

# Cabinet Member for Housing and Planning Agenda

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<b>Date:</b>	<b>Tuesday, 29th March, 2016</b>
<b>Time:</b>	<b>10.30 am</b>
<b>Venue:</b>	<b>Room G4, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ</b>

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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.

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For requests for further information

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4. **Payment of Commuted Sum to Adactus Housing Group Ltd** (Pages 1 - 4)

To consider the payment of a commuted sum for the delivery of affordable housing in Smallwood.

5. **Cheshire East Borough Design Guide - Consultation** (Pages 5 - 34)

To consider carrying out a public consultation exercise on the Draft Cheshire East Borough Design Guide, the Sustainability Assessment, and the Habitat Regulations Assessment.

6. **Brereton Neighbourhood Plan - Decision to make the Plan** (Pages 35 - 38)

To confirm the making of this Plan.

7. **Bunbury Neighbourhood Plan** (Pages 39 - 42)

To confirm the making of this Plan.

**CHESHIRE EAST COUNCIL****PORTFOLIO HOLDER FOR HOUSING AND PLANNING**

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**Date of Meeting:** 29 March 2016

**Report of:** Executive Director of Economic Growth & Prosperity

**Subject/Title:** Payment of commuted sum to Adactus Housing Group Ltd.

**Portfolio Holder:** Councillor Ainsley Arnold

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**1.0 Report Summary**

- 1.1 The Council's policy on commuted sums was approved by Cabinet on 1 July 2014 which outlined the process for spending commuted sums for affordable housing provision across Cheshire East. When it is accepted that developments are either unable or unsuitable to provide on-site delivery of affordable housing then off-site contributions may be acceptable to be used to help enable affordable housing to be delivered elsewhere in the local area.
- 1.2 In July 2013 Cheshire East Council received a payment of £239,400 as an off-site contribution towards affordable housing. This payment was agreed by way of Section 106 of the Town & Country Planning Act 1990. The terms of the payment provided a cascade which meant that the monies should firstly be spent within the parish of Smallwood. In line with the Council's policy on commuted sums this could then be spent within the wider area if no suitable sites were available in Smallwood at the time of expenditure.
- 1.3 In February 2014, Planning Application 13/2427C - Land off, Congleton Rd, Smallbrook, Sandbach, Cheshire, CW11 2YH, received Full Planning Permission. This is a development of 14 dwellings, 11 of which are to be affordable. Whilst this is a Rural Exception Site and should provide 100% affordable housing without the 3 dwellings for open-market sale the site is undeliverable. This information was supported by a financial viability assessment submitted with the original planning application.
- 1.4 We have been informed by Adactus Housing Group Ltd. a Registered Provider of Social Housing (RP) that they have agreed to purchase the 11 affordable dwellings on this development. By way of a letter received by the Council on 28<sup>th</sup> January 2016, an application has been made by Adactus to use the available commuted sum to enable the delivery of these affordable dwellings.

**2.0 Recommendations**

- 2.1 It is recommended that:
- 2.2 Payment of the £239,400 commuted sum is made to Adactus Housing Group Ltd. to enable the delivery of affordable housing in Smallwood.

## **3.0 Reasons for Recommendations**

- 3.1 The payment of this sum would ensure the delivery of affordable housing in Smallwood on a site which has not yet been developed - despite it gaining planning approval in early 2014. We are aware that the developer, MCI Developments, have approached a number of RPs who are active within Cheshire East, but until now have not received a suitable offer which would enable the development to be built.
- 3.2 In 2012 a Rural Housing Needs Survey was carried out for Smallwood which evidenced that there was a local need for affordable housing within the parish. Information taken from the Strategic Housing Market Assessment 2013 (SHMA) and from Cheshire Home Choice also demonstrates that there is a current need for affordable housing within Smallwood.
- 3.2 As the money is to be spent towards affordable housing delivery on a site within the parish of Smallwood it satisfies the terms of the Planning Obligation and falls within the first cascade of this agreement. The use of this sum also meets the criteria set out in the Council's policy for commuted sums.

## **4.0 Wards Affected**

- 4.1 Brereton Rural.

