also promotes the creation of environmentally and pedestrian/cyclist friendly highway networks in connection with new development. The promotion of, good design principles, sustainable transport and healthy communities with safe and accessible environments are all key attributes of the economic, social and environmental dimensions of sustainable development.
- 6.203 The policy also generally conforms with principles established in the Congleton Borough Local Plan (First Review) by promoting development of a high standard which conserves or enhances the character of the surrounding area (Policy GR1), which achieves specific design criteria (Policy GR2), and in the case of residential development incorporates measures to create safe and attractive environments including provision for safe and convenient pedestrian and cycle movement (Policy GR3).
- 6.204 I do not accept the view promoted by a number of house builders and developers that the policy is too prescriptive since as the emphasis in the Plan is on managing future development proposals it follows that the Plan should 'develop robust and comprehensive policies that set out the quality of development that will be expected for the area' in line with national guidance (NPPF paragraph 58 refers).
- 6.205 One respondent also questions the purpose of the policy since a significant amount of residential development is already committed, although I feel this argument is a non sequitur as the policy is intended to apply to all future development proposals, including reserved matters applications, irrespective of type or scale.
- 6.206 Similarly while the use of traditional and vernacular building materials is seen by some as an onerous requirement which might affect the viability of schemes the policy is qualified by reference to 'where such treatment is necessary'.
- 6.207 There is however more substance in the argument that it is inappropriate to require developments to be in keeping with the unique character of Sandbach as this is not defined and no guidance is provided as to how this might be achieved. A more practical way of achieving the same objective would be to require development to reflect the character of the local area, and if appropriate, its countryside setting.

Recommendation 23

Substitute the following for sub clause a), '*Are in keeping with the character and, where relevant, the countryside setting of the local area*'

- 6.208 Subject to the above modification the policy meets the Basic Conditions.
- 6.209 **Policy H3 (Housing Mix and Type)** aims to ensure that (major) new housing developments deliver a mix of housing to meet identified need including affordable housing, starter homes and provision for an ageing population.
- 6.210 The policy reflects the emphasis placed on the creation of ‘sustainable, inclusive and mixed communities’ in national planning policy³¹. This is one of the key attributes of the social dimension of sustainable development, although I note that a number of house builders suggest that it would be better to rely on market forces to dictate the mix and type of housing.
- 6.211 However the wording of the first part of the policy is confusing in that it implies that the policy only applies to sites allocated in extant and emerging development plans or resulting from future housing requirements identified by Cheshire East Council.
- 6.212 As the amount of housing to be provided is a separate issue to the mix and type of housing required greater clarity could be achieved by simply requiring all housing proposals to be based on the most up to date assessment of housing need in terms of mix and house type. This would enable evidence of housing need identified through the local Sandbach Housing Needs Survey 2015 to be taken into account as well as East Cheshire Councils housing market assessment.
- 6.213 I also concur with the point raised by Emery Planning that while the policy wording reflects the requirement set out in paragraph 50 of the NPPF to ‘plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community’ this could be interpreted as discriminating in favour of providing housing for local community needs only, whereas national policy is also clear that provision should be made for objectively assessed needs across the whole housing market area (paragraph 47 refers). The wording should therefore be amended to bring it in line with national policy.

Recommendation 24

- a) **Substitute ‘*New housing developments*’ for ‘All housing within Sandbach as allocated by the most relevant, recent and up to date Development Plan Document held by Cheshire East Council or latest housing requirements as identified by Cheshire East Council’.**
- b) **Substitute ‘*most up to date assessment of housing need*’ for ‘identified needs of the community’.**

- 6.214 Subject to the above modifications the policy meets the Basic Conditions.

³¹ National Planning Policy Framework (2012) para 50

Policy H4 (Housing and an Ageing Population)

- 6.215 By encouraging the provision of more housing for older people the policy reflects the additional emphasis given to the housing needs of older people through recent changes to Planning Policy Guidance³² in the light of the projected national increase in the number of households aged 65 and over.
- 6.216 As pointed out by Cheshire East Council it is unclear as to precisely where the policy is intended to apply as 'within the town' could be interpreted as within the proposed Policy Boundary or within the existing built up area of Sandbach town. To be consistent with other policies (as recommended to be modified) the policy could apply across the whole Plan area.
- 6.217 Further amendment is required in order to fully reflect national planning policy with regard to development on brownfield and greenfield land. While I am aware that recent ministerial statements encourage building more homes on brownfield land, and the government is currently consulting on measures to achieve this, there is at the moment no reference in national policy to prioritising brownfield development over greenfield sites. Consequential amendment is required to Objective 6.
- 6.218 To be consistent with Policy H4 reference could also be made to the most up to date housing needs assessment.

Recommendation 25

- a) Delete 'within the town' in line 1, and delete reference to 'in Sandbach' in Objective 6.
- b) Delete 'and preferably on brownfield sites' in line 2.
- c) Insert '*based on the most up to date assessment of housing need*', at the end of the policy.

- 6.219 Subject to the above modifications the policy meets the Basic Conditions.
- 6.220 **Policy H5 (Preferred Locations)** identifies the types of location within the policy boundary defined in policy PC2a where proposals for residential development will be supported including infilling, brownfield sites, conversions, residential use above retail premises and town centre/edge of centre locations to provide homes for older people.
- 6.221 As drafted the policy reflects some aspects of national planning policy and extant local strategic policy such as promoting alternative means of transport to the car, conserving and enhancing local character, encouraging the use of empty premises above shops and promoting self build projects. However other aspects such as favouring brownfield sites over greenfield sites do not accord with national policy, as referred to

³² Planning Practice Guidance para 021 Ref ID: 2a-021-20150326

- previously in my comments and recommended changes to Policy H1.
- 6.222 Reference to a 30 dwelling limit on housing schemes should also be removed for the reasons previously stated in commenting on Policy H1. I am also mindful of the fact that such a restriction could potentially affect the viability of schemes already granted outline consent if it were applied to future phases of development and that this could consequentially affect the delivery of the identified housing requirement.
- 6.223 As a consequence of my recommended changes to Policy H1 Parts a) and b) of the policy should therefore be deleted in order to ensure consistency in the Plan and to reflect national policy.
- 6.224 The clarity of the policy could also be improved by separating the two policy strands into those that identify the types of location where residential development will be acceptable and those that set out specific criteria which must be complied with.
- 6.225 The second part of sub clause e) repeats the requirement outlined previously that development should contribute positively to local character and to meet identified housing needs, which is unnecessary. The reference to the types of residential development that will be acceptable in the countryside is already covered by Policy PC2a.

Recommendation 26

- a) Delete Parts a) and b) of the policy and consequentially delete Objectives 7 and 8.**
 - b) Insert the following at the beginning of the policy '*The following types of development will be supported within the Policy Boundary defined in Policy PC2a*' followed by the list of development types identified in points point e) and f)**
 - c) Delete the second part of Part e) from 'will be supported within the policy boundary.....' and incorporate an explanation in the accompanying justification that proposals for residential development in the countryside outside the defined Policy Boundary will be restricted to the types of development identified in Policy PC2a.**
 - d) Insert a new clause as follows '*Particular encouragement will be given to schemes which provide homes for older people within or near to the town centre, or which involve the redevelopment of brownfield land*'.**
 - e) Insert '*Development will be required to*' followed by the requirements identified in points d) and g).**
- 6.226 Subject to the above modifications the policy meets the Basic Conditions.

Subsection 3.4 Promoting Jobs and the Local economy

- 6.227 **Policy JLE1 (Future Employment and Retail Provision)** aims to ensure that future land allocations and planning permissions for employment uses are retained solely for employment purposes. It also establishes a range of considerations which proposals must comply with including compatibility with and enhancement of green corridors and environmental assets, provision of sustainable access including pedestrian and cycle access, mitigating highways impacts and avoiding unacceptable traffic impacts in Sandbach town centre. A further policy strand supports proposals for out of centre retail development provided it complements and enhances the town centre.
- 6.228 Policy JLE1 reflects national planning policy which includes the promotion of sustainable economic growth among its core principles, and which also requires economic growth to be balanced with conservation and sustainable transport objectives.
- 6.229 The policy has received mixed expressions of support and objection in response to the regulation 16 Publicity.
- 6.230 Those supporting the policy wish to ensure that a longstanding employment allocation, known as the Capricorn Site, which is located adjacent to the M6 motorway is retained for employment purposes. This would benefit the local economy and help address the current high levels of out-commuting to other employment centres.
- 6.231 The strategic advantages of the site, which benefits from a recent motorway junction improvement, are recognised in the emerging Cheshire East Local Plan which allocates for a mixed use scheme including 20 hectares of employment land, 200 new homes and the provision of leisure, retail, and commercial uses including a hotel and public house (Policy CS24).
- 6.232 The emerging policy recognises the need to include an element of residential development in the scheme in order to assist with the provision of access improvements and infrastructure. I note that the northern part of the site already benefits from planning consent for a mixed scheme including 250 houses and the southern part of the site has planning permission for a further 50 dwellings.
- 6.233 Those opposing the policy consider it is too inflexible contrary to national planning policy, particularly since the scale and distribution of both housing and employment growth has not yet been settled in the emerging Local Plan.
- 6.234 While the policy does acknowledge that the retention of employment uses is only justified where there is a reasonable prospect of the intended use being taken up, by specifically precluding residential and care related uses as potential alternatives it conflicts with national planning policy (NPPF paragraph 22) which states that applications for alternative uses should be treated on their merits.
-

- 6.235 In view of the fact that the number of dwellings already granted planning permission on the site exceeds the number indicated in the emerging Local Plan Policy CS24 by 50% there may be some merit, at least in the short term, of resisting further loss of potential employment land particularly as the market recovers. However this must be balanced with the fact that national planning policy also suggests that in considering alternative uses regard should be had to market signals and the relative need for different land uses to support sustainable development.
- 6.236 I also have reservations about the practicability of the policy since as drafted the intended restriction on non employment uses could be incompatible with the emerging Local Plan policy which promotes a mixed use development. As the policy is intended to supplement an as yet unadopted policy in the emerging Local Plan the question may also arise as to which policy takes precedence.
- 6.237 I therefore recommend that the first part of the policy be amended to better reflect national policy and the emerging Local Plan by removing the restriction on alternative residential use provided it can be demonstrated that there is no demand for the intended use and/or the intended use is not viable.
- 6.238 It also occurs to me that the policy is rather narrowly focused and an opportunity has been missed to safeguard existing employment sites as well as the Capricorn Site. This would fit with the overriding aim to maintain a thriving local economy. However I refrain from making a recommendation in this respect as this would affect other locations which have not been consulted on during the preparation of the Plan.
- 6.239 I also note that Part 3 of the policy duplicates the provisions set out in Part 4 of Policy HC2 (Protection and Enhancement of the Principal Shopping Area), although the wording is slightly different. Duplicate policies (or parts of policies) are potentially confusing to decision makers and members of the public. As the intention is to safeguard the town centre I suggest that it would be more appropriate to deal with the issue of out of centre retail proposals in Policy HC2.

Recommendation 27

- a) **Replace sub clause 1 with the following '*Where there is a reasonable prospect of a site being used for its intended purpose alternative uses will not be considered unless it can be demonstrated that there is no demand for the intended use and/or the intended use is not viable*'.**
- b) **Delete Part 3 of the policy.**

- 6.240 Subject to the above modifications the policy meets the Basic Conditions.

- 6.241 **Policy JLE2 (Tourism and Visitors)** supports the improvement of services and facilities associated with tourism subject to protecting the environment, landscape and townscape setting. Proposals must also be well related to the cultural and historic assets of Sandbach.
- 6.242 The policy generally reflects national planning policy which promotes appropriate economic growth in towns and rural areas and encourages rural diversification and a positive approach to rural tourism provided development respects the character of the countryside. It is also consistent with local strategic policies concerning tourism and visitor development, namely Policy E16 (Facilities and Attractions), Policy E17 (Serviced Accommodation), and Policy E18 (Camping and Caravan Sites) in the Congleton Borough Local Plan (First Review).
- 6.243 There is however an inconsistency between Objective 2 which supports tourism ‘within the town’ and the policy wording and associated justification which implies that the policy is intended to apply across the whole Plan area, including the countryside, as it refers to countryside and landscape considerations. I therefore recommend that Objective 2 be amended to bring it in line with the policy and text.

Recommendation 28

Delete ‘within the town’ in line 2 of Objective 2 on page 60, and substitute ‘of the area’ for ‘of the town’ in line 3 of the policy.

- 6.244 **Policy JLE3 (The Market Hall)** reinforces Policy HC4 (Markets) and Policy HC1 (Historic and Cultural Environment) by ensuring that future alterations and improvements facilitate the Market Halls continued viability and make a positive contribution to its local distinctiveness.
- 6.245 Although there is no equivalent policy in the Congleton Borough Local Plan (First Review) national planning policy recognises the role that markets can play in promoting attractive and competitive town centre environments. The policy complements other aspects of national policy by balancing support for an existing business sector with the desirability of sustaining and enhancing a significant heritage asset – key elements of sustainable development.
- 6.246 The policy therefore meets the Basic Conditions and no modification is required.

Subsection 3.5 Improving the Infrastructure

Policy IFT1 (Sustainable Transport, Safety and Accessibility)

- 6.247 The policy is intended to ensure that new development caters for pedestrians, cyclists and those with disabilities in order to encourage travel by means other than the motor car. It also aims to ensure that new

development is well related to the highway network, public transport, employment, shops, services and leisure opportunities, and that the impacts of traffic associated with new development is mitigated. A further policy strand requires proposals that will generate significant amounts of traffic to be accompanied by a Travel Plan.

- 6.248 Policy IFT1 has regard to national planning policy by promoting pedestrian and cycle movements as an alternative to the motor car, which also supports the creation of healthy, inclusive communities. Maximising non car based transport and improving access to employment opportunities and local facilities also contributes to the social and environmental aspects of sustainable development.
- 6.249 The policy generally conforms with the suite of local strategic policies (GR3 and GR9 – GR19) that deal with accessibility including the provision of convenient and safe pedestrian and cycle movement, car parking, traffic generation and infrastructure.
- 6.250 However while it is reasonable to expect large scale developments to address all the considerations identified in the policy I agree with Cheshire East Council that this may not be appropriate or even practical in the case of smaller schemes or certain types of development.
- 6.251 I have considered whether the introduction of different thresholds would overcome this difficulty, but in the absence of specific evidence and because interested parties have only had the opportunity to comment on the Plan proposals as published, this would be inappropriate. I therefore suggest the words 'where appropriate' should be incorporated in the first part of the policy. I appreciate this weakens the policy to a degree but without this qualification I am not confident that the policy could be applied in a fair or meaningful way.
- 6.252 As drafted bullet point 8 does not fit with the previous part of the policy since it sets out the circumstances in which development will not be allowed rather than identifying considerations which proposals are expected to comply with. It also overlaps with Policy PC6 (Footpaths) although it is wider in scope than that policy because it also applies to the cycleway network. As I have previously recommended that Policy PC6 be amended to facilitate the diversion of footpaths and cycleways a consequential change is required to bullet point 8 to reflect the changes to Policy PC6 in order to ensure consistency.
- 6.253 The second part of the policy includes an aspiration for applicants to submit Travel Plans to Sandbach Town Council in connection with applications for development. However as the Town Council has no control over third parties and responsibility for considering planning applications and related highways matters (including Travel Plans), rests with Cheshire East Council as both Local Planning and Highways Authority, I suggest this reference be removed.

Recommendation 29

- a) Insert '*where appropriate*' after 'In order to improve transport and safety,' in line 1.
- b) Make a consequential change to bullet point 8 to reflect the recommended changes to Policy PC6.
- c) Delete 'Sandbach Town Council and' in the second paragraph.

- 6.254 Subject to the above modifications the policy meets the Basic Conditions.
- 6.255 **Policy IFT2 (Parking)** supports the retention of short stay parking spaces in the town centre to support local businesses. Where public car parks are affected by development proposals replacement spaces should be provided either on site or nearby. Alternatively schemes may provide or contribute towards alternative transport facilities/sustainable forms of access to the town centre in order to mitigate the loss. Another policy strand is aimed at ensuring that developments provide adequate on-site parking facilities to avoid or minimise 'on street parking'.
- 6.256 National planning policy recognises the importance of improving the quality of parking in town centres so that it is convenient, safe and secure whilst recognising the importance of improving accessibility through measures to promote sustainable transport, including walking and cycling facilities and public transport. These are key attributes of the economic, social and environmental dimensions of sustainable development.
- 6.257 Policy IFT2 also conforms with Congleton Borough Local Plan (First review) Policy G17(Car parking) in relation to seeking contributions toward the provision of alternative transport measures (The first part of that policy in relation to the imposition of maximum car parking standards has now been superseded by national policy)
- 6.258 While the policy is intended to ensure that new residential development does not create car parking and related highway problems no particular evidence or justification has been put forward to justify the approach.
- 6.259 The desirability of avoiding or minimising 'on street' parking has also been questioned by a number of parties. For example it has been suggested that it may be impractical to have on-site parking in the case of terraced housing and that on street parking can contribute to traffic calming measures.
- 6.260 However I am also mindful of the fact that no objection has been made to the policy by the Local Highway Authority and that new development will have to meet the most up to date parking standards adopted by Cheshire East Council.
- 6.261 Subject to qualifying the wording to recognise there may be circumstances where the provision of off street parking is impractical, for example in the case of flat conversions, the policy satisfies the Basic Conditions.

Recommendation 30

Insert ‘where practicable’ after ‘parking facilities’ in the last line of the policy.

- 6.262 **Policy IFC1 (Community Infrastructure Levy)** underpins the principle of taking into account the impact of new development on existing infrastructure, when assessing planning proposals. It is also intended to ensure that the impacts of development are appropriately mitigated and that the views of the Town Council are taken into account in order to understand local needs and funding priorities.
- 6.263 The provision of infrastructure, mitigating the impacts of development and providing services and facilities that reflect a community’s needs are fundamental principles embedded in national planning policy and key attributes of sustainable development. The policy also generally conforms with local strategic policy aimed at securing appropriate contributions toward new infrastructure provision (Congleton Borough Local Plan (First Review) Policy GR19).
- 6.264 Although the policy has been criticised for missing the opportunity to identify spending priorities for the future I note that the accompanying justification refers to the fact that the Town Council intends to undertake this exercise and to keep priorities regularly updated. As priorities may change through time this may prove to be a more effective mechanism than embedding funding priorities within the policy.
- 6.265 I am also mindful of the fact that the current process for securing financial contributions toward infrastructure provision through planning obligations is in the process of being replaced by the Community Infrastructure Levy. Until Cheshire East Council has a Community Infrastructure Levy Charging Schedule in place contributions may continue through the planning obligations process. As these are separate mechanisms this should be made clear in the policy and accompanying justification.

Recommendation 31

Insert ‘or’ after ‘planning obligations’ in line 2, delete ‘in place’ after ‘funding mechanisms’ in line 3, and amend the accompanying justification to clarify that the introduction of a Community Infrastructure Levy Charging Schedule will replace the planning obligations mechanism.

Subsection 3.6 Community and Well-Being

Policy CW1 (Amenity, Play and Recreation)

- 6.266 The proposed retention and enhancement of existing amenity, play and recreation areas reflects national planning policy to protect open space

and recreational facilities in order to contribute to the health and well-being of communities – one of the key attributes of sustainable development. The policy, which updates the areas that are to be afforded protection, is also in general conformity with Policy RC2 (Protected Areas of Open Space) in the Congleton Borough Local Plan (First Review).

- 6.267 The inclusion of a reference to sports provision in the policy and accompanying justification would bring the policy more in line with national policy, and would be consistent with the list of recreation and sports facilities identified in Appendix 2. Consequential changes are required to Objective 1, Appendix 2 and Figure 6.
- 6.268 I also note that Site 'S22' which is identified in Figure 6 as an Amenity Greenspace, and which is proposed as an area of Local Green Space (Site P) in Policy PC4 is omitted from the list of Amenity Greenspace in Appendix 2.

Recommendation 32

- a) **Rename the policy '*Amenity, Play, Recreation and Outdoor Sports Facilities*'.**
- b) **Insert '*sports fields and*' after 'All' at the beginning of the policy, and make consequential changes to Objective 1, and the headings of Figure 6 and Appendix 2.**
- c) **Add site 'S22' to the list of Amenity Greenspace in Appendix 2.**

- 6.269 **Policy CW2 (Sport and Recreation Facilities)** supports the provision of new and/or enhanced indoor and outdoor sports facilities particularly those that are available to the public and accessible by non car born means of transport, provided they are inclusive to all age groups and those with disabilities, and have adequate parking. A further policy strand is concerned with ensuring that the development of a new or improved leisure centre on the existing site at Sandbach High School and Sixth Form College should allow public access.
- 6.270 The policy reflects national planning policy which includes the promotion of health and wellbeing, including the provision of sports and recreational facilities to meet community needs, among its core principles. These are key attributes of sustainable development.
- 6.271 The policy is also in general conformity with Policy RC1 (Sport and Community Facilities - General), Policy RC10 (Outdoor Formal Recreational and Amenity Open Space Facilities) and Policy RC11 (Indoor Recreation and Community Uses) in the Congleton Borough Local Plan (First Review).
- 6.272 In considering this policy I need to address concerns expressed by members of the public that the Neighbourhood Plan should more accurately reflect the current situation regarding access by the public to the Leisure Centre located at the High School. It is pointed out that this

facility was originally provided by the former Cheshire County Council as a public facility with permitted shared use by the High School, and not the other way round as is often the case with shared use facilities. It is further suggested that as the agreement expires in 2018 it will be necessary for the High School to renegotiate access and potentially have to contribute toward the running costs.

- 6.273 While it is important for the Plan to accurately reflect the particular circumstances regarding the joint use of the leisure centre this has no direct bearing on the policy wording. In view of the fact that sub clause 5 of the policy concerns an operational/management rather than a land use issue I recommend that this part of the policy be deleted and that an accurate explanation regarding the management and shared use arrangements at the Leisure Centre is provided in the accompanying justification instead.
- 6.274 I also note an inconsistency between the policy heading which refers to sport and recreation facilities and the policy wording which refers to indoor and outdoor leisure and recreation facilities.

Recommendation 33

- a) **Delete sub clause 5 of the policy and incorporate an accurate explanation of the situation regarding joint use of the existing Leisure Centre in the accompanying justification.**
- b) **Change the policy heading to 'SPORT AND LEISURE FACILITIES' and amend part 1 of the policy to refer to '*indoor and outdoor sport and leisure facilities*'.**

- 6.275 Subject to the above modifications the policy meets the Basic Conditions.
- 6.276 **Policy CW3 (Health)** is intended to ensure that new residential developments make provision for health care facilities which will be secured through developer contributions. The policy also supports the provision and/or improvement of specialist care facilities for the elderly and people with disabilities or requiring mental health facilities. In order to encourage people to undertake exercise and enjoy their natural surroundings the policy requires new residential developments to incorporate provision for walking and cycling within the town.
- 6.277 The policy reflects national planning policy which includes health and wellbeing objectives, including the creation of footpath and cycleway networks to encourage healthy lifestyle choices. These are important elements in the social and environmental aspects of sustainable development. It is also complements local strategic policy in relation to the provision of services and facilities (Policy GR 23) and the provision of facilities for cyclists and pedestrians (Policy GR3, and Policies GR14 – 16) in the Congleton Borough Local Plan (First Review).
-

- 6.278 Although I would question the effectiveness of a policy which relies on developer co-operation to achieve its objectives, (since there are no formal mechanisms to compel applicants to engage with health care providers as part of the planning process) as it is not my role to test for soundness, for example in terms of deliverability, I am satisfied the policy meets the Basic Conditions, subject to the following reservations.
- 6.279 First I share the concern of Cheshire East Council that it would not be appropriate or practical to apply this policy to all scales of development.
- 6.280 I have considered whether the introduction of different thresholds would overcome this difficulty, but in the absence of specific evidence and because interested parties have only had the opportunity to comment on the Plan proposals as published, this would be inappropriate. I therefore suggest the words 'where appropriate' should be incorporated in the first part of the policy. I appreciate this weakens the policy to a degree and introduces a degree of uncertainty but without this qualification I am not confident that the policy could be applied in a fair or meaningful way.
- 6.281 Second I acknowledge the point made by house builders and local developers that under the current planning obligations regime contributions may only be sought where they are directly related to the development and fairly and reasonably related in scale and kind to the development. In addition the opportunities for delivering infrastructure projects through 106 obligations has been further curtailed through the introduction of limits on the 'pooling' of 106 obligation in the latest amendment to the CIL Regulations.³³
- 6.282 Of course this situation will be remedied when Cheshire East Council has a Community Infrastructure Levy Charging Schedule in place which will deliver additional funding and can be used to fund a wide range of infrastructure projects that support growth and benefit the local community such as transport related facilities, flood defences, school and educational facilities, and health care facilities.
- 6.283 It is important that the policy and accompanying justification clarifies that these are separate mechanisms. I also suggest the wording is consistent with the wording in Policy IFC1 (Community infrastructure Levy) as recommended to be amended.
- 6.284 As Part 4 of the policy duplicates other policies such as Policy PC6 and Policy IFT1 which articulate the requirement to cater for walkers and cyclists in new residential developments in more detail I suggest this part of the policy be deleted and replaced with a cross reference to other policies in the accompanying justification.