## **5.0 Local Ward Members**

- 5.1 Cllr J Wray.

## **6.0 Policy Implications**

- 6.1 The use of this commuted sum towards this development meets the criteria outlined in the agreed Planning Obligation and the Council's policy for commuted sums.
- 6.2 The Interim Planning Statement: Affordable Housing, outlines that sums received from developers for off-site provision of affordable housing should be spent where there is an identified housing need. The evidence that there is a need for affordable housing in Smallwood is provided by the SHMA and the Rural Housing Needs Survey for Smallwood which was carried out in 2012.

## **7.0 Financial Implications**

- 7.1 The money received for off-site provision of affordable housing was secured by way of a Planning Obligation originally signed in 2011 and the Council took payment of the agreed sum of £239,400 on 30<sup>th</sup> July 2013. It is the intention for this amount to be paid in full to Adactus Housing Group Ltd. towards the

delivery of Affordable Housing in Smallwood on completion of the works in accordance with the Council's policy on commuted sums.

### **8.0 Legal Implications**

- 8.1 Section 106 of the Town and Country Planning Act 1990 allows for a local planning authority to enter into a planning obligation requiring a developer to make a contribution to make their development acceptable in planning terms. This obligation identifies the way in which the commuted sum for the affordable housing is to be spent, and the cascade provision that applies to the spend of this money is also contained within the obligation.
- 8.2 The Council has a policy on how commuted sums for affordable housing that are received through the planning process are to be used which was approved by Cabinet on 1 July 2014. This application and payment would comply with that policy document.
- 8.3 This policy states that in the first instance commuted sums should be spent on developing Council owned sites however it is not always possible for the Council to spend commuted sums for affordable housing on developing and building out their own schemes and alternatives to assist in the provision of affordable housing need to be found. In this case there is no Council owned site in Smallwood which would be suitable for use of this commuted sum and as such existing planning applications in Smallwood have been considered, in line with the policy on commuted sums (this conforms with the second priority set out in the policy).

### **9.0 Risk Management**

- 9.1 Risk that the properties will go to people who are not local to the area or are unaffordable will be managed by ensuring that the affordable housing is available in perpetuity to people with a connection to Cheshire East. The homes will be owned and operated by an RP who will allocate the properties to those with a local connection to the area.
- 9.2 Should the money not be provided to Adactus Housing Group, there is a real possibility that the affordable housing proposed for this site will not be brought forward and the permission will lapse.

### **10.0 Background**

- 10.1 An off-site affordable housing payment of £239,400 was received by the Council in July 2013 following planning approvals on the site Land at, Moss End Farm, Smallwood (11/0627C & 12/2197C). The details of the Planning Obligation firstly state that this sum should be spent to allow delivery of affordable housing within the Smallwood parish.

- 10.2 The site for which this report proposes use of the commuted sum for affordable housing delivery lies within the Smallwood parish and received Full Planning Permission (13/2427C) in February 2014.
- 10.3 This is a Rural Exception Site and the development will provide 11 much needed affordable homes for people with a local connection to Cheshire East. Without the use of this commuted sum this site would not be financially viable and could not be developed. Recent announcements from the Homes and Communities Agency mean that there will no longer be any available funding for social/affordable rented properties and as such this sum is required to ensure that these dwellings are built.
- 10.4 On 28<sup>th</sup> January 2016 the Council received an application from Adactus Housing Group Ltd. for use of the commuted sum towards affordable housing delivery at this site following their agreement to purchase the affordable dwellings from the developer.
- 10.5 It is determined by the Council's Strategic Housing department that this site is the most suitable for the use of this commuted sum due to the location of the site and level of housing need within the local area.

### **11.0 Access to Information**

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

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# CHESHIRE EAST COUNCIL

## Cabinet

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**Date of Meeting: 29<sup>th</sup> March 2016**

**Report: Cheshire East Borough Design Guide public consultation**

**Subject/Title: Cheshire East Borough Design Guide – authority to undertake public consultation**

**Portfolio Holder: Cllr Ainsley Arnold Housing and Planning Portfolio Holder**

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### **1.0 Report Summary**

- 1.1 This matter was reported to joint Portfolio Holders Cllrs Rachel Bailey and Ainsley Arnold on 12<sup>th</sup> January, 2016, whereby approval was given to proceed with public consultation upon the Draft Cheshire East Design Guide Supplementary Planning Document.
- 1.2 Subsequent to that decision, upon review of the Cheshire East Council constitution, it was identified that Supplementary Planning Documents (SPDs) should be reported to Strategic Planning Board, prior to reporting to the Portfolio Holder. Hence, the matter is being brought back to Portfolio Holder, following the Strategic Planning Board to be held on 23<sup>rd</sup> March 2016.
- 1.3 Cheshire East is a unique and treasured place, but one experiencing significant pressure for change. Securing high quality design and protecting the character of Cheshire East are key Council and community priorities. In response, the Council will be implementing a number of measures, including the preparation of a Design Guide, which will be adopted by the Council as a Supplementary Planning Document (SPD) to the Local Plan.
- 1.4 e\*SCAPE Urbanists were appointed to assist the Council in preparing the Design Guide. They were specifically chosen because of their local knowledge, being based just outside Macclesfield, and because they have a practical understanding of modern housing development, through working with a number of the main housing developers.
- 1.5 The Design Guide that has been developed comprises two documents. The first volume defines what is special about Cheshire East as a place and the process developers need to follow to deliver and explain design quality within proposals. Volume 2 builds on the content of volume 1 and sets out guidance on achieving quality in respect to a range of topic areas ranging

from urban design through to achieving quality of life for occupants of new development.

- 1.6 During the Guide's preparation there has been extensive engagement with internal stakeholders, in addition to engagement and training for Councillors and Development Management officers. There has also been some soft testing of the guide and meetings with Developers and Agents, both at the commencement of the project and recently to unveil the Design Guide in its draft form. The Guide was also presented to the Parish Conference on 10<sup>th</sup> December and discussed with participants at the Neighbourhood Planning Conference on 4<sup>th</sup> March. A consultation statement outlining the informal consultation and engagement that has been undertaken is attached as Appendix 1.
- 1.7 Officers feel confident that the Design Guide should be consulted upon publically. A Sustainability Assessment (SA) and Habitat Regulations Assessment (HRA) has been undertaken and this generally gives a positive assessment of the Design Guide SPD, but recommends some minor amendments/additions which will be incorporated as part of the amendments after the public consultation. The SA/HRA will also be consulted upon publically alongside the Draft Design Guide.
- 1.8 The consultation period shall be 6 weeks, commencing on 5<sup>th</sup> April, with the intention of then amending as required and seeking adoption within the requirements of the Council's constitution as soon as possible thereafter.

## **2.0 Recommendations**

- 2.1 That officers be authorised to conduct public consultation on the Draft Cheshire East Borough Design Guide and the Sustainability Assessment and Habitat Regulations Assessment

## **3.0 Reasons for Recommendations**

- 3.1 The design guide has been through extensive informal testing and iteration involving a variety of stakeholders, primarily within Cheshire East Council. It has also been presented to elected members at joint officer/member workshops and also to representatives of the development industry via separate tailored events.
- 3.2 Officers feel confident that, the Draft Design Guide SPD and the associated SA/HRA is ready to be consulted upon publically.

## **4.0 Wards Affected**

- 4.1 All

## **5.0 Local Ward Members**

- 5.1 All

## **6.0 Policy Implications**

- 6.1 The Guidance will form part of the Local Plan, supporting initially the saved policies within the Legacy Local Plans. Once the Local Plan Strategy (LPS) has been adopted, the SPD will be updated to relate to policies within the LPS and subsequent site allocation and Development Management Policies.
- 6.2 The future impacts of the Design Guide SPD cut across 4 of the 5 Core outcomes of the Council's 3 year corporate plan (Outcomes 1, 2, 4 and 5).

## **7.0 Implications for Rural Communities**

- 7.1 The design guide has been developed to consider the design implications of development for both rural and urban communities. This should mean that developments in rural communities will also be better designed and be required to relate far more positively to the character of the place. Where development is not of the requisite quality, then the Design Guide SPD, in support of Local Plan Policy, provides justification to refuse instances of poor design as part of the planning balance.