Recommendation 34

a) Replace Part 1 of the policy with the following 'Where

³³ Regulation 122 of the Community Infrastructure Levy Regulations as amended by the CIL (Amendment) Regulations 2013.

appropriate provision for new medical facilities will be sought in new residential development so that new residents have access to a GP practice within a reasonable distance, subject to agreement with the healthcare provider, unless the existing services have capacity for new residents’.

- b) **Replace Part 2 of the policy with the following ‘Developer contributions will be secured through planning obligations or in accordance with the most up to date funding mechanisms on developer contributions and infrastructure adopted by Cheshire East Council’.**
- c) **Delete Part 4 of the policy and incorporate an explanation in the accompanying justification, cross referenced to other policies, explaining how the package of measures in the Plan to provide and enhance footpath/cycleway routes will increase opportunities for informal relaxation and healthy lifestyle choices and well-being.**

6.285 Subject to the above modifications the policy meets the Basic Conditions.

Subsection 3.7 Adapting to Climate Change

6.286 **Policy CC1 (Adapting to Climate Change)** is intended to ensure new developments and designs incorporate appropriate measures to minimise the use of energy and clean water.

6.287 This is in line with national planning policy which recognises the importance of meeting the challenge of climate change by, inter alia, encouraging the re-use of existing resources and supporting energy efficiency improvements combined flood prevention and mitigation measures.

6.288 It is also consistent with Policy GR2 (Design) in the Congleton Borough Local Plan (First Review) by requiring proposals to take the need for energy conservation and efficiency into account.

6.289 As drafted however the policy is too inflexible because it would apply to all developments irrespective of type or scale and it would not necessarily be appropriate to apply the policy to outline schemes. I am also mindful of the fact that it is not possible to produce an exhaustive list covering all circumstances. For example as pointed out by a local house builder it is possible to achieve energy efficiency in other ways for example through the use of sustainable building materials (the ‘fabric first’ approach) which may improve thermal insulation, solar gain and ventilation while reducing long term maintenance costs.

6.290 I therefore suggest the policy wording should be more flexible.

6.291 I also find the reference to flood prevention methods somewhat confusing as this would not contribute to energy or resource efficiency. As it is not

clear whether reference is being made to flood defence or flood resilience techniques either in the policy or accompanying justification I suggest this reference is omitted.

- 6.292 Although the view has been expressed that the policy is too limited in scope, for example because it does not specifically promote renewable energy initiatives, as the focus of the policy is on the design and layout of development it would nevertheless facilitate the use of micro renewable technologies such as solar photovoltaics, wind turbines and ground source heat pumps.

Recommendation 35

- a) **Insert '*Where appropriate*' at the beginning of the policy**
- b) **Delete 'flood prevention methods' in line 2**
- c) **Substitute '*operation, use of materials and other elements of the scheme*' for 'and operation' in line 2.**

- 6.293 Subject to the above modifications the policy meets the Basic Conditions.

7.0 Conclusions and Formal Recommendations

Referendum

- 7.1 I consider the Neighbourhood Plan meets the relevant legal requirements and subject to the modifications recommended in my report it is capable of satisfying the 'Basic Conditions'.
- 7.2 Although there are a significant number of modifications the essence of the policies would remain, providing a framework, for managing future development proposals and protecting and enhancing the local environment.

I therefore recommend that the Neighbourhood Plan should, subject to the recommended modifications, proceed to referendum.

Voting Area

- 7.3 I am also required to consider whether the Referendum Area should be extended beyond the Sandbach Neighbourhood Area. As the impact of the policies and proposals contained in the Plan is likely to be focused on and adjacent to the built up area of Sandbach and to a much lesser extent on the surrounding countryside, there will be minimal impact on land and communities outside the defined Neighbourhood Area. I therefore consider the Neighbourhood Area to be appropriate. No evidence has been submitted to suggest that this is not the case.

I therefore recommend that the Neighbourhood Plan should proceed to a Referendum based on the Neighbourhood Area as approved by Cheshire East Council on 21 October 2014.

Declaration

In submitting this report I confirm that

- I am independent of the qualifying body and the Local Authority.
- I do not have any interest in any land that may be affected by the Plan and
- I possess appropriate qualifications and planning and development experience, comprising 41 years experience in development management, planning policy, conservation and implementation gained across the public, private, and community sectors.

Examiner Terry Raymond Heselton BA (Hons), DiP TP, MRTPI

Dated 11 January 2015

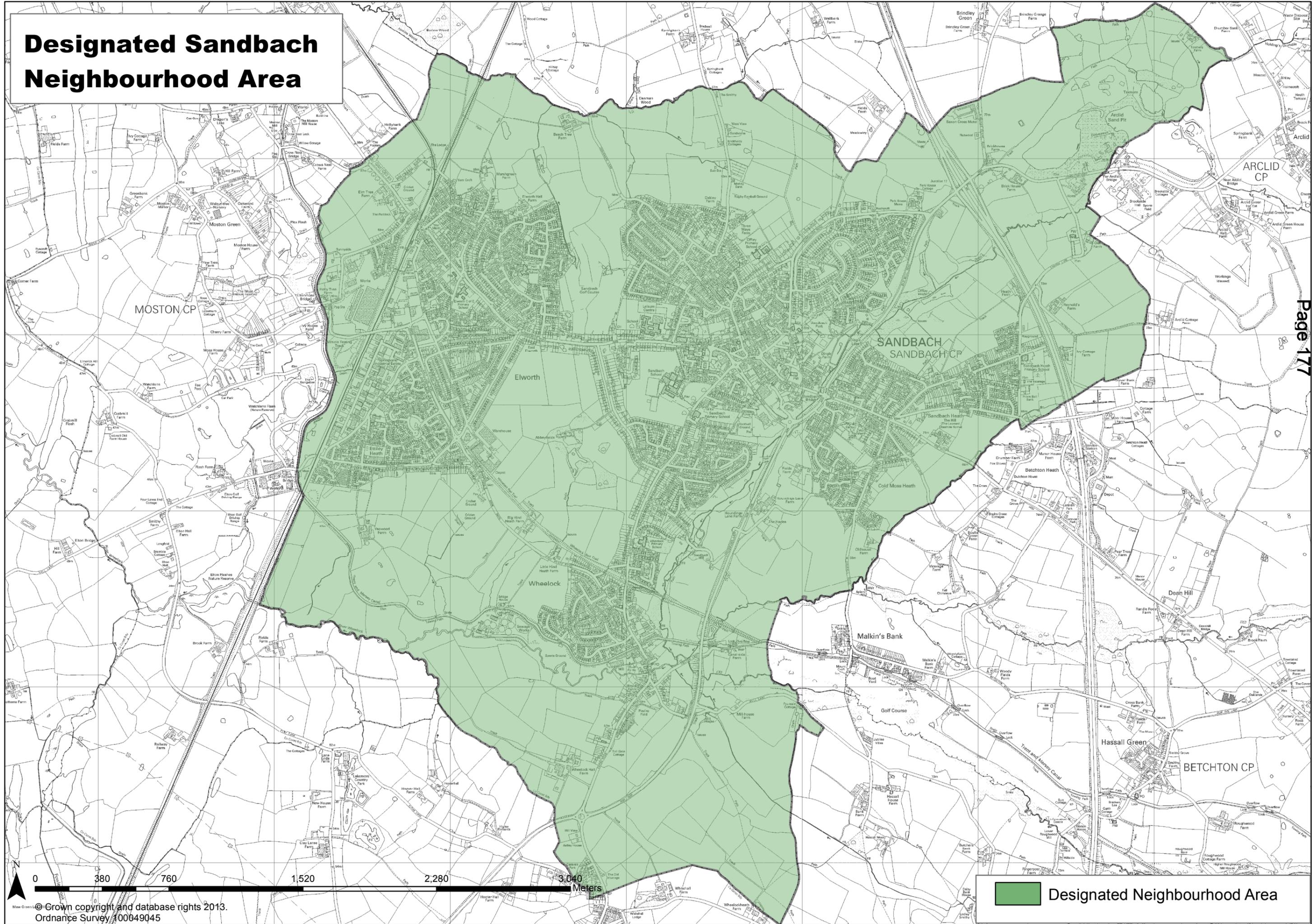
Appendix 1 :

List of Documents Referred to in Connection with the Examination of the Sandbach Neighbourhood Development Plan

- Examination Version of the Sandbach Neighbourhood Plan (September 2015)
- National Planning Policy Framework
- National Planning Practice Guidance
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning (General) Regulations (2012) (as amended)
- The Environmental Assessment of Plans and Programmes Regulations (2004)
- Saved policies in the Congleton Borough Local Plan (First Review) (adopted 27 January 2005)
- Basic Conditions Statement (September 2015)
- Consultation Statement (September 2015)
- Landscape Character Assessment (September 2015)
- Housing Vision Report (The Implications of Household Projections for Meeting Housing Need in Sandbach 2013 – 2013) (March 2015)
- Cheshire Wildlife Trust Report (Protecting and Enhancing Sandbachs Natural Environment) (March 2015)
- Draft Sandbach Conservation Area Character Appraisal and Management Plan (September 2015)
- Cheshire East Local Plan (Strategy Document) Submission Version (March 2014)
- Cheshire East Local Plan (Strategy Document) Inspector's Further Interim Findings (11 December 2015)
- Cheshire East Council Screening Opinion on Strategic Environmental assessment of the Neighbourhood Plan and Habitats Regulation Assessment (July 2015)
- 32 representations received during the Publicity Period and 1 representation received after the Publicity period.

I also accessed Cheshire East Council and Sandbach Town Council website pages during the course of the examination.

Designated Sandbach Neighbourhood Area



 Designated Neighbourhood Area

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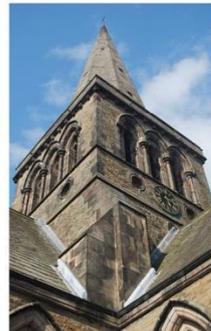
Sandbach

Neighbourhood Development Plan

A vision for Sandbach up to 2030



Our Community | Our Decisions



Sandbach Neighbourhood Development Plan

Our Community – Our Decisions

A vision for Sandbach up to 2030

Final Revision 2.0

September 2015

Preface

This Sandbach Neighbourhood Development Plan (the Plan) has been produced by the Sandbach Neighbourhood Development Plan Working Group, comprising members of Sandbach Town Council and the local community.

The area covered by this Plan is identified in section 1.2 and Fig.1.

It is important to note that the Sandbach neighbourhood area covers the civil boundary of Sandbach, incorporating Sandbach town and the village settlements of Sandbach Heath, Elworth, Ettiley Heath and Wheelock. When the Plan makes reference to Sandbach, this is intended to represent all these settlements which make up the area and is used for the sake of brevity only.

How this plan is organised

This Plan is divided into four sections:

Section 1: Introduction

This section sets out:

- How the Plan fits into the Planning System
- An overview of the initial stages of public consultation, and how it has influenced the development of the Plan
- About Sandbach - a brief overview of Sandbach, past and present.

Section 2: A Vision for Sandbach – Key Issues, Vision and Aims

This section sets out:

- The overall vision for development in future years
- The key themes which have contributed to the vision.

Section 3: The Plan Objectives and Policies

This section sets out:

The objectives and policies to support the overall vision
Site specific briefs where relevant.

Section 4: Supporting Information and Evidence Base

This section sets out:

The framework and the justification for the plan, including:

- Glossary of Terms
- Acknowledgements
- Reference Documents
- Appendices.



CONTENTS:

Section 1: Introduction

- 1.1 Overview
- 1.2 Quick reference guide – Index to policies and maps
- 1.3 Neighbourhood Plan Boundary
- 1.4 How the Plan fits into the Planning system
- 1.5 What is a Neighbourhood Development Plan?
- 1.6 Sustainability appraisal
- 1.7 Community engagement and consultation
- 1.8 About Sandbach

Section 2: Key issues, vision and aims 2010 - 2030

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SECTION 1: Introduction

1.1 Overview

This document has been prepared by the Sandbach Neighbourhood Development Plan Working Group, which has been led by Sandbach Town Council and members of the community.

The Sandbach Neighbourhood Development Plan (the Plan) is a planning document that sets out the direction of growth in Sandbach until 2030. It is part of the Government's approach to planning, which aims to give local people more say about what goes on in their area. This is set out in the 'Localism Act' that came into force in April 2012.

The Plan provides a vision for the future of the community and sets out clear policies to realise this vision. These policies must accord with higher level planning policy, as required by the Localism Act. The Plan has been developed through extensive consultation with the people of Sandbach and others with an interest in the community.

The Plan provides local people with the opportunity to have control over use of land – the local history and character, its landscape, type and tenure of development, where development should go and how it can benefit the community.

The Plan reflects the wishes of the Sandbach community to ensure that appropriate contributions towards facilities and services are provided as part of any additional housing development.

The Plan must be flexible and adaptable in order to provide a structure which meets the needs of a changing population, safeguards our environment and builds our local economy. The Plan must also be sustainable in order to ensure the future wellbeing of our community.

1.2 Quick Reference Guide – Index to Policies and Maps

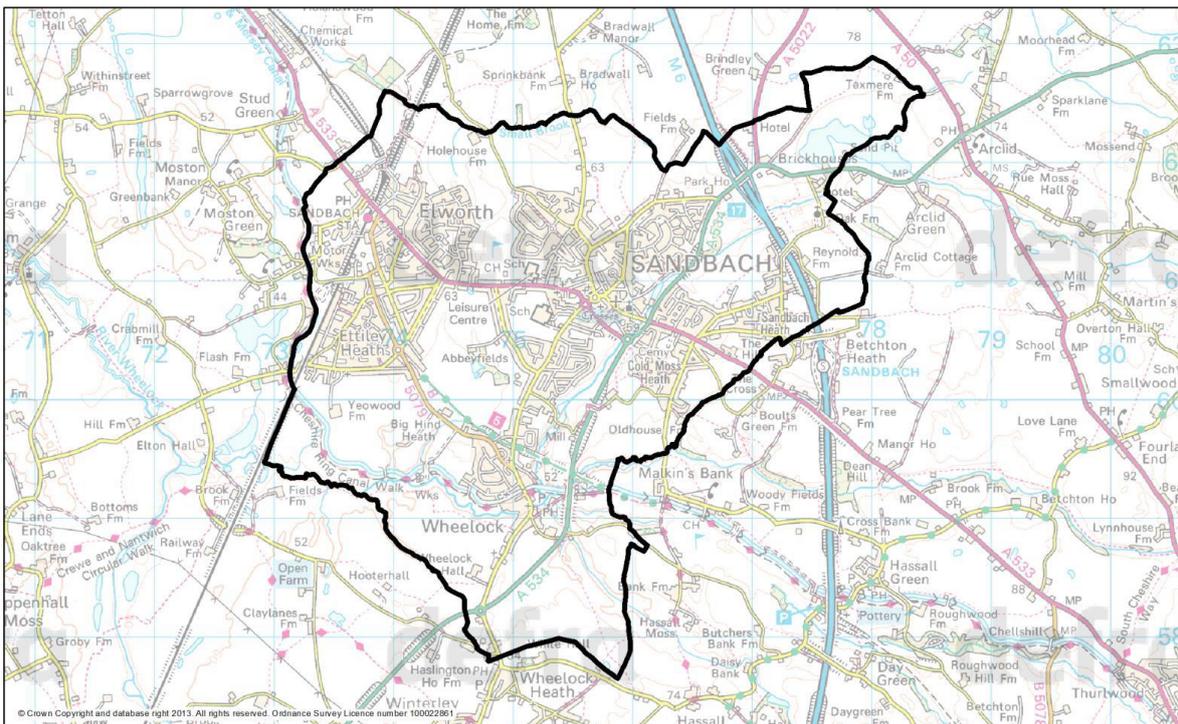
DETAIL	POLICY	ASSOCIATED MAP
Sandbach Civil Parish Boundary		Fig.1
Future Vision of Sandbach Proposals Map		Fig.2
Protecting the Countryside:		
Areas of Separation	PC1	Fig.3
Landscape Character	PC2	Fig.4
Policy Boundary for Sandbach	PC2a	Fig 2
Areas of High Ecological Value and Wildlife Corridors	PC3	Fig.5
Local Green Spaces	PC4	Fig.6
Biodiversity and Geodiversity	PC5	Fig.5
Footpaths	PC6	Fig 7
Preserving Heritage and Character		
Historic and cultural environment	HC1	
Protection and Enhancement of the Principal Shopping Area	HC2	
Shop Fronts and Advertising	HC3	
Markets	HC4	
Managing Housing Supply		
Housing Growth	H1	Fig. 2
Design and Layout	H2	
Housing Mix and Type	H3	
Housing and an Ageing Population	H4	
Preferred Locations	H5	Figs.2 & 8
Promoting Jobs and the Local Economy		
Future Employment and Retail Provision	JLE1	Appendix 5
Tourism and Visitors	JLE2	
The Market Hall	JLE3	
Improving the infrastructure		
Sustainable Transport, Safety and Accessibility	IFT1	Appendix 6
Parking	IFT2	
Community Infrastructure Levy	IFC1	
Community and Well-Being		
Amenity, Play and Recreation	CW1	
Sport and Recreation Facilities	CW2	
Health	CW3	
Adapting to Climate Change		
Adapting to Climate Change	CC1	

1.3 Sandbach Neighbourhood Development Plan Boundary

The Civil Parish of Sandbach (Fig. 1) has been formally designated as a Neighbourhood Area through an application made by Sandbach Town Council (a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990) on 10 July 2014 in accordance with the Neighbourhood Planning Regulations 2012 (part 2 S6) and approved by Cheshire East Council on 21 October 214.

The Civil Parish of Sandbach includes the settlements of Elworth village, Ettiley Heath, Wheelock village and Sandbach Heath.

Sandbach Parish



Source: 2011 Census Output Area boundaries. Crown Copyright.
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 Produced by Oxford Consultants for Social Inclusion, www.ocsici.co.uk, April 2013



Fig.1 - The Civil Parish of Sandbach

1.4 How the Neighbourhood Development Plan fits into the Planning System

Although the Government's intention is for local people to decide what goes on in their towns, the Localism Act which came into force in April 2012 sets out some important laws.

One of these is that all Neighbourhood Development Plans must be in line with higher level planning policy. That is, Neighbourhood Development Plans must be in line with European Union regulations on strategic environmental assessment and habitat regulations, the National Planning Policy Framework (otherwise known as the NPPF) and local policy, in particular, the most relevant, recent and up to date Development Plan Document held by Cheshire East Council).

The Plan has been developed with the Basic Conditions firmly in mind, against which all neighbourhood plans are assessed. In terms of the Local Plan, the relevant consideration is general conformity with the strategic policies of the saved policies of the adopted Congleton Borough Local Plan First Review (2005). Cheshire East is preparing a new borough-wide Local Plan. It is still at examination stage so does not yet form part of the statutory development plan. Neighbourhood Development Plans can come forward before up to date Local Plans are in place and the way in which the Sandbach Plan has been prepared is in line with national planning guidance, covering where this is the case. There has been close working with Cheshire East Council to understand the relationship between the Plan and the adopted and emerging Local Plans, taking into account national planning policy. This collaborative and pragmatic approach has been successful in achieving a Plan that is complementary to the emerging Local Plan. Once brought into effect, the Plan will become part of the development plan within the designated Neighbourhood Plan area and, with the latest adopted Local Plan, will be the starting point for determining planning applications.

The Localism Act allows the Plan to provide more dwellings than the number specified in the Cheshire East Local Plan Strategy, but it does not allow the Plan to provide for less.

Whilst planning applications are still determined by Cheshire East Council the production of a Neighbourhood Development Plan has given local people the power to decide where new housing, additional leisure, retail and employment provision should go, and how the town should evolve. The Plan provides the policy framework for Cheshire East Council to make these decisions on behalf of the people of Sandbach.

Positioning the Plan in respect of the Cheshire East Council Local Plan Strategy (which was submitted for Examination in 2014) has been difficult as its' approval was delayed by the Inspector's decision that certain elements required revisiting, including the overall housing figures.

The community felt that it was important, however, to prepare a Neighbourhood Development Plan, and the Plan has, therefore, been produced taking full consideration of the strategic direction and policies in the Cheshire East Local Plan

Strategy Submission Version, and through discussions with Cheshire East Council. has enabled us to amend policies as necessary, draft a Plan we consider to be in general conformity and minimise any potential conflict between policies. General conformity with existing plans and guidance is detailed in the Basic Conditions Statement.

Additionally the Cheshire East Local Plan Strategy Submission Version does endorse many of the saved policies of Congleton Borough Local Plan First Review (adopted in 2005). Certain policies will be retained and used in the determination of planning applications until superseded by the Site Allocations and Development Policies and Waste Development Plan Documents.

1.5 What is in the Neighbourhood Development Plan?

Although deciding where new housing, additional leisure, retail and employment should go is an important part of the Plan, it is about much more than this. The Plan is a plan for the parish as a whole. It looks at a wide range of issues, including:

- The development of housing (number, location, type, tenure etc.)
- Local employment and opportunities for businesses to set up or to expand their premises.
- Transport and access issues (roads, cycling, walking etc.)
- The provision of leisure facilities, schools, places of worship, health, entertainment and youth facilities.
- The protection, extension and creation of open spaces (nature reserves, allotments, sports areas, play areas, parks and gardens).
- Installation of renewable or alternative energy solutions.
- Protection of important buildings and historic assets.

1.6 Sustainability Appraisal

Neighbourhood Development Plans are not technically subject to sustainability appraisal, provided they are in conformity with the development plan of the local planning authority in terms of the scale and distribution of planned growth.

However, the land use planning process provides an important means by which sustainable development can be achieved. The Plan is in conformity with, and refines, the Cheshire East Council Strategic Policy relating to Sandbach and forms a formal part of the Cheshire East Council Local Plan Strategy.

Sandbach is defined as a Key Service Centre and Policy PG2 of the most up to date Development Plan Document held by Cheshire East Council. states that “*In Key Service Centres, development will be of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability*”.

As such, the Plan will help to achieve sustainable development by ensuring that its development policies and proposals will meet the needs of people who live, work in and visit Sandbach.

1.7 Community Engagement and Consultation

The Plan belongs to the people of Sandbach. It has been developed from the views of local people gathered using a variety of different consultation approaches including: stalls at local events, meetings, presentations interactive workshops, website interactive forums, Facebook pages and Sandbach-wide on-line/paper surveys.

Phase 1 survey was an open questionnaire with five questions:

1. What's good about living here?
2. What's not so good about living here?
3. What do we need?
4. What should we look after?
5. What are the 3 most important issues you would like the Neighbourhood Plan to address?

Over 1,600 completed questionnaires were returned.

A second major survey was distributed to every household and business address throughout Sandbach. This survey was a test of the proposed vision, aims and objectives of the Neighbourhood Plan and included a housing need survey questionnaire.

Over 1200 completed surveys and 400 housing needs surveys were returned.

In addition to the residents' consultation, a wide range of stakeholders were invited to participate in events aimed specifically to gather their views, ideas and concerns. Local businesses, developers and land owners were encouraged to participate in the process.

The following are reference documents to the Plan:

- Relationship between The Sandbach Neighbourhood Development Plan and existing Sandbach Town documents
 - Consultation Statement – Evidential record of community engagement
 - Basic Condition Statement
 - Supporting Evidence Base
-

1.8 About Sandbach

Location:

Situated in the North West of England and in the heart of the Cheshire Plain, Sandbach is a small rural market town, located close to the M6 motorway Junction 17. The M6 provides an easy connection to the north and south of the country.

Landscape character is typical Cheshire (flat/rolling) farmland and woodland, with traditional style buildings and clear unobstructed views of the Welsh hills to the west and the Pennine Range to the east. There is evidence of historic salt brine pumping, leading to the creation of the “Flashes”. Brine extraction without replacement and the existence of a number of underlying brine runs, means that significant areas of the parish are potentially subject to ongoing ground movements.

Sandbach as a whole consists of distinct settlements or “villages” which have green Areas of Separation that act as buffers between the settlements and allows them to retain their own identities. The town centre is situated in the northern part of Sandbach, Sandbach Heath is to the South East, Wheelock village to the South, Ettiley Heath to the South West, whilst Elworth village is to the West. Each settlement contains at least one church and many public houses. Sandbach, Elworth and Wheelock have their own primary schools.

To the south of Sandbach, the Trent and Mersey canal runs through the village of Wheelock bringing some visitors to the outskirts of town. It also provides a clear boundary to the South of Ettiley Heath and Elworth.

Sandbach train station, located 1 mile from the town centre in Elworth village, provides 2 trains per hour to the heart of Manchester, one of which runs via Manchester International Airport. A 10 minute car or train journey will take travellers to Crewe mainline station for connections to London (1 hour 35 minutes), Edinburgh (3 hours 15 minutes) and the rest of the UK.

Sandbach is surrounded by a number of small parishes, namely: Betchton, Hassall, Haslington, Moston, Bradwall, Brereton and Arclid. Landscape consists primarily of farmland and woodland. Cheshire contains some of the best arable and dairy farmland in the country.

History of Sandbach and The Settlement Villages:

Sandbach Town is mentioned twice in the 1086 Domesday Book census.

The towns most famous landmark is the “Sandbach Crosses”. The two massive Saxon stone crosses, elaborately carved with animals and Biblical scenes including the Nativity of Christ and the Crucifixion, dominate the cobbled market square of Sandbach. Probably dating from the 9th century, and originally painted as well as carved, they are among the finest surviving examples of Anglo-Saxon high crosses.



The licence to hold a market every Thursday in the town was first granted by Queen Elizabeth I on 4th April 1579.

During the Civil War, a party of nearly 1,000 exhausted Scottish troops rode through Sandbach on horseback as they retreated from the Battle of Worcester. A skirmish occurred as the local people attacked the Scottish troops, reported as “The dispute was hot for two or three hours and there were some townsmen hurt and two or three slain, the Townsmen slew about nine or ten and took 100 prisoners.” The central common in Sandbach has since been known as Scotch Common.

During the late 16th and early 17th centuries, Sandbach was noted for the production of fine worsted yarns and malt liquor, and the revenue from these, together with that from the fairs and market, made the Town “modestly affluent”.

In the 1820's and 30's, Sandbach was an important coaching stop on the roads from London and Birmingham to both Liverpool and Manchester. Later in the 19th Century, the Town produced silk, boots and shoes and enjoyed extensive trade with its corn mills and salt works along the Trent and Mersey Canal.



The 20th Century saw the upsurge of heavy vehicle manufacturing industry within the Town. The Foden Steam Wagon enjoyed huge success and attained a worldwide reputation for economy and reliability. From the early 1930's the industry concentrated on diesel-powered heavy goods vehicles, which were produced in the factories of both E.R.F. and Foden. The lively market town traditions still continue to the present day and the cobbled square, surrounded by black-and-white and thatched buildings along with the adjacent High Street and the nearby "Common" are venues for regular events such as markets, farmers markets, festivals, open-air concerts and fairs.





Conservation Areas - The Sandbach Conservation Area consists of one major historical delineation plus later additions (refer to Map Fig.14). The major area takes in Hightown to the bottom of High Street at the Bridge. This area is the Town Centre plus Well Bank to Dingle Lane /Dingle Farm. The first of the additions is the area west of Hawk Street to the rear of the Crown Inn. The second and third additions include Bold Street, Welles Street and Green Street, west of Bradwall Road, to include Wesley Avenue to Chapel Street. The latest addition includes Dingle Farm, with possible future inclusion of associated paddocks and land.

Wheelock Village was also recorded in the Domesday Book under its original name of Hoileck/Hoiloch (Old Welsh source meaning “winding river” which runs through it). The name Wheelock was finally settled upon in 1390. In 1801 the population was 189, by 1851 it was 548 and by 1901 it was 685. Wheelock had its own Mayor up until 1849.



An historian in 1850 described Wheelock as *“a township and pleasant village in a neighbourhood richly diversified with picturesque beauty, half a mile S.S.W. from Sandbach, intersected by the North Staffordshire Railway (laid in 1840) and the Trent and Mersey Canal (cut in 1775 by the Engineer James Brindley). Here are three salt works, two sawmills, two breweries, a soap factory, and three silk factories, only one, however, of the latter is now occupied”*.



Virtually all of these industries have now disappeared and the North Staffordshire railway branch from Kidsgrove to Sandbach (Elworth) ceased passenger service in the 1930's and closed for freight traffic in the 1960's. (This disused track has since become the "Wheelock Rail Trail" and is used extensively by walkers and cyclists.



Elworth Village is described as “a village approximately one mile to the west of Sandbach”. It has several pubs and a few shops. There are two churches in Elworth: Mount Pleasant Methodist Church and St Peter's Church of England, (the latter was designed by Sir George Gilbert Scott who also designed St. Pancras Railway Station in London, as well as many other buildings in the area). It also has the railway station serving Sandbach, which is located here on the main line between Crewe and Manchester.

In 1840 the Manchester to Crewe railway (also known as the Manchester to Birmingham Line) was constructed, a section of which ran through Elworth. By 1860 there were seven trains a day calling at Elworth Station. A second line was laid at Elworth, forming the Sandbach to Winsford Junction.

The railway encouraged the establishment of the local industrial base and Elworth was the home of Foden the lorry makers until 1980. The Trent and Mersey canal runs to the southwest of the village.

Ettiley Heath grew out of the narrowboat trade on the Trent and Mersey Canal (Barges were too big to travel further south than Middlewich on this canal and so narrowboats were used) where they were loaded just beyond Rookery

Bridge. It was home to many of the salt workers from Sifta Salt, which operated where Springvale Industrial Estate is situated today. Beyond Rookery Bridge were situated Glacia Salt and the boneworks both notable features of the landscape. The salt factories grew out of the brine pumping locally which caused much of the area to sink and indeed is the reason why we have the “Flashes”, now a site of special interest for birdwatchers and other species.

Sandbach Heath was once a woodland area but now, St John the Evangelist Church, opened in 1861 and standing proud on the top of the heath, can be seen from many miles distance. This extremely attractive Church was also designed by Sir George Gilbert Scott. Today, Sandbach Heath has a strong community “feel” with many regular events organised by and for the local people.

Population:

In 2010 the population of Sandbach was 17,976 and there were approximately 7,840 dwellings (source 2011 census). During the period 2010 to March 2015, a further 2,754 dwellings (including an element up to 30% low cost/affordable) have been approved, which represents an increase of 35%.

Latest Government figures indicate a net fall from present numbers in the local population by year 2030 (Housing Vision consultative report dated March 2015 – see Appendix 4.3 (Reference Documents) and Appendix 8 (Overview of Housing Vision and report)). However, whilst the overall number will fall, the forecast also predicts that the percentage of older age members of the community will increase.

Demographics:

Age distribution

There were approximately 18,000 people living in Sandbach at the time of the 2011 Census (table KS102EW). The following analysis provides further details:

Category	Sandbach	England average
Number of people living locally	17,976	
Sex	48.8% male and 51.2% female	
Number of households	7,840	
Children under 16	3,070 (17.1%)	18.9%
Working age adults	11,041 (62%)	64.7%
Older people over 65	3,600 (20.0%)	16.3%
Lone parent families with children	430 (19.5%)	24.5%
Single pensioner households	1,110 (14.2%)	12.4%
People from black or minority ethnic groups	640 (3.6%)	20.2%
People born outside the UK	610 (3.4%)	13.8%
Dependency ratio	0.59	0.56

Population by age

Age	% Population (2010)	% Population (2011)	% Cheshire East	% England
0-15	17.6	17.1	17.8	18.9
Working age	62.7	62.9	63.0	64.7
65+	19.6	20.0	19.3	16.3

Source: Community Profile for Sandbach © ACRE, RCAN, OCSI 2012 and 2013

Key findings:

- The age structure of the population is similar to that for Cheshire East. Both Sandbach and Cheshire East have lower younger and larger older populations than regionally or nationally

Dwellings and households

Category	Sandbach (% of all households)	England average
One person per household	15.2	17.9
Married households	39.1	33.2
Cohabiting households	9.5	9.8
Lone parent families	5.5	7.1
Pensioner households	25.1	20.7
Student households	0.0	0.6
Other households	5.6	10.6

Source: Census 2011 (tables KS201EW, KS204EW and KS105EW)

Key findings

- Compared with the region and nationally, Sandbach and Cheshire East have:
- More older households;
- More couple households with no children;
- More households with dependent children; and
- Less lone parent households

Weekly household earnings

Category	Sandbach (£)	Cheshire East (£)	England (£)
Total weekly household income estimate	717	702	673
Net weekly household income estimate after housing costs	438	419	423

Source: Income Support/Pension Credit (DWP Aug-12), Economic Deprivation Index 2009, Fuel Poverty (Department for Energy and Climate Change 2009), Housing/Council Tax Benefit (DWP 2005), Households below median income (ONS 2008)

Inward and outward migration

Migration pattern	Sandbach	% England
Lived at same address 1 year ago	16,440 (91.5%)	87.7
Lived elsewhere 1 year ago; within the	287 (1.6%)	11.0

same area		
Inflow: lived elsewhere 1 year ago outside the area but within the 'associated area'	766 (4.3%)	0.2
Inflow: lived elsewhere 1 year ago outside the 'associated area' but within the UK	406 (2.3%)	n/a
Inflow: lived elsewhere 1 year ago outside the UK	77 (0.4%)	1.1
Inflow: Total	1,249 (6.9%)	
Outflow: moved out of the area but within the 'associated area'	740	
Outflow: moved out of the 'associated area' but within the UK	511	
Outflow: Total	1,251	
Net migration within the UK	-79	
Total residents	17,976 (100%)	

Source: UKMIG001 2011 Census data, ONS website, <http://www.ons.gov.uk> and NOMIS website <http://www.nomisweb.co.uk>

Key findings:

- Sandbach's population was more stable in the year prior to the 2011 Census compared with Cheshire East, the region or nationally.
- The net effect of UK migration to and from Sandbach was a loss of 79 people.
- There was less movement within Sandbach and more from the associated area and beyond.
- Most movement into Sandbach was of families with dependent children.
- Most movement out of Sandbach was of one person households aged under 65.
- Those least likely to move home were aged 50+.
- The main age bands who moved into Sandbach were aged 20-34 and 0-4 which indicates families with children.
- The main age band moving out of Sandbach was those aged 16-19 which is likely to be to access further or higher education; employment and/or more affordable housing

Employment

The number of people employed is 8,790 (source: Census 2011 tables KS605EW and KS608EW).

Patterns of travel to work	No.
Live and work in Sandbach parish	1,620
Travel out to work from Sandbach parish	5,660
Travel into work to Sandbach parish	3,405
Net travel to work	-2,255

Source: WU01EW 2011 Census data, ONS website, <http://www.ons.gov.uk> and NOMIS website <http://www.nomisweb.co.uk>

Key findings:

- 2,250 more people commuted out of Sandbach than commuted in.

Distance travelled to work for workday population aged 16 to 74	Number 16-74	% of 16-74	Number of commuters	% of commuters
Less than 2 km	1,350	12.2	1,350	27.0
2 km to less than 5 km	551	5.0	551	11.9
5 km to less than 10 km	1,303	11.8	1,303	26.0
10 km to less than 20 km	1,023	9.3	1,023	20.4
20 km to less than 30 km	339	3.1	339	6.8
30 km to less than 40 km	225	2.0	225	4.5
40 km to less than 60 km	138	1.2	138	2.8
60 km and over	76	0.7	76	1.5
Work mainly at or from home	993	9.0		
No fixed place	561	5.1		
Not in employment	4,482	40.6		
All Categories	11,041	100.0	5,005	100.0

Source: WD702EW 2011 Census data, ONS website, <http://www.ons.gov.uk> and NOMIS website <http://www.nomisweb.co.uk>

Key findings:

- Over 5,000 people aged 16-74 commuted out of Sandbach each day of whom:
 - 38% commuted less than 5 km;
 - 26% commuted between 5 and less than 10 km;
 - 20% commuted between 10 and less than 20 km; and
 - 16% commuted 20 km or further.
 - 9% of people worked from home.
- In relation to Travel out to Work from Sandbach, the main destinations are at or in the vicinity of Crewe, Middlewich, Knutsford, Holmes Chapel and Congleton.
- In relation to Travel in to Work in Sandbach, the main locations of origin are at or in the vicinity of Sandbach, Middlewich and Crewe.
- The largest single employer is Cheshire East Council, with Headquarter offices located close to the town centre.
- At present the main employment area in Sandbach is located on the Spring Vale Industrial Estate in Ettiley village. Other small employment areas include the Zan Industrial Park, having access off Crewe Road in Wheelock village, Business units on Hind Heath Road in Elworth and off Abbey Road in Elworth. A further employment area is designated within the Cheshire East Council Local Plan Strategy for Sandbach, for development as a business/employment site on the (CS24) "Capricorn" site, located on the outskirts of the town and close to the M6 Motorway Junction 17.
- The majority of local people work in managerial, professional and associate professional occupations (45.9%). Other occupation segments include; Administration/secretarial (11.%), skilled trades (10.2%) and elementary work (8.9%).

- Unemployment in Sandbach is low at 1.8% of working age people seeking Jobseekers allowance, against a country average of 3.8% (*source: Jobseekers Allowance claimants DWP Feb 2013*), Employment Support Allowance/Incapacity Benefits/Out of Work Benefits DWP Aug 2012, Available jobs (*source: Job Centre Plus Nov 2012*). This low figure is due largely to the fact that a high proportion of the settlement's workforce travel further afield to their places of employment, including Crewe (4 miles), Macclesfield (25 miles), Manchester (30 miles) and Birmingham (50 miles).

Public transport services

The town is currently served by regular bus services, interconnecting with Crewe (20 minutes), Nantwich (30 minutes), Congleton (25 minutes), Macclesfield (60 minutes), Northwich (40 minutes) and Chester (90 minutes)

The Sandbach train station is located in the village of Elworth and 30 minutes' walk from the town centre.

A limited circular route bus services operates around the town, on Mondays, Thursdays and Fridays between 09.30 and 15.00hours.

Journey time to the nearest hospital in Crewe is 35 minutes by public transport/walking The County average is 33 minutes (*source DFT 2011*).

Car ownership

As a rural community private car ownership and usage is the predominant method of transport; with approximately 43% of all homes owning at least 2 or more cars.

Crime

Sandbach is considered by the community to be a reasonably safe place to live. The crime rate (per 1,000 population) for Cheshire East (including Sandbach) is 29 against the North West average of 36.9 and country average of 37.6 (*source: Indices of Deprivation 2010, CLG*).

Facilities and services

A comprehensive list of the facilities and services provided in Sandbach by public bodies and private organisations for community use can be found in the supporting Evidence Base.

Leisure and sporting facilities

Public sector owned, managed or funded:

- Sandbach Leisure Centre - Indoor sports hall, squash courts, drama room and swimming pool.(supplied via a Joint User Agreement with the Sandbach High School and Sixth Form College).
- Sandbach School – swimming pool, cricket, rugby, five-a-side astro turf pitches, tennis courts.
- Football pitches and Academy on Hind Heath Road, Ettiley Heath

Privately Owned Sports Facilities

- Sandbach Rugby Club, Elworth Cricket Club, Sandbach Cricket Club, Elton Road playing field and Sandbach Golf Club.

- Privately owned Gyms in Elworth, Wheelock and the Sandbach town centre

Parks and open spaces, walkways and footpaths

- Sandbach Park, Elworth Park, Wheelock Playing Fields, several smaller areas of open space containing play equipment, including Newall Avenue, Forge Fields and Mortimer Drive.
- Footpaths/ walkways owned by Cheshire East Council, including - Wheelock Rail Trail and parts of Footpath 56.
- Sandbach Wildlife Corridor
- Several woodland trails linking to a footpaths network.
- Open spaces on housing estates

Halls and venues

Sandbach Town Hall, Literary Institute, Cricket Club, Masonic Hall, Library, local Pubs, Church Halls, School Halls, ATC and other small communal buildings.

Allotments

Presently at a temporary location in Ettiley Heath. There is an ongoing project to find a permanent site.

Clubs and societies

Sandbach has a high level of community involvement supporting a wide variety of activities, from sporting activities to cultural and community based pastimes.

There is also a community Cinema at the Town Hall.

Many of the organising groups present and promote their activities at the “Sandbach Today” event. This is an annual showcase organised by the Sandbach Partnership.

The Sandbach Partnership holds several community forums throughout the year and manages community projects which involve Sandbach Town Council and community organisations.

“Community Pride” – In 2013 and 2014 Sandbach won “Best Kept Town in Cheshire (population 10,000 to 30,000 group)” and in 2014 won the Championship Award across all categories, in addition to several awards for local “Little Gems” and also for Sandbach Park.

SECTION 2: The Key Issues, Vision and Aims

2.1 Summary of Key Issues

The views expressed by local residents from surveys, questionnaires and at the various consultation events particularly reflected the impact of a recent high level of additional housing on local Areas of Separation, the local landscape, green spaces, facilities and services. It is also recognised that some issues were raised that were considered important to members of the community but which are not “land use” matters. Therefore, whilst they cannot be addressed through the Plan, the Plan process seeks to ensure that they are addressed through the appropriate channels. A list of aspirational issues and action plan can be found in the Consultation Statement (Refer to section 4.3 – Reference Documents).

In summary the key issues that the Plan must address are:

Protecting the Countryside

- There is an overwhelming desire to preserve existing farmland, publicly accessible open spaces and green spaces surrounding the town.
- To maintain and protect the Areas of Separation which separate the distinct village settlements of Sandbach, Elworth, Ettiley Heath, Wheelock and Sandbach Heath.
- To ensure that any new developments maintain public rights of way and also to improve footpath networks to provide access to the surrounding countryside.
- To protect and improve the existing natural wildlife habitats and wildlife corridors.

Preserving Heritage and Character

- The wish to retain Sandbach as a small historical rural market town with its traditional ambiance and in particular to preserve and protect its historic buildings and retain its important assets such as the high street, green spaces, open spaces, old buildings, wild-life corridors and conservation areas.
- The need to protect the town centre and viability of the shops and services throughout the town, which are one of the town’s strongest assets, whilst preserving and enhancing its appearance and conservation area which is fundamental to the traditional market town ‘feel’.

Managing Housing Supply

- The need to control the location and rate of housing growth within Sandbach to ensure that the town’s infrastructure such as medical facilities, schools and highways are allowed to catch up with demands.
- Policy PG6 (Spatial Distribution of Development) of the Cheshire East Local Plan Strategy submission version (2014) indicated that Sandbach should provide in the order of 2,200 new dwellings up to 2030. Following the Objectively Assessed Need (OAN) review by Cheshire East Council (July 2015), the number was increased by a further 25% to 2,750 dwellings. During the period 2010 to March 2015, 2,754 dwellings have already been approved. Many of these houses are located on green field areas, outside the current

settlement zones and/or located in designated Areas of Separation (see map Fig.2).

- The latest Government figures indicate a downward trend in market priced housing for Sandbach (Housing Vision Report March – 2015) but with an increasing need to provide a wider range of housing types to meet the local needs of Sandbach, particularly starter homes, affordable housing and homes designed for older people (including bungalows). This same conclusion has been reached through a housing needs survey carried out by the Plan Working Group as part of the consultation process

Promoting Jobs and the Local Economy

- The closure of many factories and businesses over time and the proximity of Sandbach to the M6 motorway has caused changes to the way that people travel to work. Over 5,000 residents of working age in Sandbach commute to work outside the area each day.
- The area identified as CS24 in the most relevant, recent and up to date Development Plan Document held by Cheshire East Council (and known locally as the “Capricorn” site), is located adjacent to the M6 motorway J17 and is currently proposed as a strategic site for mixed use. However, the local community feels that the remaining uncommitted area (May 2015) of this site (situated on the south side of the wildlife corridor), is at risk of change to solely housing if employment take-up is slow. This has been demonstrated recently by a developer who successfully maintained that housing was necessary in order to subsidise development of business premises.
- Jobs which attract tourism and which enhance the vibrancy of the town and town centre need to be encouraged.

Improving the Infrastructure

- Public transport services to the train station and nearby population centres and facilities are uncoordinated. As a result the vast majority of journeys are made by private car.
- There is a lack of car parking facilities in the town centre to serve both the medical centre and shopping areas.
- More speed reduction measures are required throughout the town.
- Sandbach train station facilities are regarded as important because the number of houses already approved indicates an inevitable increase in commuting. The possible re-opening of the rail link to Middlewich where large quantities of employment land are available reinforces the need to improve the station facilities.

Community and Well-Being

- Access to formal and informal leisure facilities within the town could be improved.
- Facilities and opportunities for young people within the town could be improved.
- Concern that the number of primary and secondary school places is insufficient to accommodate demand brought about by the recent rapid increase in the number of houses and the resulting increase in the population in Sandbach.

- The need to support and provide for the increasing number of older people.
-

2.2 The Vision and Aims of the Plan

The vision and aims are based on the key issues raised by local people during the initial stages of the consultation process. They have been summarised and refined by the Plan Working Group to form the basis of Plan.

Vision for Sandbach

The most relevant, recent and up to date Development Plan Document held by Cheshire East Council identifies Sandbach as a key service centre which will have growth and development to meet identified local needs, respecting its location in the open (green field) countryside.

The community interaction process has enabled a more particular vision to be articulated for Sandbach (see proposals map Fig.2):

Sandbach is a thriving market town with a treasured historic heart. The Vision for the town is:

“Over the Plan period, Sandbach will continue to be a distinctive rural parish, whilst evolving and expanding in a way that respects and reflects the views of the community. It will retain its distinctive character of a rural market town formed by villages intersected by open countryside. There will be a wide range of community facilities and businesses that will both expand and prosper within an attractive environment. Current and future generations will enjoy a strong sense of community, a high quality of life, and a flourishing natural environment”.

Aims for Sandbach

The aims and objectives have been identified through engagement with the community and the delivery of the Plan will have the following at its core:

Protecting the Countryside

To protect and enhance the open countryside setting of Sandbach including its Areas of Separation, green spaces, canals, amenity land and wildlife areas (see Fig.2).

Preserving Heritage and Character

To preserve and enhance the heritage and character of the Parish of Sandbach.

Managing Housing Supply

The Sandbach Plan housing policies are designed to provide a framework which will enable the parish of Sandbach to grow at a sustainable rate which will satisfy the identified future local housing need during the Plan period.

The settlement boundaries will be reviewed and amended to take account of committed development approvals (see Fig.2).

Promoting Local Economy and Jobs

To promote and maintain a thriving local economy to ensure that jobs and enterprise opportunities are available for local people of all ages. There will be a strong customer base for retail and hospitality businesses, enabling the community to maintain a prosperous town centre.