## **8.0 Financial Implications**

- 8.1 The guide has been prepared using consultants via a Cabinet budget allocation of £50,000. It is anticipated that the total cost of preparing the design guide will not exceed this. There are additional costs required to undertake the press notices as required in the Local Plan Statement of Community Involvement (SCI) over and above preparation costs for the Design Guide itself. These amount to £1576 and will be funded from Development Management budget. The funding for the consultation will also be funded from the Development Management budget.

## **9.0 Legal Implications**

- 9.1 The Cheshire East Borough Design Guide SPD will be a material consideration in the determination of planning applications for new housing development.

As a proposed SPD there are requirements in terms of public consultation and Sustainability Assessment and Habitat Regulations Assessment. The Draft SPD must be consulted upon for at least 4 weeks and comments should be taken into account in adopting the SPD and details set out in an adoption statement. As noted above the SA/HRAs have been prepared and will be consulted upon alongside the Draft Design Guide SPD.

## **10.0 Risk Management**

- 10.1 The process undertaken in preparing the Design Guide by specifically targeting and engaging with internal and external stakeholders, Councillors,

Parishes and Developers and agents, and the undertaking of some soft testing of the Guidance as it has evolved has reduced the potential for requiring significant alteration to the Design Guide post consultation, before adoption.

### **11.0 Background and Options**

- 11.1 Cheshire East has a high quality built and natural environment, which is an important part of what makes the Borough attractive and successful. However, this also makes it a focus for development interest and the associated pressure for change, whilst the Local Plan Strategy sets out ambitious plans for growth. . It is crucial for the quality of new development to be high, so as not to erode the character of the Borough and undermine its success and the quality of life it provides.
- 11.2 The Local Plan Strategy identifies the future production of a Design Guide SPD to support its design policies. However, the design guide has been brought forward in response to the number of development applications being proposed in advance of the Local Plan being adopted.
- 11.3 There will be a requirement in the short term for the SPD to relate to the Saved Policies in the Legacy Plans in order that it can be adopted in advance of the Local Plan, but the intention is that, ultimately, it will relate to the new Local Plan.
- 11.4 The design guide focuses on new housing. It has been divided into 2 volumes: volume 1 sets out the character of Cheshire East and the process for delivering design quality, whilst volume 2 provides the practical design guidance on a range of topics that impact on design quality.
- 11.5 Volume 1 is a very important document and has been written to provide the context for not only housing design but also any future additional design guidance.
- 11.6 An important element in securing the Council's design objectives is to set out concisely the varying elements of the character of Cheshire East. This forms a solid basis to inform both the detailed design guidance, but also to enable developers and designers to gain a sound understanding of the place.
- 11.7 The guidance also places significant emphasis on process, steering developers toward designing new development in the appropriate way, including the use of Design Codes. It also sets out expectations in regard to how Design and Access Statements are prepared and their content.
- 11.8 The second volume of the design guidance is topic based and leads users through various layers of design thinking and best practice.

- i working with the grain of the place,
- ii urban design,

iii street design, green infrastructure and landscape,  
iv sustainable design and lastly,  
v quality of life.

Each chapter is concluded by case studies of best practice and a quality checklist, to assist the assessment of a proposal and its performance. The guide has been written to dovetail with Building for Life 12, the industry standard on designing better quality homes and neighbourhoods.

- 11.9 The Design Guide has been developed involving a number of stakeholders with a general stakeholder group covering multiple disciplines, and a technical working group including highways and adoption, drainage and open space and streetscape. These working groups have been invaluable in building consensus in relation to topics that previously have been areas of disagreement, often resulting in poor quality design solutions.
- 11.10 Members and officers were introduced to the Design Guide at three workshop sessions in October, whilst the developers and agents had a preview of the guide at two recent events, following which we have received some feedback. It was felt important to gauge their reaction to the guide at this stage. The Design Guide was introduced to communities at the Parish Conference event on the 10th December. Neighbourhood Planning Groups had the chance to discuss the Design Guide at the recent Neighbourhood Planning conference held on 4<sup>th</sup> March
- 11.11 It is considered that, the Draft Design Guide SPD and associated SA/HRA should now be consulted upon with the Cheshire East community.

### **12.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer or via the following link:

<http://preview-cheshireeast.contensis.com/planning/cheshire-east-borough-design-guide.aspx>

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**Cheshire East Borough Council**

**Planning and Compulsory Purchase Act 2004 (as amended)**

**The Town and Country Planning (Local Planning) (England)  
Regulations 2012**

**Draft Cheshire East Borough Design Guide Supplementary Planning  
Document**

## **Interim Statement of Consultation**

**March 2016**

## **1: Introduction**

- 1.1 This document summarises pre-consultation work undertaken in the preparation of the Draft Cheshire East Borough Design Guide Supplementary Planning Document (SPD), ahead of full public consultation. It also provides a summary of the extent of the current pre-public consultation.

## **2: Purpose of Supplementary Planning Documents**

- 2.1 Local Planning Authorities may prepare Supplementary Planning Documents (SPDs) to provide greater detail on Local Plan policies. The National Planning Policy Framework (NPPF) supports the production of SPDs where they can help applicants to make successful planning applications.
- 2.2 The SPD cannot set out new policy but will expand up on the Council's existing policies as set out within the adopted Macclesfield Borough Council Local Plan (2004), the adopted Congleton Borough Council Local Plan (2005) and the adopted Crewe and Nantwich Local Plan (2005), as well as the design policies of the emerging Cheshire East Borough Council Local Plan Strategy.
- 2.3 It is intended that the SPD will be used to provide detailed design guidance; ensuring development is responsive to the context and environments into which they are set.

## **3: Pre-SPD Consultation Stages**

- 3.1: As part of the SPD preparation process, to ensure appropriate and proportionate Stakeholder involvement in advance of full formal public consultation, focused pre-production work was undertaken with a variety of internal and external stakeholders.
- 3.2: A full list of the stakeholders, actions and outcomes in relation to the development of the draft SPD are detailed in Appendix 1.

## **4: Availability of Documents**

- 4.1: The Draft SPD together with all supporting documentation is available from the Council's website [\[INSERT LINK\]](#). Documents are also available for inspection at the following Council Offices; **Delamere House**, Delamere Street, Crewe, Cheshire, CW1 2JZ, **Macclesfield Town Hall**, Macclesfield, Cheshire, SK10 1EA and **Westfields**, Middlewich Road, Sandbach, CW11 1HZ during their normal opening hours.
- 4.2: An information leaflet is also available at all the libraries throughout the Borough during their normal opening hours.
- 4.3: In accordance with the Regulations the Borough Council may make a reasonable charge if a hard copy of the draft SPD is requested. No charges are incurred to download these documents from the website or to inspect them in any of the locations mentioned above.

## **5: How to Comment on the Draft Supplementary Planning Document**

5.1: Representations are invited between 5<sup>th</sup> April 2016 and 17<sup>th</sup> May 2016. All representations must be received by 18<sup>th</sup> May 2016.

5.2: Representations can be submitted in the following ways:

By completing the online questionnaire [\(insert link\)](#)

By e-mail: [Designguide@cheshireeast.gov.uk](mailto:Designguide@cheshireeast.gov.uk)

By post:

Environmental Planning

Po Box 606

Municipal Buildings

Earle Street

Crewe

Cheshire CW1 9HP

5.3: Representations may be accompanied by a request to be notified at a specific address of the adoption of the Cheshire East Borough Design Guide Supplementary Planning Document (SPD).

## **6: Next Steps**

6.1: Following the consultation on the draft SPD, all comments received will be taken into account in finalising the SPD, where appropriate. Adoption of the document as a final SPD will then be subject to approval in line with the Council's Constitution.

6.2: In line with Regulation 12(a), this Interim Statement of Consultation will be finalised upon adoption of the SPD. The final statement will include a list of the persons/bodies consulted during the preparation of the SPD, a summary of the main issues raised by those persons/bodies and how those issues have been addressed in the SPD.

6.3: Once adopted, the SPD will then be a Material Consideration in the determination of planning applications.