Improving the Infrastructure

1. To develop a safe, efficient and sustainable transport system that contributes to the social, environmental and economic well-being of the residents, businesses and visitors to Sandbach.
2. To provide equal opportunity for everyone to access key services whilst maximising the use of 'green' alternatives to vehicular movements.

Community and Well-Being

To protect and maintain existing community amenities, buildings, facilities and services throughout Sandbach. New services and facilities should be added as appropriate in the future.

Adapting to Climate Change

To encourage sustainable development and moves towards a low-carbon economy, which includes high standards of energy conservation and the use of renewable energy.

To encourage better use of green infrastructure assets such as ponds, swales and wetlands which will not only meet local green space needs but also address existing and/or future surface water/ climate change issues.

The delivery of some of the stated aims arising will be achieved in partnership with public sector, private bodies and stakeholders such as landowners, developers and the community. To this end the Working Group may be widened over time to include representatives of other bodies who will both monitor progress and the delivery of the plan.

The Plan fully accords with the requirements for public consultation as set out in the Localism Act. Details of the consultation have been recorded in a report called the 'Consultation Statement' which is a reference document to the Plan.

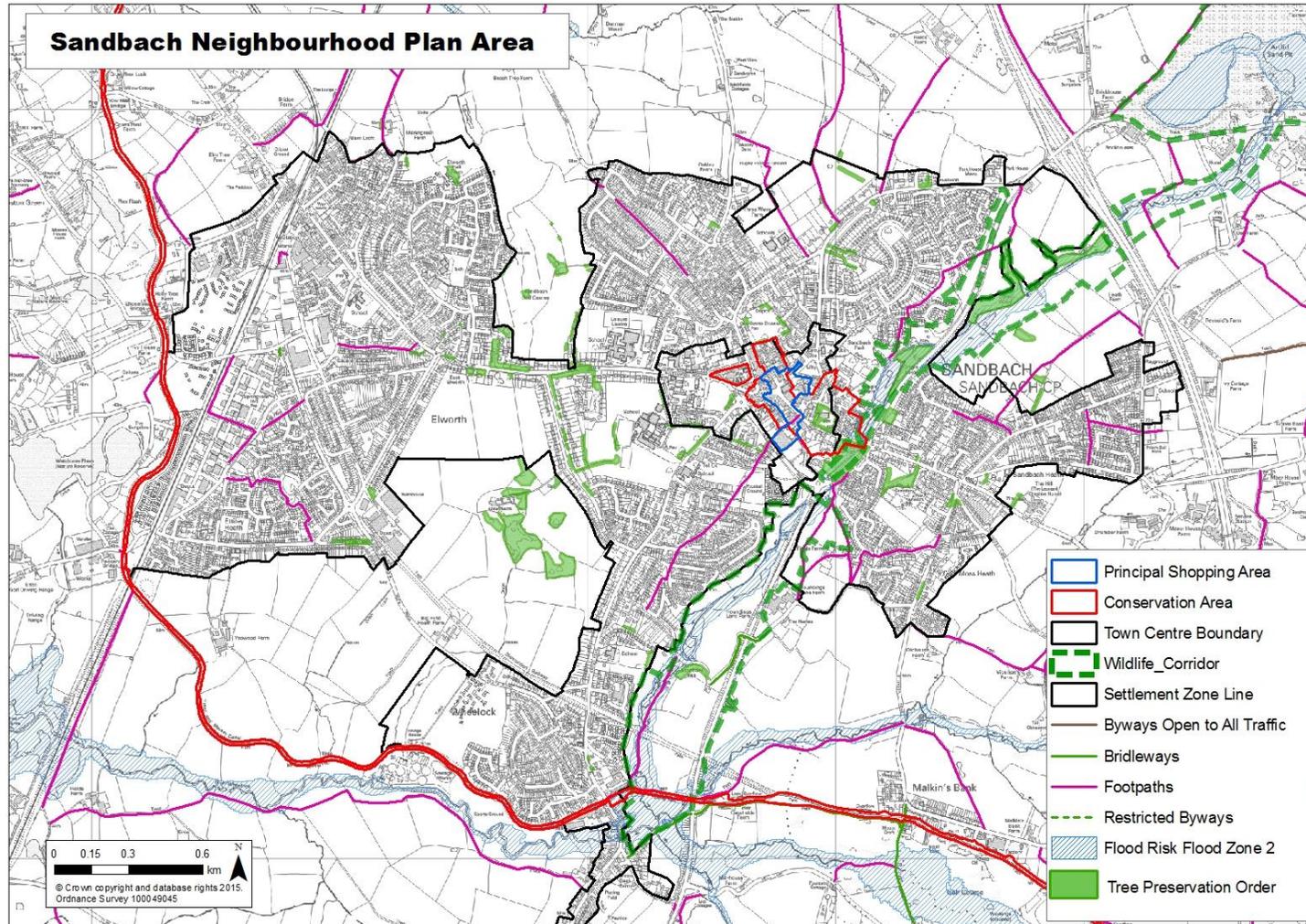


Fig.2 – Vision and Proposals map for Sandbach

SECTION 3: Objectives and Policies of the Plan

3.1 Protecting the Countryside (PC)

AIM:

To protect and enhance the open countryside setting of Sandbach including its Areas of Separation, green spaces, canals, amenity land and wildlife areas.

OBJECTIVE 1: To maintain the green spaces and the Areas of Separation between the distinctive village settlements

POLICY PC1 – AREAS OF SEPARATION

The Areas of Separation between the distinct settlements of Sandbach, Elworth, Ettiley Heath, Wheelock and Sandbach Heath, as defined in Fig 3, will be maintained and enhanced to support opportunities for recreation and leisure purposes. Developments which detract from the open character and/or function of these Areas of Separation will not be permitted.

Justification:

The maintenance and enhancement of land between individual settlements (Areas of Separation) has been established as a priority for Sandbach. This was made apparent by local residents through the first and second round of consultations, and from evidence received from local organisations such as Cheshire Wildlife Trust, A Rocha and Sandbach Woodlands and Wildlife Group who each exercise an active role in identifying areas of ecological importance.

A key objective of the NPPF is to encourage well designed buildings and places that can improve the lives of people and communities (paragraph 8) This is also a key objective for the local community. The Plan Phase 2 consultation survey (2015) shows that 96% of the respondents strongly agree or agree that each settlement has a distinct identity and should be given adequate protection from development. Additionally, the land between the settlements, which is largely undeveloped, is also of ecological value and contains amenity space used for recreational purposes.

The evidence to support this strongly held view is demonstrated in the Land Character Areas described in maps Fig.4 and the areas of high ecological value described in maps Fig.5. Specific areas requiring protection include:

- The Abbeyfield ancient woodlands (located to the west of Crewe Road)
- Land between Sandbach and Elworth
- Land between Wheelock and Ettiley Heath
- The corridor of land running along the Arclid Brook Valley West
- The land on both sides of the M6 Motorway, including areas identified as of biological importance and public rights of way within “the Capricorn site CS24” in the Cheshire East Local Plan Strategy Submission Version.
- Land to the north of Elworth, including Sandbach golf course, and continuing between the rear of Congleton Road until it meets the M6 motorway.

- Other land which contains some habitat distinctiveness as shown in Figs. 4 & 5.

This policy also accords with paragraph 109 of the National Policy Planning Framework (NPPF), policy PG5 (Open Countryside) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy GR5 (Landscaping) of the Congleton Borough Council Local Plan First Review (January 2005). This policy also supports the Sandbach Town Plan Action Plan (Final Update 2015).

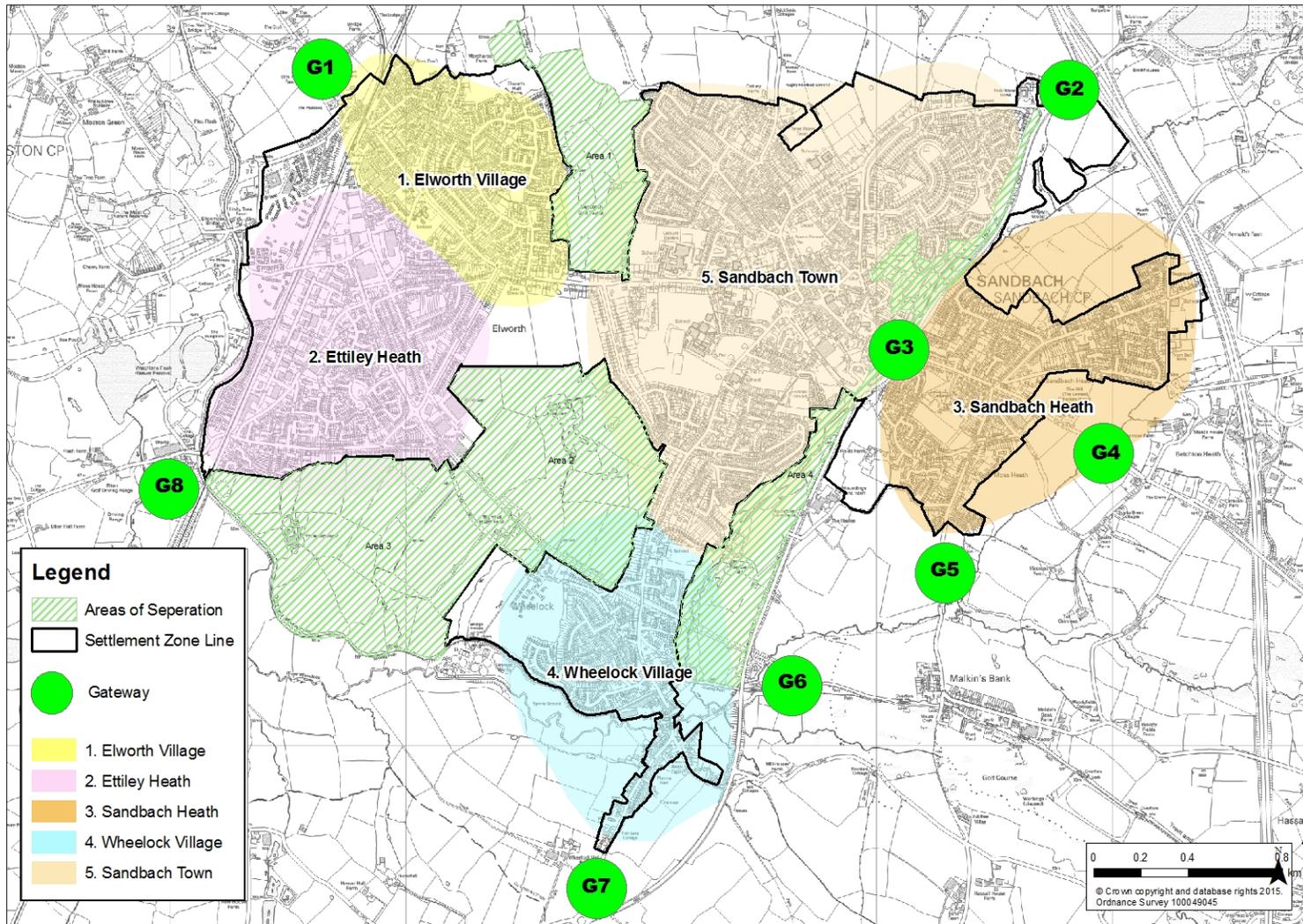


Fig 3 – Areas of Separation and Gateways

OBJECTIVE 2: To protect the identity of Sandbach as an historic market town within its open countryside and farmland setting and ensure that new developments respect the landscape character.

POLICY PC2 – LANDSCAPE CHARACTER

In order to protect the identity of Sandbach as an historic market town within its open countryside and farmland setting, new developments must respect the landscape character of Sandbach. The Landscape character areas are set out in proposals maps (Fig.4). New development proposals must indicate how they have considered the Landscape character areas through design statements, reflecting the scale, massing, features and design of the development in relation to the existing landscape character.

Justification:

Sandbach is an historic market town, and its setting provides a unique sense of place and special character as highlighted in the Plan Phase 2 consultation survey (2015) whereby 86% of the respondents strongly agree and a further 10% who agree. New developments must not detract from this setting but should instead consider the distinctive landscape and character of this area.

This is another key objective for the community as clearly identified from the consultation survey (2015). 97% of the respondents wish to protect the identity of Sandbach as an historic market town within its open countryside setting. It was also a key theme set out in the Sandbach Town Strategy.

Sandbach is situated within National Character Area 61 Shropshire, Cheshire and Staffordshire Plain, a pastoral area of rolling plains, particularly important for dairy farming.

The area is a major provider of good quality agricultural land. Almost 95% of the total land area of the Cheshire East Borough is agricultural of which 17.8% is Grade 2 and 74.2% is Grade 3. The bulk of the highest quality land lies around Sandbach, Hassall, Somerford and Somerford Booths, and between Congleton and Alsager.

The Cheshire Landscape Character Assessment identifies recognisable patterns in the landscape. Different aspects such as geology, landform, soils, vegetation and land use have been used to identify character areas. The assessment is intended to be used as a basis for planning and the creation of future landscape strategies, as well as raising public awareness of landscape character and creating a sense of place.

The Landscape Character Assessment identifies recognisable character areas within the Sandbach Neighbourhood Development Plan area as:

- Type 7. East Lowland Plain
- Type 10. Lower Farms and Woods
- Type 16. Higher Farms and Woods.

- Due consideration must be given to Type 11. Salt Flashes, if a proposed development is less than the permitted distance of this character area
- Due consideration must be given to ancient woodland, if a proposed development is less than the permitted distance of this character area

The maps Fig.4 illustrate the Landscape character areas and setting around Sandbach

Sandbach Landscape Character Areas Assessment

Separate evidence is provided to illustrate the Areas of Separation, key gateways and views of open countryside and green spaces (see Section 9 – Related Documents).

This policy accords with paragraphs 58 and 109 of the NPPF, policies SD2 (Sustainable development Principles), SE1 (Design), SE4 (Landscape) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. and GR5 (landscaping), PS8 (Open Countryside) and H6 (Residential Development in the Open Countryside) of the Congleton Borough Council Local Plan First Review (2005).

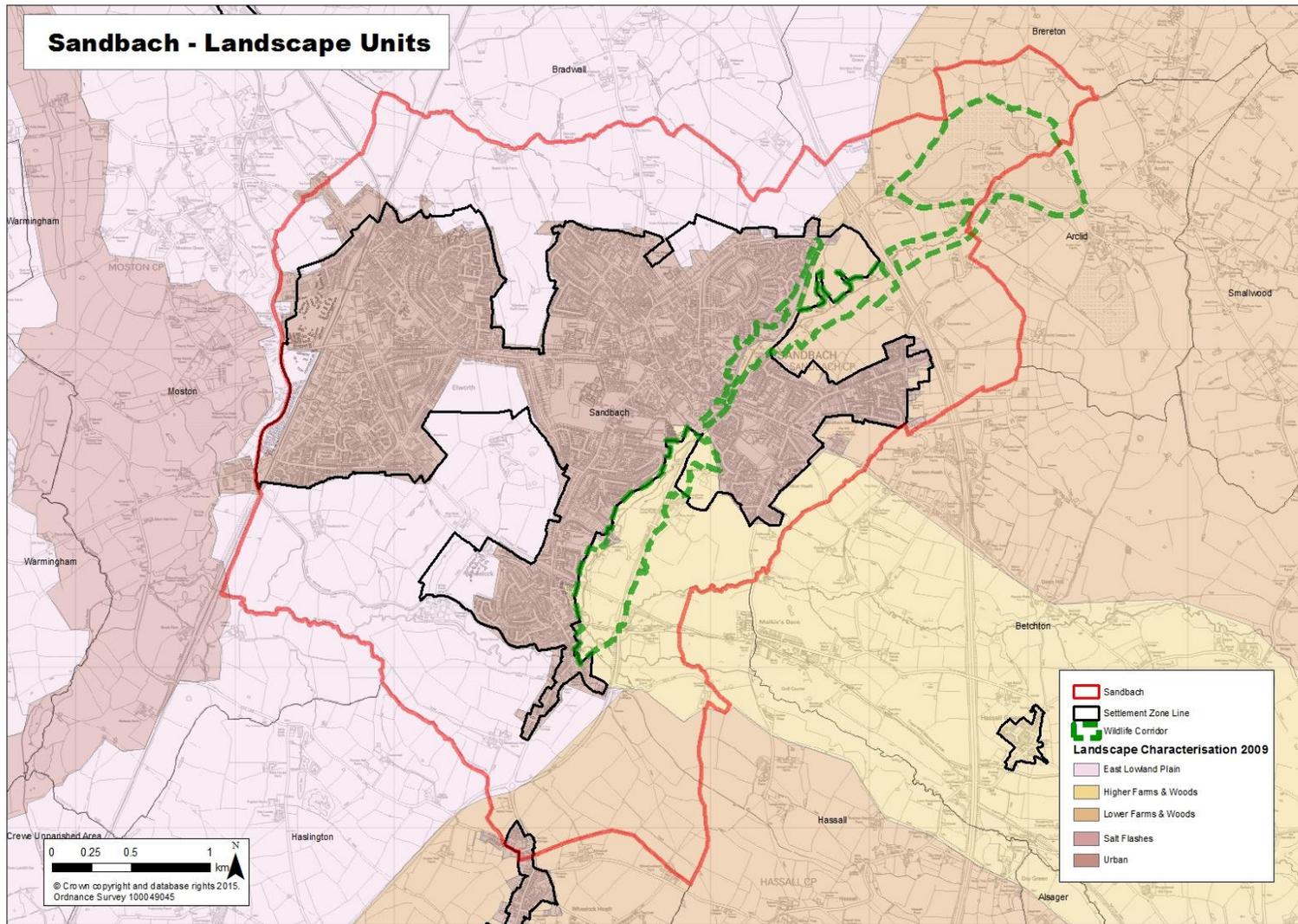


Fig.4 –Landscape Character

POLICY PC2a – POLICY BOUNDARY FOR SANDBACH

New development involving housing, commercial and community development will be supported in principle within the policy boundary defined around Sandbach and shown on the Proposals Map for Sandbach (Fig.2).

The area outside of the boundary is countryside. The intrinsic character and beauty of the countryside will be protected by restricting development to that which requires a countryside location and cannot be accommodated within Sandbach. Within the countryside the following types of development will be permitted;

- a) Development that has an operational need for a countryside location such as for agricultural or forestry operations.
- b) Replacement buildings.
- c) Small scale and low impact rural / farm diversification schemes appropriate to the site, location and its rural setting.
- d) The reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction.
- e) The expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its rural setting

Justification:

The policy boundary has been drawn from the Congleton Borough Local Plan First Review (in which it was called a 'settlement zone line') but has been extended to incorporate sites that have been granted planning permission for housing development on the edge of the town. The Plan does not allocate these sites because they are planning commitments and the extension of the policy boundary is a simple and pragmatic reflection of the fact that these sites will come forward for development. These permissions however were granted outside of any plan-led approach and one of the purposes of preparing this Neighbourhood Plan is to introduce a clear planning framework through which there will be greater certainty about future planning decisions. Along with other policies of the Plan which enable further development within the town, these sites will deliver substantial housing growth and will meet and exceed the emerging Local Plan housing requirement for the town.

This policy accords with paragraphs 76 of the NPPF, policies SC6 Rural Exceptions Housing for Local Needs) and PG5 (Open Countryside) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. policy H6 (Residential Development in the Open Countryside and the Green Belt) of the Congleton Borough Council Local Plan First Review (2005).

OBJECTIVE 3: To protect and enhance areas of high ecological value and wildlife corridors.

POLICY PC3 – AREAS OF HIGH ECOLOGICAL VALUE AND WILDLIFE CORRIDORS

Areas of high ecological value and wildlife corridors as indicated on the proposals maps Fig.5 will be protected and enhanced:

- A) The M6 motorway to Wheelock Stream Valley between Sandbach and Sandbach Heath
- B) The River Wheelock Valley
- C) Malkins Bank Brook corridor
- D) Abbeyfields ancient woodlands (located to the west of Crewe Road)
- E) Land adjacent to Taxmere
- F) The Malkins Bank to Middlewich Road canal corridor past Ettiley Heath and Elworth
- G) Taxmere local wildlife site
- H) Arclid Brook Valley west local wildlife site
- I) Arclid Brook Valley east local wildlife site
- J) Wheelock disused railway local wildlife site (also known locally as the Wheelock Rail Trail) and,
- K) Any other areas identified as areas of high ecological value or wildlife corridors in the future

Opportunities to enhance wildlife connectivity between areas of high ecological value will be supported.

Areas H and I are collectively known locally as Sandbach wildlife corridor. (However, other areas may also function as wildlife corridors)

Justification:

The Plan Phase 2 consultation survey (2015) shows that 98% of the respondents wish to protect and enhance the wildlife corridors and areas within and around Sandbach.

Policy PC3 lists the areas in Sandbach that have the greatest ecological value and are therefore the greatest natural assets to the community. Their ecological connectivity provides opportunities for wildlife to move through what would otherwise be a landscape hostile to wildlife.

The “M6 motorway to Wheelock Stream Valley”, between Sandbach and Sandbach Heath, is particularly valued by local residents as it provides accessible opportunities for the enjoyment and appreciation of wildlife throughout the year. Other areas such as the Wheelock disused railway and the canal corridor also provide opportunities for the public to appreciate nature as well as functioning wildlife corridors. More details of the local wildlife sites G, H & I are set out in Appendix 1

This policy seeks to protect and enhance wildlife sites which are important to Sandbach, and promote wildlife connectivity. It accords with the NPPF, which indicates that planning authorities should plan positively for the creation, protection,

enhancement and management of networks of biodiversity and green infrastructure. It also accords with policy SE3 (Biodiversity and Geodiversity) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy HR4 (Non-Statutory Sites) of the Congleton Borough Council Local Plan First Review (2005).

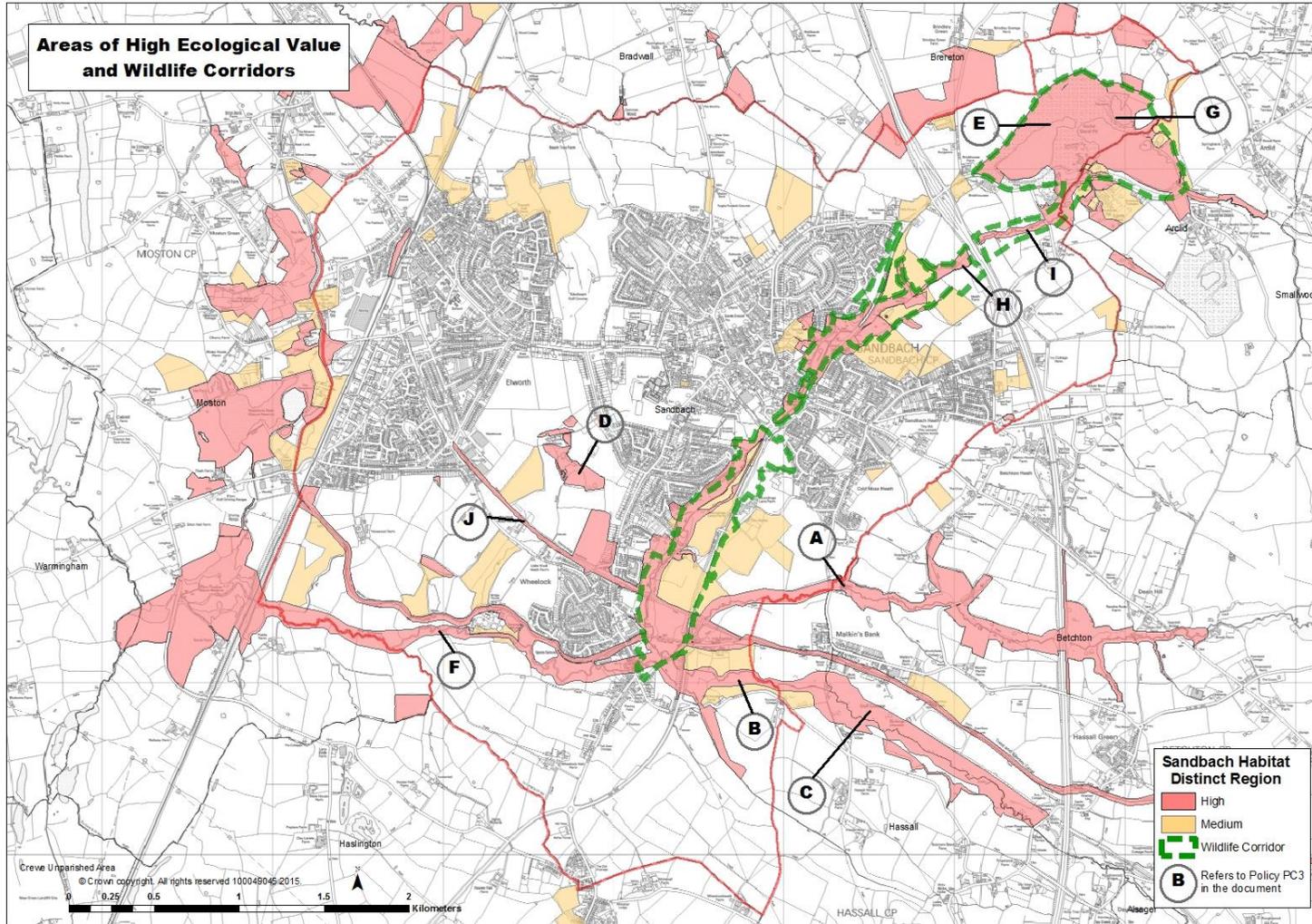


Fig.5 - Areas of High Ecological Value and Wildlife Corridors

OBJECTIVE 4: To protect and enhance valued existing open spaces

POLICY PC4 – LOCAL GREEN SPACES

The Neighbourhood Plan designates the following locations as Local Green Spaces, as shown on the Proposals map Fig.6

- L) Brook Wood (S30)
- M) St Mary's Wood (S34)
- N) Dingle Wood (S23)
- P) Park House Meadows (S22)
- R) The Green situated at the convergence of Tatton Drive and Gawsworth Drive (S21)
- S) Dingle Lake and Dingle Copse (S23)
- T) Filter Bed Wood
- U) Offley Wood
- W) Fishing lakes adjacent to Offley Wood and Filter Bed Wood
- X) Woodland along Arclid Brook from Trent and Mersey Canal to Mill Hill Lane (known locally as The Salties Bridge Path, Cinder Path, Zan Wood and Mr Hassall's Wood)

Proposals for any development on the land will not be permitted unless it is for the provision of appropriate recreational uses which improve and enhance the land.

All the above locations, with the exception of (N), form part of the area known as the Sandbach Wildlife Corridor.

Justification:

The Plan Phase 2 consultation survey (2015) shows that 84% of the community strongly agree and a further 13% agree that the areas specified in the policy are local green areas and of continuing importance to the local people. They are all within 2 miles proximity to all members of the Sandbach community.

Brook Wood has recently become more accessible through the restoration of pathways and is enjoyed by residents of all ages. Improvement to the trails through St.Mary's Wood and Dingle Wood is being encouraged in order to extend this further access to woodland areas. Park House Meadow provides a nature trail linking Doddington Drive to Dingle Wood, Sandbach Park and St Mary's Wood.

By seeking to ensure the designation, and protection and enhancement of good quality locally distinct green spaces, which are important to the people of Sandbach this policy proposes the designation of 10 sites as Local Green Spaces, as defined by paragraphs 76 and 77 of the NPPF.

This policy also accords with policy SE6 (Green Infrastructure) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. It also supports the Sandbach Town Plan Action Plan (Final Update 2015).

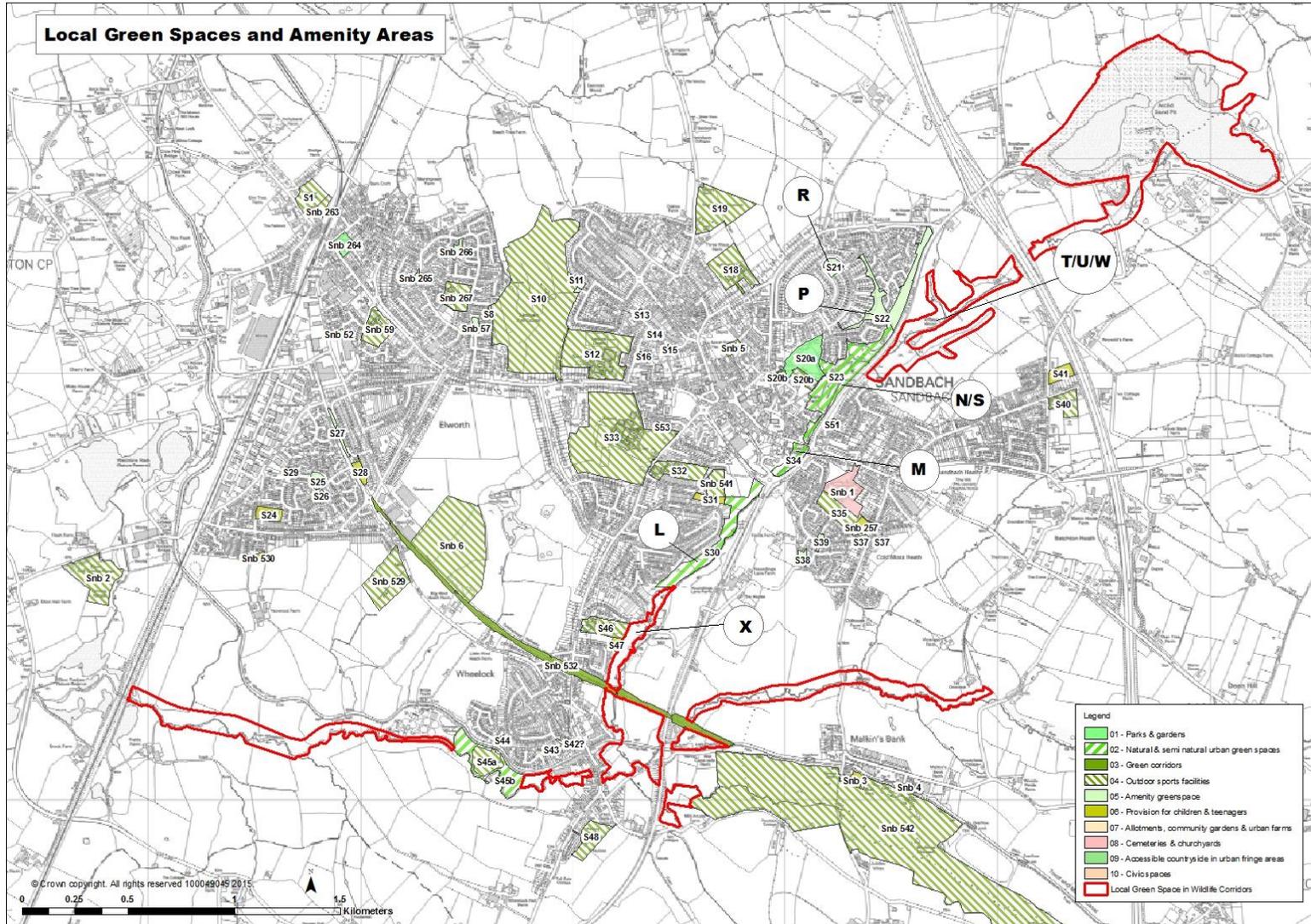


Fig.6 - Local Green Spaces and Amenity Areas

OBJECTIVE 5: To ensure that development in all areas of Sandbach results in no net loss in biodiversity and geodiversity

POLICY PC5 – BIODIVERSITY AND GEODIVERSITY

Areas of high biodiversity and geodiversity value will be protected and enhanced. Enhancement measures will include increasing the total area of valuable habitat in the Neighbourhood Area, and linking up existing areas of high value habitat to create 'ecological stepping stone sites', 'wildlife corridors' and 'Nature Improvements Areas'. Ecological networks and connectivity are vitally important in sustaining sites and addressing the impacts of climate change.

Development proposals which are likely to have any significant adverse impact on a Site of Special Scientific Interest (SSSI) will not be permitted.

Development proposals which are likely to have a significant adverse impact on a site with one or more of the following local or regional designations, habitats or species will not be permitted except in exceptional circumstances where the reasons for the proposed development clearly outweigh the value of the ecological feature adversely affected and there are no appropriate alternatives:

- Local Nature Reserves
- Sites of Biological Importance (SBI) or Local Wildlife Sites
- Regionally Important Geological and Geomorphological Sites (RIGGS)
- Designated Wildlife Corridors
- Habitats and species within the Cheshire Biodiversity Action Plan
- Priority habitats and species within the UK Biodiversity Action Plan
- Habitats and species listed in respect of Section 41 of The Natural Environment and Rural Communities Act 2006
- Legally protected species
- Areas of Ancient and Semi-Natural Woodland
- Nature Improvement Areas

All development must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. To ensure that there are no residual adverse impacts resulting from a proposed development, where in exceptional circumstances the reasons for the proposed development clearly outweigh the value of the ecological feature adversely affected and there are no appropriate alternatives, the adverse impacts of the development must be proportionately addressed in accordance with the hierarchy of: mitigation, compensation and finally offsetting.

Development proposals that are likely to have a significant impact on a non-designated asset or a site valued by the local community as identified in the Neighbourhood Plan will only be permitted where suitable mitigation and/or compensation is provided to address the adverse impacts of the proposed development.

Justification

The community in Sandbach is keen to protect wildlife and one of the key ways to achieve this is to ensure that new developments result in a net gain for biodiversity and geodiversity. There are a number of sites in the locality where further improvements to benefit wildlife are required and this will be achieved by working with the Local Authority, local landowners and developers.

A detailed analysis of the Parish, described in map Fig.5 has highlighted a number of areas which are likely to support high and medium value habitats. This plan would expect to see a detailed evaluation of these sites should they be put forward for planning purposes. Where loss of biodiversity is likely, appropriate mitigation or compensation measures must be applied in line with local and national policies.

This policy seeks to ensure that development demonstrates no net losses in biodiversity or geodiversity and, identifying areas important to Sandbach which will require evaluation should development proposals be brought forward. It accords with Neighbourhood plan policy PC5 of the NPPF, which seeks to help deliver one of the key planning aims of conserving and enhancing the natural environment. Para 109 indicates that the planning system should minimise impacts on biodiversity and provide net gains where possible, to help halt the overall decline in biodiversity

This policy also accords with policy SE3 (Biodiversity and Geodiversity) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy NR4 (Non-Statutory Sites) of the Congleton Borough Council Local Plan First Review (2005).

OBJECTIVE 6: To maintain and enhance the existing network of footpaths and public rights of way to provide access to the surrounding countryside.

POLICY PC6 – FOOTPATHS

Developments will be expected to establish publicly accessible links from development sites to the wider footpath network and green spaces wherever possible. Initiatives for improvement and enhancement to public footpaths will be strongly supported. The existing footpaths network as set out in the Public Rights of Way and Footpath Network map Fig.7 will be enhanced. High quality green links between existing public rights of way and other footpaths will be provided in support of this policy.

Proposals which lead to the loss, diversion or degradation of any public right of way will not be permitted other than in very special circumstances focussing on clear and demonstrable benefits for the wider community.

JUSTIFICATION:

During the Plan consultation process it was clear that an increasing number of people are using trails and rights of way for recreational purposes and 95% of the local community supports enhancement to the footpaths and cycleways network. Wheelock Rail Trail, Sandbach Bridges Trail and the Trent and Mersey Canal towpaths all provide good access for walkers.

Sandbach also has a number of public footpaths that fan out from the town centre, although connections to the adjacent countryside are in need of improvement. The Plan aims to protect the existing network, and take opportunities to integrate new developments with the existing rights of way network and enhance existing provision by creating new links where possible (see Appendix 3 – Sandbach Footpaths Action Plan).

This policy seeks to help deliver one of the NPPF's key planning aims of conserving and enhancing the natural environment, and also of promoting health communities. Para 75 indicates that policies should protect and enhance public rights of way and that opportunities should be sought to provide better facilities for users, for example by adding links to existing public rights of way networks. It also accords with policy SE6 (Green Infrastructure) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy GR16 (Footpath, Bridleway and Cycleway Networks) of the Congleton Borough Council Local Plan First Review (2005).

This policy also supports the Sandbach Town Plan Action Plan (Final Update 2015).

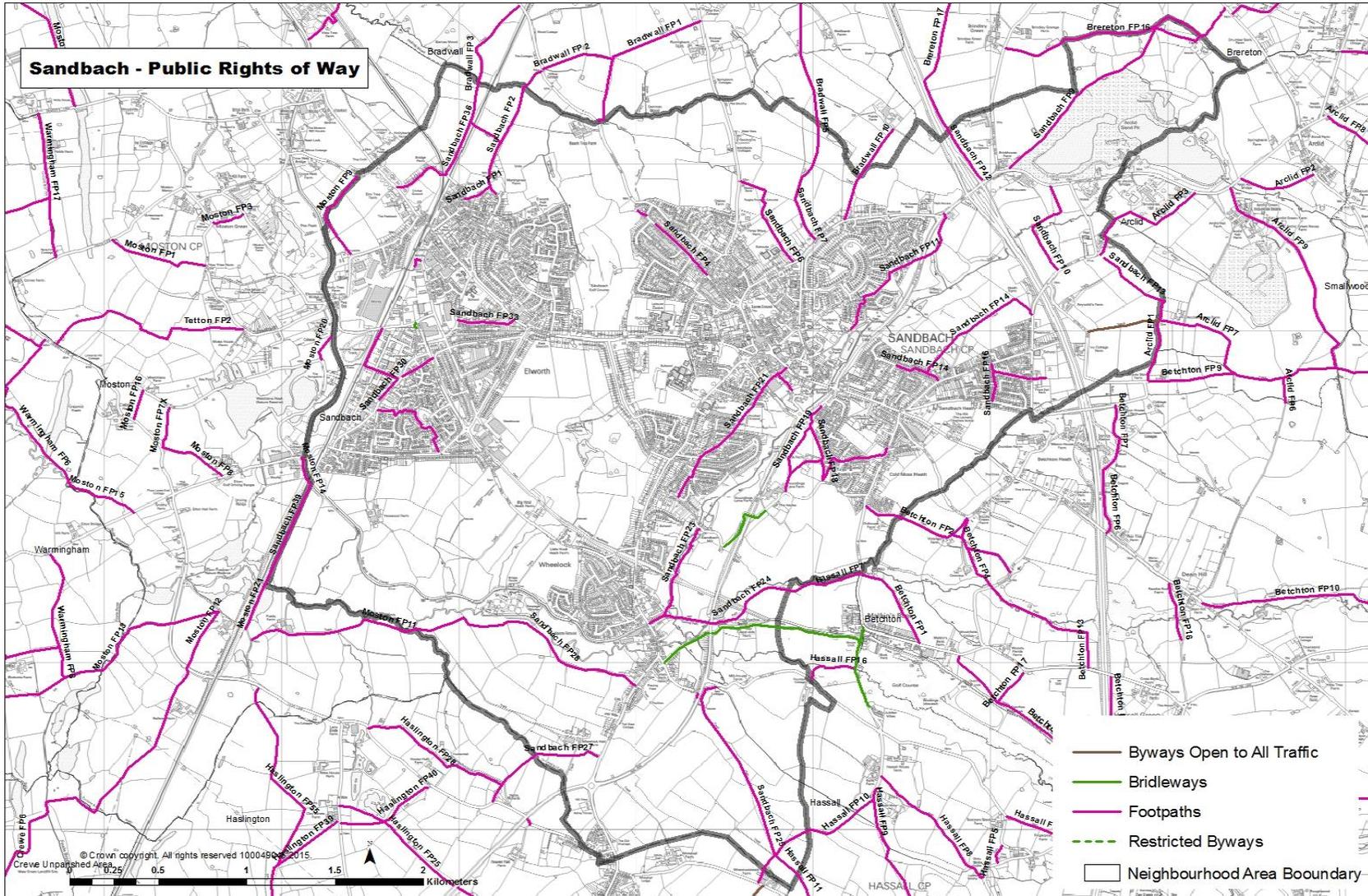


Fig. 7 Public Rights of Way and Footpath Network

3.2 Preserving Heritage and Character (HC)

AIM:

To preserve and enhance the heritage and character of the parish of Sandbach.

OBJECTIVE 1 To preserve and protect the historic environment of Sandbach, including its listed buildings and features, conservation areas, ancient monuments, buildings of specific interest and archaeological sites.

POLICY HC1 – HISTORIC AND CULTURAL ENVIRONMENT

The setting and character of the built and historic environment of Sandbach will be conserved and enhanced. Protection will be given to the character and special features of the following (as defined in the most recently adopted Cheshire East Council Sandbach conservation area assessment and National Heritage list for England):

- a) Listed buildings and associated features
- b) Conservation area
- c) Scheduled ancient monuments
- d) Archaeological sites.
- e) Trent & Mersey Canal, as contained within Sandbach Neighbourhood Development Plan boundary, and associated listed buildings and features including locks, bridges and mileposts (as defined by National Heritage list for England and on Appendix 4).

All developments, projects and activities will be expected to protect and where possible enhance historic assets and their settings, maintain local distinctiveness and the character of identified features.

Development should respect the historic landscape character and contribute to its conservation, enhancement or the creation of appropriate new features.

The adaptive re-use of redundant or functionally obsolete listed buildings or important buildings will be supported where this does not harm their essential character.

Justification:

Section 1 of this Report, in paragraph 1.8, contains a brief history of Sandbach and its settlement villages. The conservation area, referred to in Policy HC2, and listed monuments are illustrated in the Sandbach conservation area are determined by Cheshire East Council. In addition, the Sandbach landscape character assessment areas (see Appendix 7) provide further evidence of a number of specific buildings which form the heritage and character of the town.

The Trent & Mersey Canal has a significant role to play in contributing to the character and heritage of the local area. The canal is designated as a conservation area and contains a number of listed buildings within the Sandbach Neighbourhood Plan area including locks, bridges, mileposts and other non-designated assets.

Results from the Plan Phase 2 consultation survey (2015) shows that over 99% of the respondents wish to preserve and protect the historic environment of Sandbach, its listed buildings and features, conservation area, ancient monuments, buildings of specific interest, historic parks and gardens and archaeological sites.

One of the core planning principles of the NPPF, detailed in Para 17, is to conserve heritage assets in a manner appropriate to their significance and policy HC1 aims to help conserve and enhance the historic environment.

This policy accords with policy SE7 (The Historic Environment) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies BH3 (Change of Use/Conversion), BH4 (Effect of Proposals) and BH9 (Conservation Areas) of the Congleton Borough Council Local Plan First Review (2005). This policy also accords with section 7 (Town Centre) of the Sandbach Town Strategy 2012).

This policy supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 2 To ensure that future developments or change of use enhance the existing character of the town centre.

POLICY HC2 – PROTECTION AND ENHANCEMENT OF THE PRINCIPAL SHOPPING AREA

Sandbach Town Centre (as defined in the most relevant, recent and up to date Sandbach conservation area assessment report held by Cheshire East council) will be supported by a presumption in favour of proposals that retain the provision of A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) and A4 (Drinking Establishments) uses.

The change of use of ground floor level to Class A5 (hot food take-aways) will be strongly resisted where the proportion of units in A5 use exceeds 10% of the total number of units in the primary shopping frontage

Use of upper floors for residential or business use will be permitted where appropriate.

Out of centre retail outlets will only be supported if they do not have an adverse effect on the town and town centre. Applications will only be supported if they:

- Complement and enhance the town and town centre without reducing its commercial viability.
- Are compatible with the size and scale of the existing town centre.
- Do not have an unacceptable impact on the existing road network.

Justification:

This policy reinforces the protection provided by Policies HC1 and HC3. It also assists in ensuring that non-Class “A” uses would not dominate or detract from the core objective of providing retail outlets for the shopper.

The Plan Phase 2 consultation survey (2015) shows that over 98% of respondents strongly agree or agree that future developments or change of use are sympathetic to the existing character of the town. Also:

- 86% of respondents strongly agreed or agreed that the variety of retail and business provision within the town should be protected and that changing the use of premises should only be permitted if it can be demonstrated its present use is no longer viable.
- 90% of respondents strongly agreed or agreed that there should be a suitable balance between independently owned and national chain stores within the town centre such that local private businesses have a significant (majority) presence.
- 88% of respondents strongly agree or agree that additional retail provision should be supported only if it complements the town centre, is compatible with the size and scale of the existing town centre and does not have an unacceptable impact on the existing road network.

The Plan Phase 2 consultation survey (2015) shows that over 90% of respondents wish to maintain a suitable balance between independently owned and national chain retail outlets within the town centre, such that local private businesses have a significant presence.

This policy seeks to ensure that the town centre remains vibrant, attractive and successful with uses appropriate to a traditional market town centre in accord with paragraph 23 of the NPPF, together with an allowance for further housing and business use in upper floors.

As a Key Service Centre within the most relevant, recent and up to date Development Plan Document held by Cheshire East Council, the focus of policy EG5 (Promoting a Town Centre First Approach to Retail and Commerce) is to improve both the convenience and comparison goods offer along with further strengthening and enhancement of the retail offer where suitable. In addition, diversification of the town centre to support other uses such as offices, services, leisure, cultural and residential uses is encouraged within appropriate locations. As such, this policy accords with policy S4 (Principal Shopping Areas), S5 (Other Town Centre Areas) and S6 (Use of Upper Floors Within Town Centres) of the Congleton Borough Council Local Plan First Review (2005).

This policy accords with section 7 (Town Centre) of the Sandbach Town Strategy (2012) and supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 3 - To ensure that shop frontages and directional signs are in keeping with and enhance the character of the town.

POLICY HC3 – SHOP FRONTS AND ADVERTISING

Shop fronts within the town centre (as defined in the most recently adopted Cheshire East Council Sandbach conservation area assessment report) will be expected to preserve a traditional appearance as defined by the most recently adopted Sandbach Town Council street signage design policy.

Within this area, facias and projecting signage are to be kept to a minimum and illumination by means of external spotlights (not internally illuminated facias or strip lights) will be required to be constructed of traditional or appropriate composite materials.

In all cases, advertisements and signage will be expected to be of a high standard of design, located on and relate well to the premises and business they serve and be in character and keeping with the street scene or, where located within the Wider Rural Area, be in character and keeping with the locality and to not adversely impact on the rural landscape.

Justification:

The Plan Phase 2 consultation survey (2015) shows that 96% of the respondents strongly agree or agree that shop frontages and signs should be in keeping with and enhance the character of the town.

This policy seeks to ensure that developments in the town centre, and indeed further afield, respect the character of the surrounding area in accord with paragraphs 17 and 58 of the NPPF which state that developments should establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. They should respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

This policy accords with policies SE1 (Design) and SE7 (The Historic Environment) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies S14 (Advertisements), S15 (Advertisements in Conservation areas) and S11 (Shop Fronts) of the Congleton Borough Council Local Plan First Review (2005).

This policy supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 4 - To preserve, protect and promote the heritage, character and traditions of Sandbach as a small rural market town.

OBJECTIVE 5: To support the development and expansion of the outdoor market to ensure its sustainability and commercial viability and to ensure that the market retains its unique place within the community.

POLICY HC4 – MARKETS

Development and expansion of viable outdoor and indoor markets throughout the town centre will be supported where sustainable and commercial viability can be demonstrated.

Market hall development must respect the character and heritage of the town and its unique place within the community.

Justification:

The Plan Phase 2 consultation survey (2015) shows that 89% of the respondents support the development and expansion of the outdoor market to ensure its sustainability and viability. Also, 92% of the respondents support the enhancement and improvement of the Market Hall to ensure its viability whilst respecting its character and heritage.

The licence to hold a market every Thursday in the town was first granted by Queen Elizabeth I on 4th April 1579. 96% of respondents agree that the heritage and character of Sandbach “as a small rural market town” should be retained and that the market should keep its unique place within the community.

The City Markets (Market Managers and Operators) report for Sandbach (June 2011) states that:

- Long established traditional markets are part of a town’s cultural heritage, and should be cherished.
- The atmosphere of a traditional British market is unique, and has evolved over hundreds of years.