# **Appendix 1**

## **Pre-SPD Consultation**

## **7: Appendix 1: Statement of pre-consultation engagement**

- 7.1: Before seeking to consult publically, there has been a strong desire on the part of the Council to ensure that the Design Guide had been through a robust process of development and refinement, principally through internal stakeholder engagement. This was seen to be critical to the Guide's success and it being fit for purpose, and ensure consistency of approach within Cheshire East Council.
- 7.2: To promote this approach, very early on in the process two stakeholder groups were established - Environment and Place with a broad range of participants across the Environmental Planning function and a technical services group with participants from highways, streetscape, waste and open space management. The participant list grew as the design guide evolved and new stakeholders were identified and engaged. Furthermore, because highway design and car parking are such crucial aspects of residential design there was a strong focus on adopting a collaborative approach with highways, with a view to providing guidance that fulfilled a joint planning and highway guidance function.
- 7.3: We were also keen to engage with the development industry as key users of the guide, both very early in the process and at the culmination of preparing and refining the draft guidance, whilst 'soft testing' has been undertaken between these 2 main stages by using the guidance in discussions with developers on live schemes and by securing comments upon the guidance from selected developers.
- 7.4: Once the guide was sufficiently far developed through the input of the stakeholder groups, it was firstly brought to the attention of members in informal training sessions and subsequently tested in workshops, participated in by Development Management, Environmental Planning, Highways and open space staff along with the Councillors. This proved a valuable capacity building and testing platform for the draft guide and led to further refinement.
- 7.5: All of these pre-consultation stages, which are summarised In the table below, have helped to strengthen the guidance and encouraged greater collaboration, particularly within Cheshire East Council but also with developers and others within the sector.

<b>Consultation/engagement programme</b>			
<b>Event/activity</b>	<b>Participants</b>	<b>Key Issues raised</b>	<b>Response (in the consultation draft)</b>
<p><b>Tuesday 17th March 2015</b> – developer event - launch of design guide process</p> <ul style="list-style-type: none"> <li>• Seminar presentation and Q&amp;A session</li> <li>• Overview of content of the guide, character assessment</li> <li>• Run through of guidance produced thus far</li> </ul>	<p>Over 40 representatives of the development industry including developers, agents and consultants</p>	<p>Striking a balance between historic character, vernacular and the requirements of modern, larger scale developments, including use of standard house types</p> <p>Ensuring a pragmatic approach to parking and an acceptance that parking is a fundamental requirement for new housing</p> <p>Ensuring that the design requirements are commercially realistic and based upon what homebuyers are seeking,</p> <p>Resources required within CEC to implement the guide once adopted</p> <p>How practical was the idea of developing a Design Review Panel and how would it be able to review all major projects in the Borough</p>	<p>Sections written into the guide discussing character, reinterpreting vernacular and sense of place (Vol 2 p 7, p 16, p 24/25), Volume 1 sets out the character of different parts of Cheshire East in extensive detail, focusing on the ‘layers’ that help to define places (Volume 2 (pp 14-65)</p> <p>Parking section within volume 2 (p 20-24) developed in conjunction with highways and identifies the need for pragmatic approach to resident and visitor parking. Design guide advocates mixed parking solutions.</p> <p>As above. Principles within the Design Guide reflect those in Building for Life 12, the nationally agreed standard for well designed homes</p> <p>Not a matter for the guide but identified as a fundamental requirement for successfully implementing the Design Guide</p> <p>The Design Review Panel would review a selection of projects, based on their sensitivity, location and/or scale (Volume 1, p69, para iii/44 to iii/49)</p>
<p><b>Friday 27th March 2015</b> – Technical Services and Highways workshop</p> <ul style="list-style-type: none"> <li>• Prior issue of draft document for comment</li> <li>• round table discussion</li> </ul>	<p>Attendees included representatives from Highways Development Management, technical and adoptions, open space</p>	<p>Reference to Council adopting 6Cs Highway Design Guidance</p> <p>The need to consider commuted payments for non-standard highway elements (areas of paving and trees in</p>	<p>Guidance developed co-jointly with Highways and specifically refers users to additional guidance in the 6Cs (p 32)</p> <p>Section included in Guide relating to adoption and a standard set of materials palettes details, agreed with highways are set out in the Guide (pp 44-50)</p>