By seeking to develop and expand the retail offer within the town centre, whilst respecting the character of Sandbach, this policy accords with paragraph 23 of the NPPF regarding the retention and enhancement of existing markets and, where appropriate, re-introduction or creation of new ones, ensuring that markets remain attractive and competitive.

This policy accords with policies SE7 (The Historic Environment) and EG5 (Promoting a Town Centre First Approach to Retail and Commerce) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council.

This policy supports the Sandbach Town Plan Action Plan (Final Update 2015).

3.3 Managing Housing Supply (H)

AIM:

The Sandbach NDP housing policies are designed to provide a framework which will enable the parish to grow at a sustainable rate which will satisfy the identified future housing need during the period up to 2030.

OBJECTIVE 1 - To ensure that all future housing developments provide a mix of homes to meet identified needs.

OBJECTIVE 2 – To ensure that small scale sites are developed to meet planned organic growth.

POLICY H1– HOUSING GROWTH

Future housing proposals will be delivered on small scale sites of up to 30 houses within the policy boundary for Sandbach (see Fig.2), defined by policy PC2a. Exceptions to small scale sites of up to 30 houses will only be permitted if the proposal accords with policy H4 (ageing population) or is on a brownfield site within the policy boundary. Proposals shall contain a mix of housing types, sizes and tenures designed to meet identified need.

Justification:

The Neighbourhood Plan seeks to promote further housing growth in a more incremental way, following large scale rapid growth, described below in the context of up to date evidence. The development will take place on sites within a new settlement boundary, in order to continue the established pattern of development and characteristic separation between settlements whilst allowing growth. This provides the best opportunity to steer further development towards brownfield sites in the most sustainable locations and support regeneration.

This approach is fully in line with national planning policy which aims to significantly boost the supply of housing. It also seeks to ensure that future decisions about the scale and location of additional housing development is plan-led, another key requirement of national policy.

The Neighbourhood Plan is seeking to meet and exceed the housing requirement for the town which has been identified in up to date evidence, described below.

The Local Plan Strategy being prepared by Cheshire East Council (currently at examination) will set out the housing requirement for Sandbach to 2030. In July 2015 Cheshire East published updated evidence regarding future housing growth in the borough, both in terms of the overall level of housing required and how this should be distributed across the Borough (*Cheshire East Housing Development Study 2015 Report of Findings June 2015 Opinion Research Services and Spatial Distribution Update Report July 2015 AECOM*) This evidence identifies that 2,750 new dwellings should be developed at Sandbach between 2010 and 2030. During the period 2010 to March 2015, 2,754 dwellings have already been built or have planning permission. This means that this requirement can be met and exceeded. It represents a significant over-achievement within the first 5 years of the Local Plan period and

equates to an increase of 35% in the size of Sandbach. This rapid rate of unplanned growth is not considered sustainable and does not meet the needs of the local population. Furthermore, the majority of these houses are located on green field areas, outside the current settlement zones and/or located in designated Areas of Separation (see map Fig.2).

Rapid growth has predominately occurred in 3 to 4 bedroom houses to meet a regional need because Sandbach is not in a Green Belt area, like towns in the north of the borough, and has easy access to the transport system. This “estate type” growth of larger houses is changing the character of Sandbach and is not required. The Housing Vision Survey has indicated that:

“Significant falls are projected in the need and demand for family housing and very significant increases projected in the need and demand for housing suitable for older households”.

The Plan Phase 2 consultation survey (2015) shows 74% of respondents have indicated a desire for housing development to be delivered in small scale developments.

Since 2010, a total of 2,286 houses have been approved on sites having 50 or more dwellings within Sandbach. 390 houses have been approved on sites having 10-49 dwellings and 80 houses have been approved on sites of less than 10 dwellings. This demonstrates that over 15% of approvals have been achieved on smaller scale developments and that, future small scale developments can achieve the majority of the required level of growth for Sandbach.

This policy allows for further housing and there is flexibility to allow larger housing schemes where the proposed development is on a brownfield site or accords with policy H4 (ageing population).

The most relevant, recent and up to date Development Plan Document held by Cheshire East Council states there should be 30% low cost/affordable homes on sites over 15 units. The Sandbach Housing needs surveys 2015 (Housing Vision report & Phase 2 Questionnaire) identify a need for affordable housing and housing designed to meet the needs of an ageing population.

This approach reflects national planning policy to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

This policy accords with policies PG6 (Spatial Distribution of Development), SD2 (Sustainable Development) and SE2 (Efficient Use of Land) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies PS3 and PS4 (Settlement Hierarchy and Towns) of the Congleton Borough Council Local Plan First Review (2005).

OBJECTIVE 3 - To ensure that all future housing developments are well designed and that they respect the scale, style and setting of the existing environment.

POLICY H2 – DESIGN & LAYOUT

All new developments will be expected to meet high standards of design that:

- a) Are in keeping with, the unique character of Sandbach and surrounding countryside
- b) Provide sufficient off street parking in accordance with national & local guidelines

New developments, extensions and alterations to existing buildings and structures will be expected to:

- Contribute positively to local distinctiveness, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features.
- Not cause unacceptable visual intrusion, overlooking, shading, noise, air pollution, light pollution or other adverse impact on local character and amenities.
- Make efficient use of land while respecting the density, character, landscape and biodiversity of the surrounding area.
- Retain existing landscape and natural features.
- Ensure that the scale and massing of buildings relate sympathetically to the surrounding area.
- Create safe environments addressing crime prevention and community safety.
- Use traditional and vernacular building materials where such treatment is necessary to respect the context of the development concerned.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- Comply with the objectives of the River Basin Management Plan or their supplementary plans (section 17 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003)

Justification:

Sandbach is an attractive Elizabethan market town with many features that are important to the local community. This is reflected in the Plan Phase 2 consultation survey (2015), which shows that:

97% of respondents have indicated that the heritage and character of Sandbach as a small market town should be preserved and protected.

99% of respondents believe that the historic environment of Sandbach, for example listed buildings and features, conservation areas, ancient monuments, buildings of specific interest, historic parks and gardens and archaeological sites should also be preserved and protected.

96% of respondents believe that future developments or change of use are sympathetic to the existing character of the town centre.

98% of respondents have indicated that all future housing developments should be well designed and respect the scale, style and setting of the existing environment.

93% of respondents agree that future developments should respect the quality of the local landscape, ensuring that existing views are maintained.

96.5% of respondents agree that all future developments should respect and enhance the existing natural environment, including existing green spaces.

95% of respondents believe that any housing infill development and the conversion of existing buildings to residential use is supported only where they contribute positively to local character and where they help to meet local housing need.

In exercising their functions, all public bodies and statutory undertakers (that is most reporting authorities) have a duty to have regard to the objectives of the River Basin Management Plans or their supplementary plans (section 17 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003).

This policy accords with paragraph 17 of the NPPF, policies SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles), SE1 (Design) and SE2 (Efficient Use of Land) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies GR1 (New Development) of the Congleton Borough Council Local Plan First Review (2005).

OBJECTIVE 4 - To ensure that all housing infill development and the conversion of existing buildings to residential use is supported only where it contributes positively to local character and helps to meet identified housing need.

OBJECTIVE 5 - To ensure that all future housing developments provide a mix of homes to meet identified local housing needs including an appropriate element of affordable housing to meet identified needs.

POLICY H3– HOUSING MIX & TYPE

All housing within Sandbach as allocated by the most relevant, recent and up to date Development Plan Document held by Cheshire East Council or latest housing requirements as identified by Cheshire East Council should be designed to meet the identified needs of the community in terms of housing type and need. Housing should be designed to provide a mix of houses to meet identified need, e.g. affordable housing, starter homes and provision for housing an ageing population.

Justification:

The Sandbach Housing Needs Survey 2015 (Housing Vision report and Phase 2 Questionnaire) identify a need for affordable housing and housing designed to meet the needs of an ageing population.

The Plan Phase 2 consultation survey (2015) shows that 84% of respondents want to ensure that new housing meets local needs.

The Plan is in general conformity with local plan policies, recognising that there is a need for a mix of dwellings to ensure a sustainable and mixed community.

This policy accords with paragraph 50 of the NPPF, policy SC4 (Residential Mix) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy GR3 (Design) of the Congleton Borough Council Local Plan First Review (2005).

OBJECTIVE 6 – To ensure that future housing developments provide homes suitable for older people in Sandbach to meet a housing need identified in an independent survey.

POLICY H4– HOUSING AND AN AGEING POPULATION

To meet the needs of an ageing population within the town, developments will be supported that provide suitable, accessible houses for older people and preferably on brownfield sites. Housing should be a suitable mix of tenures, including private, housing association, self-build, co-housing, together with an element of affordable housing.

Justification:

This policy seeks to provide accommodation for local housing needs and the borough's older residents. A housing needs survey by Housing Vision entitled "The Implications of Household Projections for Meeting Housing Need in Sandbach: 2013 to 2030" (see Section 4.3 (Reference Documents) and Appendix 7 (Overview of Housing Vision and report)) has highlighted:

- "ES 1 Sandbach is facing very dramatic changes in its population and household structure which will lead to a very different pattern of need for housing in the period to 2030. Significant falls are projected in the need and demand for family housing and very significant increases projected in the need and demand for housing suitable for older households. Without intervention to provide suitable alternatives for older people, tensions will grow between the housing required and the housing available.
- ES 2 The current age structure is similar to that for Cheshire East, with lower younger and larger older populations than regionally or nationally.
- ES 3 Compared with the region and nationally, Sandbach and Cheshire East have higher proportions of older households; of couple households with no children and of households with dependent children; and lower proportions of lone parent households.

- ES 13 Decline of 5% is projected for the 16-34 age group and of 19% for the 35-54 age group. Growth of 22% is projected for the 55-64 age group and of 40% for the 65+ age group.
- ES 14 The number of (mostly older) one person households is projected to grow by 18% over the period 2013-2030. Such households are likely to require smaller one and two bed accommodation.
- ES 15 The number of (mostly older) two person households with no dependent children is projected to grow by 17% over the period 2013-2030. Such households are likely to require two bed accommodations.
- ES 19 Matching housing required to household projections implies a decline of 11 in the requirement for one bed flats; of 40 for two bed flats and houses; of 301 for three bed and larger houses, and growth of 1,041 in the requirement for housing suitable for older people, including downsizing flats; bungalows and houses and for housing with care and support.
- ES 20 It will be difficult to reconcile the surplus of family housing against the increased requirement for downsizing and more manageable homes for older people.

This policy accords with paragraph 50 of the NPPF and helps deliver a wide and appropriate choice of homes. It also accords with policy SC4 (Residential Mix) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy GR3 (Design) of the Congleton Borough Council Local Plan First Review (2005).

OBJECTIVE 7- To ensure that small scale sites are developed to meet identified housing needs.

OBJECTIVE 8 - To ensure vacant, brownfield sites are prioritised for future planned housing or mixed use development.

OBJECTIVE 9 - To ensure that all proposed future housing or mixed use developments protect, respect and enhance the existing natural environment, including existing Sandbach Areas of Separation and Open Countryside.

OBJECTIVE 10 - To ensure that future housing developments do not diminish the Sandbach Areas of Separation between the settlements of Sandbach Town, Sandbach Heath, Elworth, Ettiley Heath and Wheelock (This reinforces Policies PC1 and PC4).

OBJECTIVE 11 – To ensure that future housing developments should identify and protect all underground utility infrastructure assets.

POLICY H5 – PREFERRED LOCATIONS

- a) Developments will be within the policy boundary around Sandbach, defined by Policy PC2a and will be small scale of up to 30 houses. Exceptions will only be permitted if they accord with Policy H1.
- b) The re-development of brownfield sites will be supported in favour of greenfield locations.
- c) Brownfield sites in or near town centre locations with good ease of access will be supported to provide homes for older people.
- d) Locations must contribute positively to local character and help to meet identified housing needs.
- e) Housing infill development, the conversion of existing buildings to residential use, self-build projects, co-housing and the subdivision or amalgamation of existing residential units with suitable space will be supported within the policy boundary for Sandbach (see Fig.2), but only within the countryside when they conform to countryside developments permitted in Policy PC2a. They must also contribute positively to local character and help to meet identified housing needs.
- f) Residential use of accommodation above retail premises will also be supported (supports Policy HC2).
- g) Developments will be required to have easy access to existing public transport provision and be designed / located so that they would encourage the use of “green” methods of transportation.

Justification:

The majority of housing development approvals within Sandbach have been outside recognised settlement zones and on greenfield sites (see map Fig.8).

This policy encourages appropriate development of brownfield land, as do policies SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles), SE2 (Efficient Use of Land) and PG5 (Open Countryside) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. It also accords with policy PS3 (Settlement Hierarchy) of the Congleton Borough Council Local Plan First Review (2005).

This policy reflects serious concerns from the community that Sandbach, whilst continuing to grow, should do so at a scale and sustainable rate that will not harm the landscape, character and feel of the town and seek to ensure that the town’s individual sense of place and local distinctiveness is retained.

The NPPF Core Planning Principles (paragraph 17) identifies the efficient use of land as one of the core land use planning principles which encourages “the efficient use

of land by reusing land that has been previously developed (Brownfield land), provided it is not of high environmental value”.

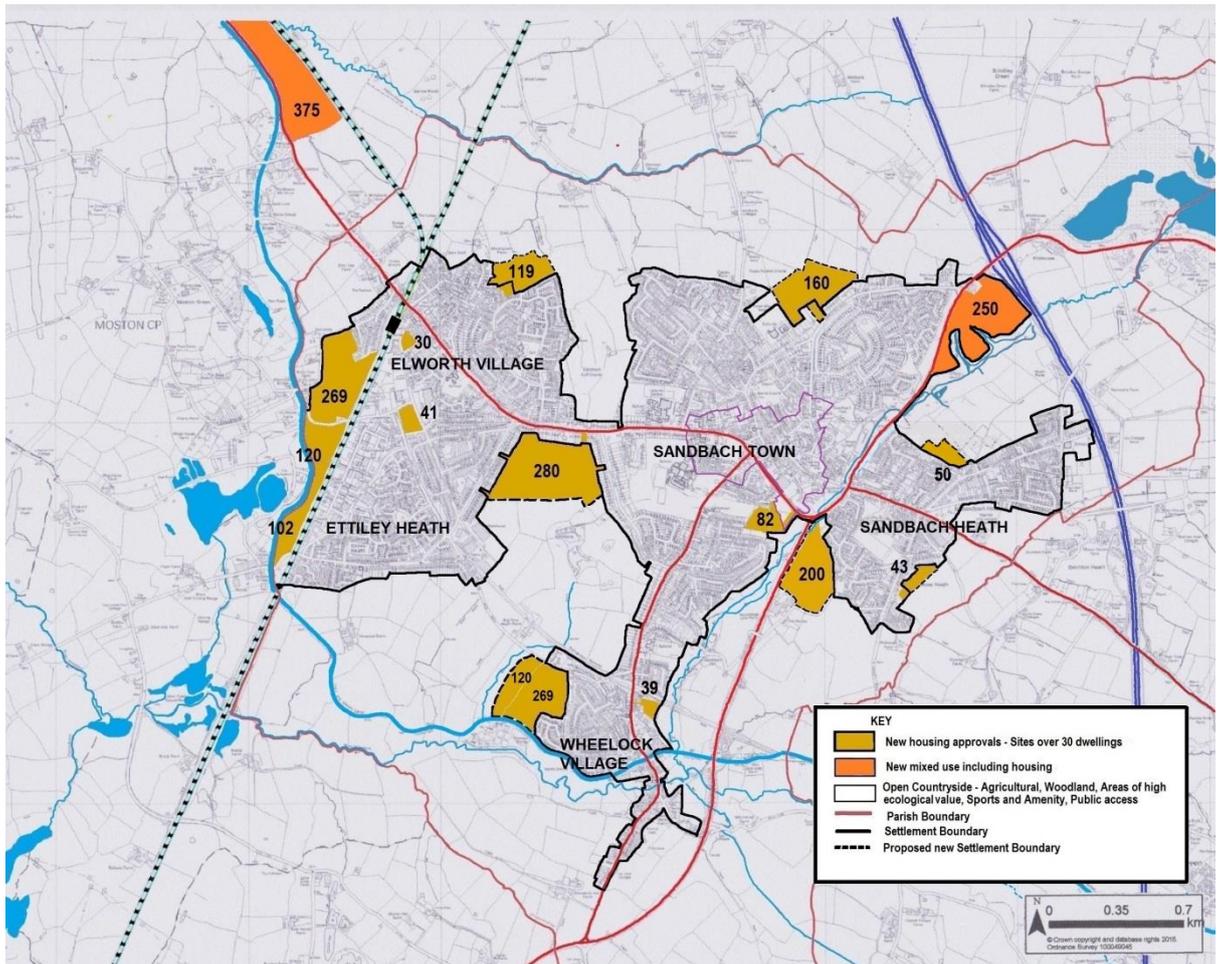


Fig.8 – Housing development approvals (2010 to May 2015)



3.4 Promoting Jobs and the Local Economy (JLE)

AIM:

To promote and maintain a thriving local economy to ensure that jobs and enterprise opportunities are available for local people of all ages. There will be a strong customer base for retail and hospitality businesses, enabling the community to maintain a prosperous town and town centre.

OBJECTIVE 1: To ensure that future land allocations and planning permission for employment purposes are retained solely for the provision of business and long term employment opportunities in Sandbach. Future proposals for employment sites must demonstrate that development does not negatively impact on the existing highways network; local wildlife and natural assets; and Sandbach Town Centre;

NB Objective 1 and policy JLE1 do not seek to allocate any specific employment site. A proposed employment site is identified within the emerging Cheshire East Local Plan Strategy (CS24 and locally known as the “Capricorn” site – see Appendix 5) and, should the allocation be formally adopted, then Objective 1 and policy JLE1 will be triggered to guide the detailed aspects of development proposals there and seek the long term retention of employment at that site.

POLICY JLE1 – FUTURE EMPLOYMENT AND RETAIL PROVISION

The following principles of development will apply to all future employment proposals for employment and retail within the Sandbach neighbourhood area:

- 1 Where there is a reasonable prospect of a site being used for employment purposes:
 - a) Sites will be retained for employment uses only
 - b) The inclusion of housing or care related uses will not be permitted.

- 2 Development proposals must:
 - a) Not adversely impact on locally identified natural environmental assets. Proposals will positively enhance access to green corridors whilst protecting and enhancing sites of biological importance, watercourse and wildlife corridors. Development which harms or does not demonstrate compatibility with the areas of high ecological value and wildlife corridors will not be permitted (refer to policy PC3 and PC4):
 - b) Demonstrate their impact on the highways network and identify measures to ensure that harmful impact is mitigated
 - c) Demonstrate sustainable access to and from the site via:
 - I Provision of sustainable transport infrastructure including public transport; cycle infrastructure; and design which places safe access and movement for pedestrians as a priority within the modal hierarchy; and, where reasonable proximity allows

- ii Enhance public access to Green Corridors (identified in policy PC3 and PC4)
- 3 Retail proposals outside the Town Centre Boundary will be supported where such proposals do not have an adverse effect on Sandbach Town Centre and they demonstrably:
 - a) Complement and enhance the Town Centre without reducing its commercial viability
 - b) Are compatible with the size and scale of the existing Town Centre; and
 - c) Do not have an unacceptable impact on the existing road network.
- 4 Development proposals will be supported in accordance with the above and where they can demonstrate:
 - a) The delivery of long term employment opportunities
 - b) Close proximity to the local or national public transport network
 - c) That no unacceptable levels of vehicular movements through Sandbach Town

Justification:

The Plan Phase 1 and Phase 2 consultation processes demonstrate a strong community desire to retain this area solely for the purpose to provide employment opportunities for local people.

The Capricorn site is proposed for mixed use and up to 200 houses in the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. Outline permission has been granted for 250 residential houses (with mixed use) on an area at the northern end of the site and a further 50 granted (with no provision for long term employment) at the southern end of the site. The total of 300 house approvals already exceeds the number originally proposed. Evidence demonstrates that further applications are coming forward for housing only on this site, with no provision for long term employment.

The most relevant, recent and up to date Development Plan Document held by Cheshire East Council proposes 20 hectares of employment land in Sandbach, which will help to address the significant level of net out-commuting. *“Current completions and commitments will already see a 35% growth in the number of households in Sandbach over the plan period. To help balance local employment and housing, it is considered that further housing growth above that which is already ‘committed’ would therefore be undesirable in this respect. Further growth would also put pressure on an already constrained strategic and local highways network”.*

This policy accords with policies EG1 (Economic Prosperity) and EG3 (Existing and Allocated Employment Sites) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies EG3 (Employment Development in Towns) and E10 (Re-use or Redevelopment of Existing Employment sites) of the Congleton Borough Local Plan First Review (2005).

Improved opportunities for local employment will help to reduce the need for people to commute to other employment areas and will contribute to a “greener” society.

The site is considered to be well located for employment opportunities that could arise with the Government’s forthcoming HS2 rail link and future “Northern Powerhouse” programmes. It therefore helps deliver one of the NPPF’s aims of building a strong, competitive economy. The policy allows for the long term viability of the “Capricorn” site for employment use and is therefore in compliance with Paragraph 22.

The site is connected to the existing settlement of Sandbach and contained by existing residential development to the west and south. To the east, the site boundary is formed by the M6 motorway. Capricorn lies at the gateway to Sandbach offering an excellent opportunity to capitalise on strong links to the M6 motorway, attract investment and skills to locate in the town. Furthermore, long awaited J17 layout improvements are now completed, making the site more easily accessible, particularly for larger vehicles (this was previously considered a major obstacle to take-up of the site).

OBJECTIVE 2: - To support the development and enhancement of tourist and visitor amenities, events and accommodation facilities within the town, whilst ensuring appropriate scale and use, in keeping with the heritage and character of the town.

POLICY JLE2. TOURISM AND VISITORS

Improvements to services and facilities associated with tourist attractions will be supported.

Development proposals should:

- Comply with policies for the countryside and conservation/heritage.
- Be appropriate in scale, character and location for the development.
- Create no harm to the existing character of the local area.
- Provide for appropriate new tourist attractions well-related to the cultural and historic assets of Sandbach.
- Have no adverse impact on any adjoining residential amenities.
- Have no conflict with matters of highway safety.

Justification:

Consultation Phase 1 survey showed that the community strongly values tourism as a means to improve the local economy and the Phase 2 survey reaffirmed that view.

This policy therefore reflects the desire to encourage and improve tourism facilities and services, whilst protecting the environment, landscape and townscape setting.

This policy accords with paragraph 28 of the NPPF and helps deliver a prosperous rural economy. It also accords with policy EG4 (Tourism) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies E16 – E18 (Tourism and Visitor Development) of the Congleton Borough Council Local Plan First Review (2005)

This policy supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 3: To support the enhancement and improvement of the Market Hall to ensure its source of employment whilst respecting its character and heritage.

POLICY JLE3 – THE MARKET HALL

Planning applications for alterations and/or other improvements to the Market Hall should take into account the need to sustain and enhance the heritage asset of Sandbach Town Hall. Applications should seek to facilitate desirable new development, ensure the continued viability of the Hall throughout and after any such works and make a positive contribution to its local distinctiveness as part of the town's historic environment.

Justification:

This policy reinforces policy HC4 (Markets).

The Plan Phase 1 survey showed that the community values the Market Hall and the Phase 2 survey reaffirms that the community (92%) strongly supports or supports the enhancement and improvement of the Market Hall to ensure its commercial viability whilst respecting its character and heritage.

The City Markets (Market Managers and Operators) report for Sandbach (June 2011) states that:

- Markets contribute to the national economy, through customers spending an estimated £1.1- £3 billion a year at stalls run by some 46,000 market traders providing around 96,000 jobs across the UK.
- Thriving markets attract additional footfall into town centres, encouraging shoppers to buy not just at the market, but also at neighbouring shops.
- Markets can be a starting place for new start-ups to reach an audience for their goods and services. Therefore, markets have an important role in offering start-up opportunities for new businesses.
- There are maybe 150 small businesses operating at Sandbach Market. Each business probably employs at least two people. In addition there are a number of ancillary workers, for example suppliers, waste disposal, cleaning staff, security staff etc. Therefore, the market probably provides direct and indirect employment for approximately 350 people.
- Markets boost the local economy by providing employment and trading opportunities for local suppliers and small businesses.

Results of a Door to Door survey (4th March 2015) amongst High Street businesses within Sandbach showed 70 % of retailers gained an uplift in trade on the day of the Farmers' Market compared to a regular Saturday. All felt it was a high level of increase. Of those quoting figures, the increase was between 20 and 33% increase in trade. Those businesses that were not affected by the Farmers' Market were all service providers and did not see any adverse effect of the market on their trade (i.e. no reduction in trade).

This policy accords with paragraph 17 of the NPPF in helping to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations and aims to enhancing the local historic environment. This policy also accords with policies SE7 (The Historic Environment), SE1 (Design) and SD2 (Sustainable Development) of the most relevant, recent and up to date Development Plan Document held by Cheshire East.

This policy supports the Sandbach Town Plan Action Plan (Final Update 2015).

3.5 Improving the Infrastructure (IF)

3.5.1 Transport Integration and Traffic Management

AIMS:

1. Work with relevant partner authorities and transport providers to develop a safe, efficient and sustainable transport system that contributes to the social, environmental and economic well-being of the residents, businesses and visitors to Sandbach.
2. Provide equal opportunity for everyone to access key services whilst maximising the use of 'green' alternatives to vehicular movements.

OBJECTIVE 1: To support the development of an integrated transport system designed to meet the current and future needs of the community and manage levels of congestion whilst supporting planned growth.

OBJECTIVE 2: To promote schemes and projects which improve highway safety.

OBJECTIVE 3: To promote the use of ecologically sustainable methods of transport such as walking, cycling and public transport, whilst maintaining a safe environment for residents and also meeting the needs of those with disabilities.

OBJECTIVE 4: To promote safe and efficient local, regional and national transport links into and out of Sandbach, enabling reliable and efficient journey times.

OBJECTIVE 5: To promote improvements to public and private transport services, especially rail and bus, resulting in a better integrated service.

OBJECTIVE 6: To address congestion issues created by through traffic at peak times and from increased housing numbers.

POLICY IFT1 – SUSTAINABLE TRANSPORT, SAFETY AND ACCESSIBILITY

In order to improve transport and safety, applicants for new development must:

- Demonstrate safe walking and cycling routes in the immediate area of the proposed site, with consideration of access to services and facilities.
- Demonstrate how the proposals link to public transport.
- Demonstrate the impacts of traffic from the proposed development and indicate how any impacts will be mitigated.
- Demonstrate that the most up to date parking standards required by Cheshire East Council will be met.
- Demonstrate that the proposed site is located in an acceptable location in relation to the existing highway network, especially from a safety and aggregate congestion viewpoint.
- Demonstrate that the proposed site is located with good accessibility by a range of sustainable forms of transport, minimising the distance that people need to travel to employment, shops, services and leisure opportunities.
- Demonstrate that the needs of those with disabilities have been positively considered and appropriate facilities within the transport infrastructure have been provided to assist them.
- Developments that impact adversely on existing footpaths (see policy PC6) and cycleways network (see appendix 6) will not be allowed.

Planning applications for developments that will generate significant amounts of movement must be accompanied by a Travel Plan to Sandbach Town Council and Cheshire East Council that sets out how sustainable movement will be encouraged.

Proposals which promote better integration between different modes of transport, including links to the local rail station, and /or improve bus routes, services and passenger facilities around key transport hubs and linkages to the larger service villages and towns will be supported, subject to meeting the criteria of other policies within the Neighbourhood Plan.

Justification:

As a rural community private car ownership and usage is the predominant method of transport; with approximately 43% of all homes owning at least 2 or more cars. Whilst cars are essential for many people (particularly in rural areas), the provision of public transport and the encouragement of walking and cycling routes is vital in order to help address the issues of climate change, reduce congestion and provide equality of opportunity.

The Housing Needs Survey (2015) completed by Housing Vision identified Crewe, Middlewich, Knutsford, Holmes Chapel and Congleton as the main travel to work destinations.

The Phase 2 questionnaire question 23 “To promote safe and efficient local, regional and national transport links into and out of Sandbach, enabling reliable and efficient journey times” had a 98.1% positive response (67.3 % strongly agree and 30.8% agree).

The Phase 2 questionnaire question 28 “To positively encourage sustainable modes of transport including walking, cycling and the use of public transport, helping to initiate and develop an effective network of footpaths and cycle ways linking all areas of the Parish of Sandbach” had a 95.2% positive response (64.5 % strongly agree and 30.7% agree).

The Phase 2 questionnaire question 26 “To promote improvements to public and private transport services, especially rail and bus, resulting in a better integrated service.” had a 95% positive response (63 % strongly agree and 32% agree).

The promotion of sustainable transport is one of the aims of the NPPF (paragraph 35) and this policy seeks to ensure that ‘the transport system is balanced in favour of sustainable transport modes, giving people a real choice about how they travel’.

This policy accords with policies CO1 (Sustainable Travel and Transport), CO4 (Travel Plans and Transport Assessments), SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles) and SE1 (Design) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies GR9 – GR18 (Accessibility, servicing and Parking Provision, Footpaths etc.) of the Congleton Borough Council Local Plan First Review (2005).

This policy accords with section 8 (Infrastructure Priorities) of the Sandbach Town Strategy 2012) and supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 7: To maintain and enhance the ‘Town Centre’ experience by effective management of the parking supply, ensuring that local businesses and shops are serviced by adequate short stay parking spaces.

OBJECTIVE 8: To support the provision of adequate parking facilities that meet the needs of residents, local businesses and visitors, by providing adequate levels of car parking in line with Council’s published car parking standards.

OBJECTIVE 9: To ensure that residential areas have adequate parking facilities to avoid or minimise ‘on street’ parking of vehicles.

POLICY IFT2 – PARKING

The retention and provision of adequate short stay parking spaces in the town centre will be encouraged to support local businesses. Development which leads to the loss of car parking spaces within the Town Centre will not normally be

permitted. Where development proposals require the loss of any publically available spaces serving the Town Centre, these should be replaced on site or nearby as part of the development scheme, or an agreed alternative transport facility be provided or contributed towards to mitigate the loss and facilitate more sustainable forms of access to the Town Centre.

Existing residential areas and new developments must have adequate parking facilities to avoid or minimise 'on street' parking.

Justification:

The NPPF does not include maximum parking standards, which were a feature of previous national guidance. Local Authorities now need to develop their own parking standards and supporting justification, taking into account such factors as: the accessibility of the site; the type and mix of development; local car ownership; and the need to reduce use of high-emission vehicles.

The removal of consistent national parking standards has enabled Cheshire East Council to develop and set its own parking standards for new development. These are set out in Appendix C of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. The accompanying text makes it clear that some variation from these standards may be possible if supported by appropriate supporting evidence.

The Phase 2 questionnaire question 20 "To maintain and enhance the 'Town Centre' experience by effective management of the parking supply, ensuring that local businesses and shops are serviced by adequate short stay parking spaces" had a 94.6% positive response (60.4 % strongly agree and 34.2% agree).

The Phase 2 questionnaire question 21 "To provide free car parking facilities to service the town centre." had a 93.7% positive response (76.8 % strongly agree and 16.9% agree).

The Phase 2 questionnaire question 22 "To ensure that residential areas have adequate parking facilities to avoid or minimise 'on street' parking of vehicles" had a 95.8% positive response (64.1 % strongly agree and 31.7% agree).

This policy underpins the Heritage and Character policy HC1, and seeks to ensure that the town centre remains vibrant, economically successful, and is a pleasant and easy place to visit.

This policy accords with policies CO2 and SD1 (Sustainable Development in Cheshire East) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies GR9 (Accessibility, servicing and Parking Provision) and GR17 (Car Parking) of the Congleton Borough Council Local Plan First Review (2005).

3.5.2 Community Infrastructure Levy (IFC)

OBJECTIVE 10: To ensure that appropriate community infrastructure is funded through appropriate charging schedules.

POLICY IFC1 – COMMUNITY INFRASTRUCTURE LEVY

Where policies in this plan require contributions to community infrastructure, subject to development scheme viability, they will be made through planning obligations in accordance with the most up to date funding mechanisms in place for developer contributions and infrastructure adopted by Cheshire East Council. Details of priorities for funding within Sandbach should be sought from Sandbach Town Council.

Justification:

The Community Infrastructure Levy (CIL) is a national scheme which allows local planning authorities to set local charges for new development to fund the provision of infrastructure. In the most relevant, recent and up to date Development Plan Document held by Cheshire East Council, the section on infrastructure sets out the Borough Council's intentions to develop a Charging Schedule for CIL following the approval of the Local Plan Strategy. An Infrastructure Delivery Plan has also been prepared to demonstrate what strategic infrastructure is required to support the development proposed in the Local Plan Strategy.

Some mitigation schemes for the impact of the proposed development set out in the CELP have been identified in the Local Infrastructure Delivery Plan and have been developed using traffic modelling. In addition, the incremental nature of these schemes over the next 20 years will bring pressures on all aspects of access and movement within and to the town.

Money raised by CIL from new development within Sandbach can be used to support local infrastructure projects that the local community feels is appropriate. 25 per cent of the revenues from the Community Infrastructure Levy arising from appropriate developments would be made available for local priorities. This policy will set out the priorities for spending CIL within Sandbach town.

Planning agreements under section 106 of the Planning Act are intended to mitigate the impact of development on local communities. For all development schemes with a local impact, Cheshire East Borough Council would normally negotiate with the developer a package of measures to limit the impacts on the local environment and residents.

This policy accords with paragraphs 17 and 175 of the NPPF, policies SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles) and IN1 (Infrastructure) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy GR19

(Infrastructure) of the Congleton Borough Council Local Plan First Review (2005). This policy also accords with section 8 (Infrastructure Priorities) of the Sandbach Town Strategy 2012).

Supporting Action to be taken:

The priorities for funding within Sandbach will be prepared and regularly updated by Sandbach Town Council.

3.6 Community and Well-Being (CW)

AIM:

To protect and improve existing community amenities, buildings, facilities, activities and services throughout Sandbach. New services and facilities should be added as appropriate in the future.

OBJECTIVE 1: To ensure amenity, play and recreation areas are appropriately developed for the health and well-being of all.

POLICY CW1 – AMENITY, PLAY AND RECREATION

All areas currently used for amenity, play and recreation as described on the proposals map Fig.6 will be protected and, where possible, enhanced. Development will not be permitted unless: an assessment has been undertaken which shows them to be surplus to requirements; the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative amenity, play or recreation provision, the needs for which clearly outweighs the loss.

Justification

A list of play and recreational facilities is set out in Appendix 2.

Throughout the consultation processes of the Plan, Sandbach Town Plan and Sandbach Town Strategy, it is clear that the significant changes to Sandbach Park, Elworth Park and all play areas have been welcomed by the communities they serve. The Plan Phase 2 consultation survey (2015) shows that 98% for the respondents strongly agree or agree that new and extensive areas now provide excellent facilities for all ages.

The need for allotments has also been identified during consultations as a further important outdoor recreational activity. Although there is an allotment site in Ettiley Heath, which is well managed and supported, it has no long term security. Following positive local consultation, a new site has been identified and is being actively progressed. Further sites in other areas of the town will be supported in line with the policy.

This policy seeks to help deliver the NPPF aim of promoting healthy communities. Para 73 and 74 state that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

This policy accords with policy SC1 (Leisure and Recreation) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy RC2 (Protected Areas of Open Space) of the Congleton Borough Council Local Plan First Review (2005).

This policy accords with section 8 (Infrastructure Priorities) of the Sandbach Town Strategy 2012) and supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 2: To encourage the provision and improvement of sports, leisure and recreation facilities in Sandbach to meet the needs of all age groups.

POLICY CW2 – SPORT AND RECREATION FACILITIES

- 1) The development of new or improved indoor and outdoor leisure and recreation facilities will be supported
- 2) Developments that enhance existing sports facilities, by way of increasing their utilisation or capacity for improved levels of public access will be strongly supported.
- 3) Any developments for new or enhanced sports and leisure facilities must be inclusive for all, including being suitable for an ageing population, residents with disabilities and comply with the requirements of Sport England.
- 4) New developments must be accompanied by adequate car parking provision, having regard to the likely modes of transport to and from the venue and other parking availability in the vicinity. Sites which are easily accessible by public transport, walking and cycling will be strongly supported.
- 5) The development of a new or improved leisure centre on the existing site at Sandbach High School and Sixth Form College should allow for public access.

Justification:

The need for improvements and provision of sport and recreation facilities for all age groups was clearly identified from questionnaires completed by residents. The first and second stages of consultation for the Plan indicated that there is dissatisfaction with the leisure centre based at the High School, which does not meet modern expectations, particularly access by the public during school hours. The Plan Phase

2 consultation survey (2015) indicates that 56% of respondents support the development of a new leisure centre and 75% support improvements to the existing leisure centre.

Cheshire East Council Indoor Leisure Facilities Development Statement (2013) Section on Sandbach states that there is a case for further investment and the development of extra capacity in the swimming pool.

The consultation survey indicates a desire by some residents for specific facilities for young people within the town. A list of aspirational issues and action plan can be found in the Consultation Statement (Refer to section 4.3 – Reference Documents).

It is considered important that facilities are available for all, regardless of age or ability, in order that the whole population can benefit and to ensure an inclusive, healthy and sustainable community.

One issue arising from consultation was the impact of traffic and parking problems and it is felt important that new or improved facilities do not exacerbate this problem.

This policy accords with paragraph 73 (Promoting Healthy Communities) of the NPPF. It also accords with policy SC1 (Leisure and Recreation) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policies RC1 (Recreation and Community Facilities), RC10 (Outdoor Formal Recreational and Amenity Open Space Facilities) and RC11 (Indoor Formal Recreational and Amenity Open Space Facilities) of the Congleton Borough Council Local Plan First Review (2005).

This policy supports the Sandbach Town Plan Action Plan (Final Update 2015).

OBJECTIVE 3: To provide reasonable access to health services for all residents and to provide the infrastructure such as pedestrian and cycle links between different parts of town that would enable people to undertake physical activity and access the natural environment.

POLICY CW3– HEALTH

- 1) Residential developments must address the provision of appropriate medical provision as part of the development proposal. Applicants must engage with the relevant health authorities at the earliest possible stage.
- 2) Developer contributions or the provision of new facilities will be expected as set out in the most up to date guidance from Cheshire East Council, so that new residents have access to a GP practice within a reasonable distance subject to agreement with the healthcare provider, and unless the existing services have capacity for new residents.
- 3) Proposals to improve specialist care for the elderly, for people with disabilities, and for mental health services will be supported
- 4) The design of residential developments should incorporate means by which people can walk or cycle within the town

Justification:

This is a key objective clearly identified from the Plan consultation process. Furthermore, with 2,754 new homes being granted permission between 2010-May 2015 within the parish of Sandbach, it is likely that many of the new residents will need to be registered locally. The existing surgery was constructed 11 years ago and was expected to meet some growth in the population but the rapid expansion is perceived by many residents to be putting facilities under increased pressure. It is considered important to ensure that Sandbach remains a sustainable and inclusive community and, new residents have the opportunity to access local services without exacerbating problems for existing residents.

This policy seeks to ensure that developments do not lead to a shortfall of provision in health care for new and existing residents, and that development is sustainable located so as to encourage walking and cycling.

This policy accords with policy SC3 (Health and Well-being) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council and policy GR23 (Provision of Services and Facilities) of the Congleton Borough Council Local Plan First Review (2005).

3.7 Adapting to Climate Change (CC)

AIM:

To encourage sustainable development and moves towards a low-carbon economy, which includes high standards of energy conservation and the use of renewable energy.

OBJECTIVE 1: To ensure that new developments, designs and conversions reflect the need to reduce harmful environmental emissions and adapt to climate change.

POLICY CC1 – ADAPTING TO CLIMATE CHANGE

New development proposals must demonstrate how design, construction, landform, layout, flood prevention methods, orientation and operation minimises the use of energy and clean water. Developments which cannot clearly demonstrate these measures in accordance with latest government and planning regulations will not be permitted.

Justification:

Sustainable development is at the heart of planning policy, and the protection of the environment is important to the people of Sandbach. Paragraph 17 of the NPPF supports the transition to a low carbon future in a changing climate, and encourages the use of renewable resources Paragraph 96 highlights that, in determining

planning applications, local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

This policy is reflected in the Plan Phase 2 consultation survey (2015), which shows that:

- 95% of respondents agree that it is desirable to positively encourage sustainable modes of transport including walking, cycling and the use of public transport, helping to initiate and develop an effective network of footpaths and cycle ways linking all areas of the Parish of Sandbach.
- 96.5% of respondents agree that all future developments should respect and enhance the existing natural environment, including existing green spaces.

This policy accords with policies SE1 (Design), SE9 (Energy Efficient Development), SD1 (Sustainable Development in Cheshire East) and SD2 (Sustainable Development Principles) of the most relevant, recent and up to date Development Plan Document held by Cheshire East Council. It also accords with policy GR2 (Design) of the Congleton Borough Council Local Plan First Review (2005).

SECTION 4: Supporting Information and Evidence Base

4.1 Glossary of Terms

Affordable Housing– (as defined in the NPPF-2012):

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable Rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing.

Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable). Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Affordable housing is not available on the open market. It is available as social rented, affordable rented or as shared ownership housing, and is managed by a Registered Social Landlord, who may be the local authority.

Areas of Separation

The Sandbach community has expressed a strong wish to retain their own identities and distinctiveness and to protect the green areas which separate the settlements of Sandbach, Sandbach Heath, Wheelock, Ettiley Heath and Elworth. These areas are open countryside and include sports facilities, recreation areas, woodland, areas of high ecological value, wildlife corridors and footpaths. Development which would detract from the open character of these areas or reduce the visual separation of will not be permitted.

Brownfield

Previously developed land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface.

Climate Change

The formal term given to the fluctuation of the world’s temperature. These fluctuations can be attributed to natural variability, human activity or a combination of the two. Currently, the world’s climate is in a period of warming. Although this Climate Change increase is in part a natural phenomenon, “the consensus of scientists is that evidence is now overwhelming: human activities are causing global climate change at an increased rate to that which would occur naturally” (DECC, 2009).

Conservation Area

Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Development Plan

A Development Plan is the legal term used to describe the set of planning policy documents which are used to determine planning applications within a particular area. The Sandbach Neighbourhood Development Plan will form part of the development for Cheshire East, together with the Core Strategy and saved Local Plan policies.

Flood Risk Assessment

An assessment of the likelihood of flooding in a particular area so that development needs and flood mitigation measures can be carefully considered.

Greenfield

Land (or a defined site) usually farmland, that has not previously been developed.

Highway Authority

Highway authorities are responsible for producing the local transport plan and for managing existing or proposed new local roads in the area. In most places, the local highway authority is part of the county council, the metropolitan council or the unitary authority.

Household

One person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room or sitting room or dining area.

Infrastructure

Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities.

Jobs (or employment)

For the purposes of this Paper and the Local Plan objective assessment of housing need, “jobs” or “employment” means the number of (filled) jobs located in the local area (Cheshire East in this case) which are undertaken by employees or self-employed people, members of HM Forces or Government-supported trainees. This includes jobs undertaken by casual staff, people on fixed term contracts and other non-permanent staff. (This is different from the number of employed people who

work in the local area, because an employed person can have two or more jobs and, conversely, two people can share the same job.)

Listed Building

A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building and any buildings or permanent structures.

Local Authority

An umbrella term for the administrative body that governs local services such as education, housing and social services.

Local Development Scheme

This sets out the documents that will make up the Local Plan, their subject matter, the area they will cover and the timetable for their preparation and revision. Local planning authorities must prepare and maintain the Local Development Scheme and publish up-to-date information on their progress.

Local planning authority

The local government body responsible for formulating policies, controlling development and deciding on planning applications. This could be a district council, unitary authority, metropolitan council or a National Park Authority.

Local Plan Strategy

This is the name given to the high level strategic planning policy document for Cheshire East Council. Once approved and adopted it will set out a vision, objectives and detailed delivery policies for the District to 2030. The Sandbach Neighbourhood Development Plan must be in conformity with the adopted Strategy.

If the Sandbach Neighbourhood Development Plan is released before the Cheshire East Local Plan Strategy is approved or adopted then the Sandbach Neighbourhood Development Plan will take precedence (subject to the weighting level applied by the external examiner for the Department for Communities and Local Government (DCLG)).

Localism Act 2011

A major piece of new legislation which includes wide ranging changes to local government, housing and planning. Included in this new Act is the introduction of Neighbourhood Development Plans.

National Planning Policy

National planning policies that local planning authorities should take into account when drawing up Development Plans and other documents, and making decisions on planning applications. In the past these policies have been included in Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs). The Government has introduced the new National Planning Policy Framework (NPPF) in April 2012.

Neighbourhood Development Plan

Neighbourhood Development Plans, were introduced by the Localism Act 2011. The term may also be used by some to refer to the Neighbourhood Development Orders,

which were also introduced by the Localism Act 2011 and are a second tool to enable neighbourhood planning. Communities will be able to prepare neighbourhood planning documents, outlining how they would like to see their area developing in the future. Please go to www.planning.org.uk for the most up to date information.

Open Countryside

The open countryside is defined as the area outside the settlement boundaries of those towns and villages in the Borough identified as Principal Towns, Key Service Centres, Local Services Centres or Villages. Settlement boundaries are Proposals Map Fig.2.

Open Space

All space of public value, including public landscaped areas, playing fields, parks and play areas, and areas of water such as rivers, canals, lakes and reservoirs, which may offer opportunities for sport and recreation or act as a visual amenity and a haven for wildlife.

Parish Council or Town Council

Parish Councils and Town Councils are the tier of governance closest to the community. Around 30% of England's population is governed by a parish or town council, predominantly in rural areas. Parish or town councils are elected bodies and have powers to raise taxes. Their responsibilities vary, but can include provision of parks and allotments, maintenance of village halls, litter control and maintenance of local landmarks.

Planning Permission

Formal approval which needs to be obtained from a local planning authority to allow a proposed development to proceed. Permission may be applied for in principle through outline planning applications, or in detail through full planning applications.

Public Open Space

Urban space, designated by a council, where public access may or may not be formally established, but which fulfils or can fulfil a recreational or non-recreational role (for example, amenity, ecological, educational, social or cultural usages).

Section 106 Agreement

A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.

Sustainability Appraisal

Sustainability Appraisal assesses the economic, environmental and social impacts of a proposed policy or plan, to ensure that it would contribute to achieving sustainable development. Development Plan Documents (DPDs) have to undergo Sustainability Appraisal, but Supplementary Planning Documents (SPDs) do not.

4.2 Acknowledgements

Acknowledgements and thanks are due to the following; who all played a part in delivering this Plan:

- Members of the Sandbach Town Council Neighbourhood Development Plan Working Group
 - Officers of Cheshire East Council for the support and advice they gave as the Plan was developed.
 - Officers of the Cheshire Community Action who assisted us with the consultation events and the preparation of the Evidence Base and Consultation Statement.
 - Residents and the whole community of Sandbach who participated so enthusiastically in the consultation process and throughout the creation program for the Plan.
 - Photographers of Sandbach who contributed the images contained within the Plan.
-

4.3 Reference Documents

- [Sandbach Town Strategy](#)
 - [Sandbach Town Plan](#)
 - [Sandbach Town Plan – Action Plan](#)
 - [Sandbach Conservation Area – Character Appraisal and Management Plan \(draft appraisal\)](#)
 - [Localism Act 2011](#) – Department for Communities and Local Government
 - [Town and Country Planning -Neighbourhood Planning \(General\) Regulations 2012](#)
 - [National Planning Policy Framework 2012](#)
 - [Cheshire East Council Local Plan Strategy Submission Version 2012](#)
 - [Congleton Borough Council Local Plan First Review 2005](#)
 - [Town and County Planning Act 1990 \(Section 106 Planning Obligations\)](#)
 - [Community Infrastructure Levy \(CIL\) – Planning Advisory Service](#)
 - [Relationship Between The Sandbach Neighbourhood Development Plan And Existing Sandbach Town Documents](#)
 - [Housing Vision report – The Implications of Household Projections for Meeting Housing Need in Sandbach: 2013-2030 \(March 2015\)](#)
 - Consultation Statement (Community Engagement And Consultation)
 - Landscape Character Assessment (June 2015)
 - Basic Condition Statement
 - Supporting Evidence Base Register
-

4.4 Appendices

APPENDIX 1.

POLICY PC 3 Areas of High Ecological Value and Wildlife Corridors - Local Wildlife Sites

- H) Arclid Brook Valley West Local Wildlife Site
 I) Arclid Brook Valley East Local Wildlife Site
 J) Wheelock disused railway Local Wildlife Site

H) Arclid Brook Valley West LWS is WEST of the M6. It includes:

- Arclid Brook
- Offley Wood and all associated hedgerows.
- Two fishing pools next to Offley Wood and associated field
- Fields between Offley Wood and A534
- Fields between Offley Wood and M6 (planning approval exists)
- Filter Bed Wood and land to east of A534 to A553 traffic lights
- Waterworks Farm (planning approval exists)
- Dingle Wood, Dingle Lake and Dingle Copse
- St Mary's Wood and Dell
- Brook Wood
- Meadow between Brook Wood and A534 (Wheelock By Pass) on east side of Arclid Brook
- Woodland between Mill Hill Lane and Trent and Mersey Canal in Wheelock. (planning application pending)
- Part of Meadow between Trent and Mersey Canal and River Wheelock

I) Arclid Brook Valley East LWS is EAST of M6. It includes:

- Arclid Brook through to Taxmere
- Fields below St John's Church (Sandbach Heath) between M6 and Church Lane including strip and copse north of Arclid Brook
- St John's churchyard.
- Chimney House Hotel field and woodland.
- Field to west of Sibelco offices and east of St John's Church.

J) Wheelock disused railway LWS (known locally as Wheelock Rail Trail)

This trail is a popular 2 km traffic-free route, which runs between Ettiley Heath and Malkins Bank.

APPENDIX 2.

POLICY CW1 – Amenity, Play and Recreation

Open Spaces Mapping (see map Fig.6)

(Indicating Settlement Areas)

Parks and Gardens

Sandbach park (S20a & 20b) Town

Elworth park (Snb 264) Elworth

Saxon Place (S53) Town

Outdoor Sports Facilities

Dingle lake, (Fishing) (S23) Town.

Elworth C of E Primary School (Snb 59) Elworth.

Elworth cricket club (S1) & (S263) Ettiley Heath.

Elworth Hall Primary School (Snb 267) Elworth.

Forge Fields playing field (S45a) Wheelock.

Green Street football pitch (Snb 5) Town.

Mortimer Drive/Hassall Rd playing field (S35) Sandbach Heath.

The Limes bowling green (S13) Town.

Offley County Primary Junior & Infant School (S18) Town.

Sandbach cricket club (Snb529) Wheelock

Sandbach golf club (S10) Town.

Sandbach High School (S12) Town.

Sandbach park (S20a & 20b) Town.

Sandbach rugby club (S19) Town.

Sandbach School (S33) Town.

Sandbach United football club (Snb 6) Ettiley Heath.

Amenity Greenspace

These are generally small areas of open space shown on the map marked with open space references:

S26, S27, S29, Snb52, Snb265, Snb266, Snb 57, S8, S 11, S14,
S 15, S 16, S 37, S 38, S 39, S 21

Additional areas without a number: Palmer Road Amenity Area.

Provision for children and teenagers

Elworth park (Snb 264) Elworth

Ettiley Heath recreation area (S24) Ettiley Heath

Forge Fields playground (S43) Wheelock.

Gibson Crescent playing field (S 28) Elworth

Mortimer Drive/Hassall Road (Snb257) Sandbach Heath

Lightly Close play area (S 47) Wheelock

Newall Avenue playground (S 31) Sandbach Heath

Rookery Close play area (Snb530) Ettiley Heath.

Church Lane playground (S 41) Sandbach Heath.

Sandbach park (S 20a) Town.

Thornbrook Way play area (S25) Wheelock.

Wheelock recreation ground (S48) Wheelock.

Schools

Elworth C of E County Primary (Snb 59) Elworth

Elworth Hall Primary (Snb 267) Elworth

Offley County Primary, Junior & Infant School (S18) Town

Sandbach Primary Academy (formally known as Sandbach Community Primary)
(2569) Town

Sandbach High School (S37) Town

Sandbach School (S33) Town

St. John C of E Primary (S40) Sandbach Heath

Wheelock County Primary (S46) Wheelock

APPENDIX 3

POLICY PC6 Footpaths Sandbach Footpaths Action Plan

Purpose:

This Action Plan has been established to deal with existing and future footpaths both in and near the town.

The Action Plan will:

- Maintain the existing public footpath network in and around Sandbach.
- Maintain the existing public rights of way
- Ensure that informal, but well established and frequently used footpaths are formally recognised.
- Extend the footpath network in and around Sandbach to provide more continuity of the footpath system and to eliminate, as far as possible, having to resort to road walking between sections of footpath.
- Identify “gaps” between sections of footpaths that require action of some sort to create new sections of footpath to fill these “gaps”.
- Use potential developments to meet these “gaps” by identifying what would be desirable, and requesting Cheshire East Council to make this a priority at the onset of any planning application for development
- Ensure that wherever developments take place, these are supported by the creation of suitable landscaped dedicated footpaths.
- Ensure that wherever developments take place that include lengths of existing paths, these paths are retained as the very minimum policy.
- Ensure that when developments do take place that change the route of existing footpaths, equivalent sections of path are created, suitably landscaped, **as the very minimum policy**. These should be dedicated footpaths, and not just pavements alongside roads. The replacement of dedicated footpaths by pavements would be considered as completely unacceptable by the Sandbach Woodlands and Wildlife Group (SWWG).
- Ensure that all replacement or new footpaths created as a result of developments are **Not:**
 - Public footpaths taken along pavements, or
 - Inadequate alleyways or ginnels squeezed between building developments.
- Ensure that all replacement or new footpaths created as a result of developments **Are:**

- Genuine dedicated footpaths,
- Of an adequate width to act as a green corridor and
- Suitably planted with appropriate species.

Recommended Actions

(This list is not exhaustive and is subject to continual revision).

New footpaths required and recommended

- Linking Path S/B FP6 (Offley Road to Bradwall Road) through to Cookesmere Lane (Wood Lane) to Path S/B FP2.
- Linking SB FP11 to SB FT8, SB FP7 and SB FP6 north of Congleton Road.
- Providing a high quality (cycle and wheelchair) footpath link to the south of Brook Wood the other side of Arclid Brook from Old Mill Road to Mill Hill Lane. Add additional access from Townfields Meadow.
- Link from Congleton Road to The Wheelock Rail Trail (Abbey Fields)
- Enhancement of existing rough trails through St.Mary's Dell and Dingle Wood

Existing footpaths requiring protection in the light of possible developments (as per policy above)

- SB FP 18 and SB FP19 (Fields Farm and Houndings Lane Farm)
- SB FP 11 north of Offley Wood (Old Mill Road to Congleton Road)
- SB FP 14 (Hawthorn Drive to Heath Farm)
- SB FP1, SB FP2, SB FP35 and SB FP 36 (Elworth – east and west of rail line)
- SB6, SB FP7, SB FP8 (north of Congleton Road)

APPENDIX 4

Trent & Mersey Canal Listed Buildings/ Features

Name and location	Photograph	Date	Notes	Grade
Bridge No. 157  53.13109°N 2.39127°W		Early to mid 19th century	An accommodation bridge over the Trent and Mersey Canal , it is built in brick with a stone coping . The bridge consists of a single span with a humped back and an elliptical arch, and has wings ending in piers .	II
Lock House  53.12978°N 2.36741°W		Mid 19th century	A cottage for the lock keeper on the Trent and Mersey Canal adjacent to lock no. 66. It is in brick with a slate roof, it has two storeys and a two- bay front. In the centre is a projecting brick porch with a gabled roof and bargeboards . The windows are casements .	II
Canal milepost  53.12986°N 2.37069°W		1819	A milepost on the Trent and Mersey Canal . It is in cast iron , has a domed top, and carries a two panels inscribed with the distance in miles to Preston Brook and Shardlow . On the post is another panel with the name of the manufacturer and the date.	II
Canal milepost  53.13091°N 2.39255°W	—	1819	A milepost on the Trent and Mersey Canal . It is in cast iron , has a domed top, and carries a two panels inscribed with the distance in miles to Preston Brook and Shardlow . On the post is another panel with the name of the manufacturer and the date.	II
Canal house and warehouse  53.12969°N 2.37369°W	—	Late 18th century	The house faces the road, and the warehouse attached to the rear stretches along the Trent and Mersey Canal at Wheelock Wharf. The house is in painted brick with a slate roof, and is in three storeys and cellars. The warehouse is also in brick and in	II

Name and location	Photograph	Date	Notes	Grade
Canal cottage  53.12975°N 2.37289°W	—	c. 1775	<p>three storeys, but has tiled roofs. It contains openings including loading bays and windows.</p> <p>The cottage at Wheelock Wharf was built for canal workers on the Trent and Mersey Canal. It is in brick with a tiled roof, is in two storeys, and has a three-bay front. The doorway has a segmental arch, and the windows are casements.</p>	II
Lock No. 65  53.12970°N 2.36602°W		c. 1775	<p>A pair of locks on the Trent and Mersey Canal. The north lock was added in about 1830. The locks are in brick with stone dressings, and have wooden gates. There are also small cantilever bridges.</p>	II
Lock No. 66  53.12971°N 2.36777°W		c. 1775	<p>A pair of locks on the Trent and Mersey Canal. The north lock was added in about 1830. The locks are in brick with stone dressings, and have wooden gates.</p>	II
Double bridge, Lock No. 66  53.12973°N 2.36803°W		c. 1775	<p>An accommodation bridge crossing the Trent and Mersey Canal. Its north arch was added to the bridge in about 1830. The south arch is built in brick and is segmental with blocks of stone acting as rubbing blocks. The north arch is also in brick, and has stone dressings; its arch is almost elliptical. There are curved approach walls ending in piers.</p>	II
Stable and ticket office  53.12973°N 2.37311°W		Late 18th to early 19th century	<p>The former stable and ticket office are at Wheelock Wharf on the Trent and Mersey Canal. The attached buildings are in brick with tiled roofs. The stable is in two storeys with a segmentally arched entrance and a hayloft flanked by</p>	II

Commercial
Hotel

 53.12921°N —
2.37406°W

c. 1805

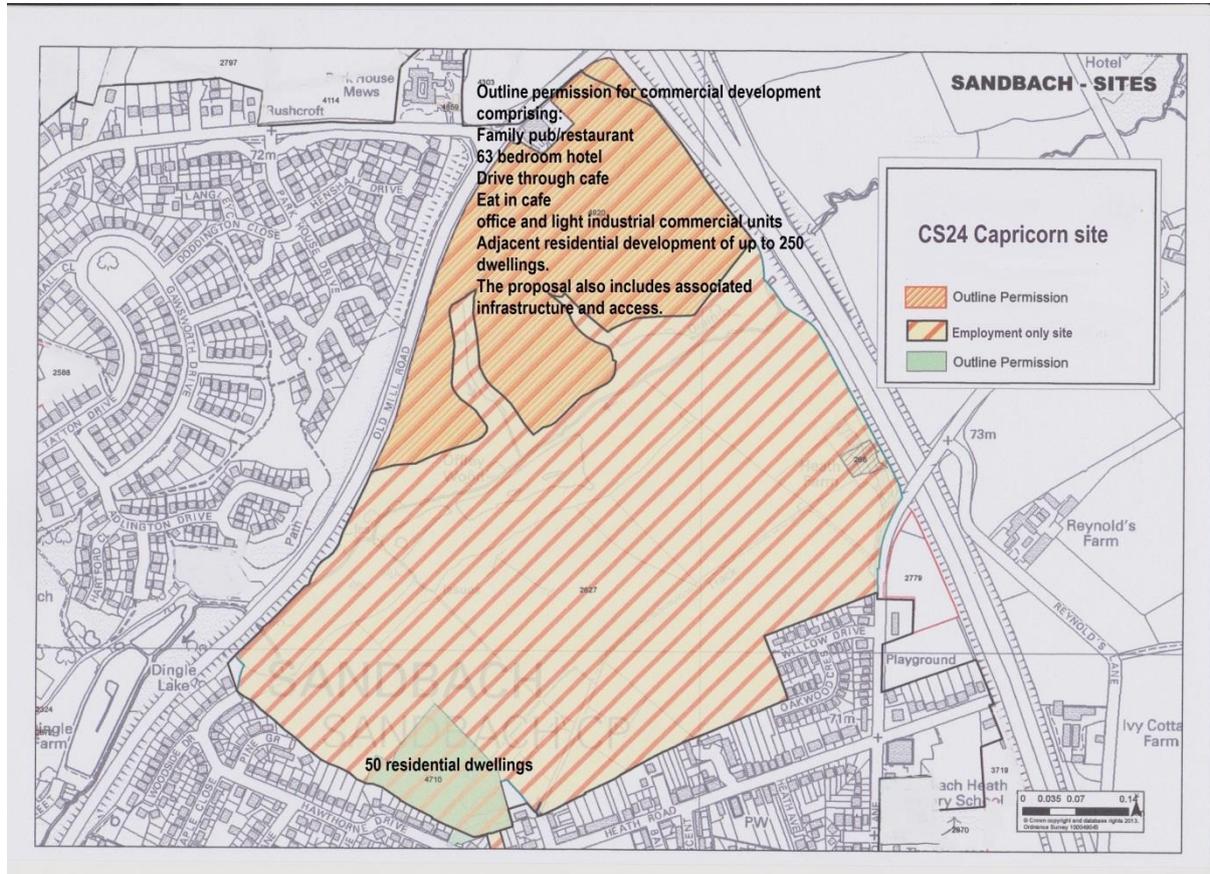
windows. The ticket office on the right is in a single storey and has a semicircular arched entrance with a window to the right.

A public house on Wheelock Wharf, it is in painted brick on a stone [plinth](#), and has a Welsh [slate](#) roof. The building is in two storeys, and has a four-[bay](#) front, the central two bays projecting slightly forward under a [pedimented gable](#). To the right is an additional single-storey gabled wing. The main doorway is flanked by three-quarters [Roman Doric](#) columns. Above the door is a semicircular [fanlight](#) with [Gothic tracery](#) and a pediment. The upper floor windows are [sashes](#).

II

APPENDIX 5

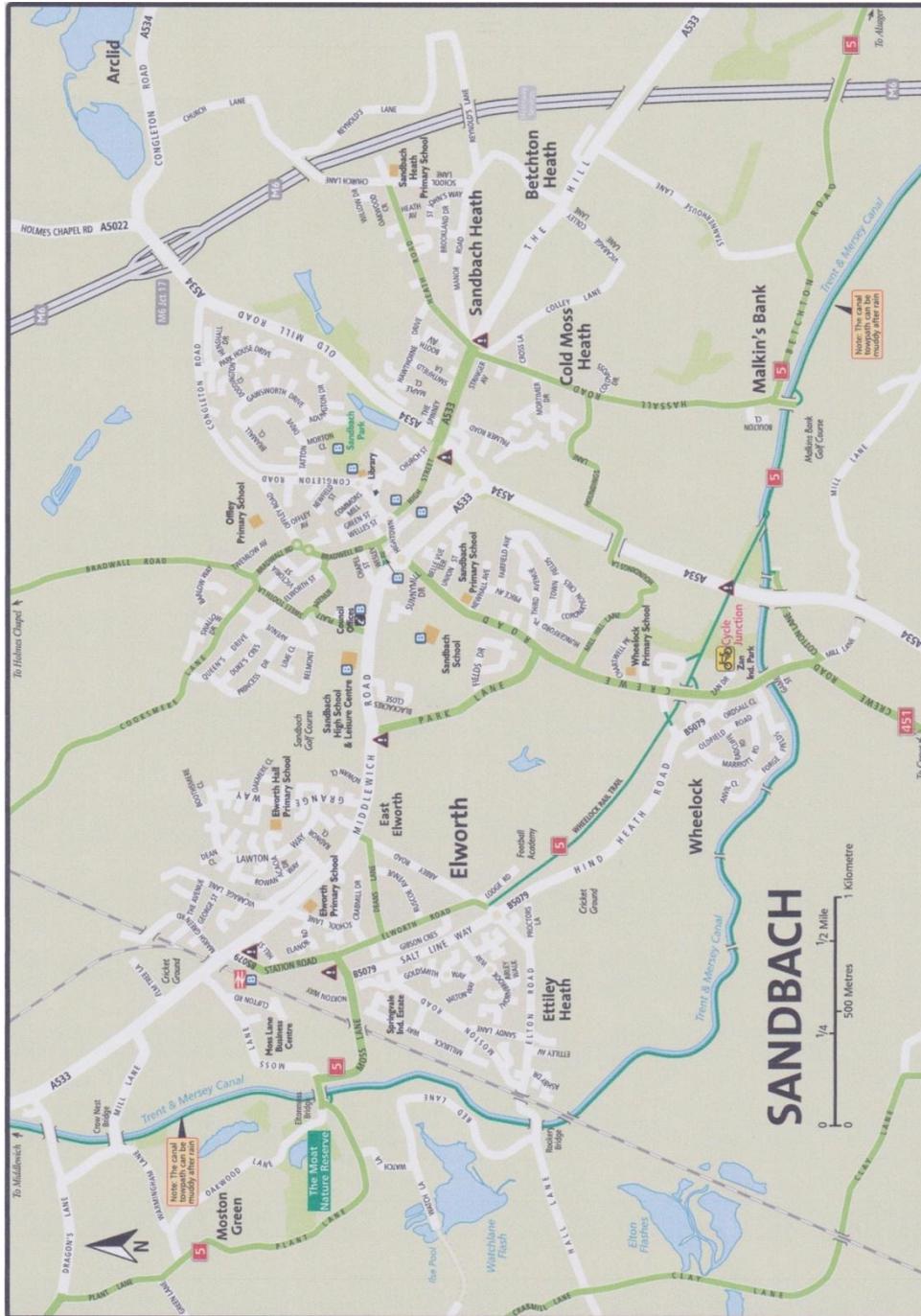
Capricorn Site



CS24 "Capricorn" site - Sandbach

APPENDIX 6

Sandbach Cycleways Network



SECCAG and CycleKnutsford maps produced by Active Maps Ltd. South East Cheshire Cycling Action Group (SECCAG). CycleKnutsford Map © Active Maps Ltd. and CycleKnutsford.

APPENDIX 7

Overview of Housing Vision and report “The Implications of Household Projections for Meeting Housing Need in Sandbach: 2013 to 2030”

Housing Vision was commissioned by the Sandbach Neighbourhood Development Plan Working Group in the absence of a survey arranged by Cheshire East Council and due largely to the uncertainty of the CEC Local Plan examination status. There has been no intention from the outset to challenge emerging OAN housing figures that CEC would eventually publish through its own commissioned survey. It was commissioned as a “double check” of numbers but always understood that CEC would eventually commission its own survey and the SNDP would comply with that, once available.

The Housing Vision report has been very useful evidence in forming the housing policies for older people. The report identified a shortage of housing for older people despite the huge numbers Sandbach will be taking. So from this perspective report was intended to inform planning policies to ensure the right mix of housing is delivered for the town.

Housing Vision Expertise

The Housing Vision team combines a wide range of experience and expertise in housing research, policy and practice. They have active links with the Universities of Birmingham and York, with De Montfort University in Leicester and with research institutes across Europe. Team members have worked for the National Housing Federation, the London Housing Unit and for registered providers, housing co-operatives and local authorities as diverse as Midland Heart in the West Midlands and the London Borough of Hackney.

Housing Vision are specialists in housing market, housing need and affordability assessment and have completed over 125 projects throughout the country and for clients across the housing and planning, public and private sectors. They specialise in Assessments at the local level and recent projects include parish housing needs surveys and HNAs for the Thame and East Leake Neighbourhood Plans. Their Assessments meet the requirements of the government’s National Planning Policy Framework and the appropriate National Policy Planning Guidance.

Housing Vision was established by Director Richard Turkington in 2001. He is co-author (with Bob Line and Tim Brown) of the only toolkit, the NHF’s, *Understanding Your Housing Market: a guide to housing market assessment*.

Specialising in housing market assessment at all levels from neighbourhood and site specific to sub-regional and strategic, Housing Vision has developed advanced techniques to model the impact of policy, population and housing change. Their Assessments fully comply with CLG’s *Strategic Housing Market Assessment Guidance* on which they were formally consulted.

The Housing Vision expert team who have contributed to the Sandbach NDP project consisted of:

Richard Turkington BA (Hons), PGCE, PhD, FRSA, Director

Richard established the Housing Vision Consultancy in 2001 and has over 25 years experience, delivering cutting edge social and housing research projects. Richard has extensive experience of all forms of housing market, housing needs and affordability assessment and co-ordinated the project.

He is an Honorary Research Fellow in Housing at De Montfort University and has active links with researchers throughout Europe. He is joint co-ordinator of the European Network for Housing Research Working Group on Housing Market Dynamics and was made a Fellow of the RSA in 2010 for his work in comparative housing. He has extensive Board membership experience, from early involvement with Castle Vale Community Housing Association to over 10 years as Chair of Housing Services and Development Committees at Mercian Housing Association, Birmingham.

Greg Ball, RTPI, Expert Demographer

Greg is a qualified town planner with a specialism in the analysis of demographic, Census and other sources of statistical data. Greg has 30 years' professional experience in local government, working in metropolitan, urban and rural areas, including in Birmingham where he was the lead officer on demographic intelligence and research providing quantitative evidence for policy making. Greg has contributed to national working groups on methodological developments in demography for the Office for National Statistics and Communities and Local Government and is a Member of the Council of the British Society for Population Studies.

Rachel Wright BSc (Hons), M.Soc.Sc., Data Analyst

Rachel lead on data analysis and GIS mapping. She has more than 20 years' experience as a social researcher working in the fields of Housing, Crime, Employment, Health, Social Care and Regeneration. She has five years' experience working as a local authority Research Officer in housing and social services for Dudley MBC and three years in a wider corporate policy role at Blackpool, and eight years of experience of working as a Research Officer at a large Midlands based housing association (Prime Focus). She has considerable experience of working with large-scale quantitative datasets using SPSS and has analysed qualitative data and designed topic guides for focus groups.

Projects of prior to and of direct relevance to the Sandbach NDP include:

Housing Needs and Market Assessments, including Affordability and Viability Assessments, and Associated Policies and Strategies

- Housing Needs Studies and Housing Market Assessments, including at District level, Blaby (2007); North Shropshire (2007); Kettering (2008-10); Bromsgrove (2008), Cannock (2009), Enfield and Ponders End (2012); North Northants. (2012), North Devon and Torrington (2012); West

Somerset (2013), Telford (2014), St Albans (2014/15), Exmoor National Park (2014/15) and North Devon, Torridge and West Somerset (2015).

- Over 50 site-based and place-based housing market, affordable housing and viability assessments including in the context of Neighbourhood Plans for Thame (2011/13) and East Leake (2014).

In 2015 Housing Vision has been re-appointed to the Homes and Communities Agency's Multi-disciplinary Panel as a member of the Tibbalds Campbell Reith Partnership. They have added the expert demographer Greg Ball to their team and have been appointed to a range of projects focusing on rural areas, including for CPRE - the Campaign to Protect Rural England.

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Sandbach

Neighbourhood Development Plan

A vision for Sandbach up to 2030



Our Community | Our Decisions



All enquiries relating to the Sandbach Neighbourhood Development Plan should be submitted to:

The Town Clerk
Sandbach Town Council
Sandbach Literary Institution
Hightown
Sandbach
Cheshire
CW11 1AE
Telephone **01270 600800**
or email **clerk@sandbach.gov.uk**



Supporting information available at
www.sandbachneighbourhoodplan.org.uk