<p>around the topic areas of highways, parking, open space and public realm and adoption</p>	<p>management and streetscape</p>	<p>adoptable areas)</p> <p>Importance of choosing the right species for landscape, particularly trees in adoptable areas and early blossoming species for use by bees etc.</p> <p>Practicalities of materials for highway over and above that already accepted – e.g. concerns about sourcing materials, cost, maintainability etc.</p> <p>Need for an appropriate street hierarchy within the guide that meets highways as well as urban design objectives</p> <p>CEC seeking solutions that avoid vertical deflection</p> <p>Parking standards need to reflect the local plan including enlarged garage sizes to make usable (3x5.5 metres)</p> <p>Sustainable urban drainage – advice needs to reflect national law/policy and should be a focus on above ground solutions wherever practicable</p> <p>SUD adoption needs to be set out in the guide</p>	<p>Information developed in Landscape section to set out materials principles trees within streets and open spaces (pp 75-78)</p> <p>As above. Materials palettes agreed with Highways based on character areas within the Borough and from mainstream suppliers.</p> <p>Street hierarchy refined in accordance with discussions with Highways and included (Volume 2 pp 33-38)</p> <p>Design guide does not include vertical deflection as point of principle</p> <p>Parking section reflects the Local Plan and advocates a mix of solutions to achieve the standards (Volume 2 pp 20-24)</p> <p>Initially a detailed section of the guide was developed but this has been reduced to balance the guide with focus on SUDs within place making, steering users to the Councils technical documents on Flood Risk and SUDs (pp 60-61)</p> <p>As above</p>
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<p><b>Thursday 2nd April 2015 – Environment and Place Stakeholder workshop</b></p> <ul style="list-style-type: none"> <li>• Prior issue of draft document for comment</li> <li>• round table discussion around environmental planning issues such as heritage, landscape, ecology, open space, play provision, development management, drainage health impact, community safety and public art.</li> </ul>	<p>Attendees included representatives of Environmental Planning, open space, community health, flood risk, Development Management</p>	<p>Tweaks to settlement character area boundaries suggested – specifically incorporation of Timbersbrook and The Cloud into Gritstone Edge Settlement Character Area.</p> <p>Need to include cross reference to conservation area appraisals within character assessment</p> <p>Rooting issues for trees in pavements and affecting drainage</p> <p>Role of management companies and responsibility in regards to open space and landscape features</p> <p>Ensure consistency in the guidance between landscape, open space and highway objectives and ensure a positive approach to landscape structure including health impacts</p> <p>Need to reflect art strategy in the Design Guide and connections between public realm, landscape and open space and role of public art in place shaping</p> <p>SUDs – need for high level approach to change thinking and encourage innovative approaches to SUDs – need to provide link to Flood Risk Management Strategy and concerns of combining SUDs approach with ecological mitigation/POS</p>	<p>See Cheshire East Settlement Character Areas plan Volume 1, Page 17, Fig ii:04</p> <p>Included in volume 1 (p 17) and in volume 2 (p 65)</p> <p>As above</p> <p>Guidance substantially redrafted to address this issue with commuted sums specified for trees within the highway (p 43) and open space ( pp 80-81)</p> <p>Guidance within the GI/Landscape section has been substantially redrafted to address these issues. This has entailed working with representatives of the open space and landscape teams in terms of final content of this section of the guide (chapter iv Green Infrastructure and Landscape Design).</p> <p>Guidance re-worked following discussion with the public arts team, including section included (p 60) but with references running through volume 2 of the Guide</p> <p>As above for the Tech Services and Highways Workshop on 27/3/15</p>
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		<p>provision</p> <p>Ensure health impact is incorporated into the guidance and reference to requirement for Health Impact Assessments</p>	<p>Quality of Life section provided in Volume 2 with specific reference to HIAs (p 93)</p>
<p><b>Tuesday 23<sup>rd</sup> April 2015</b> Presentation to Development Management</p>	<p>Majority of the Development Management Team</p>	<p>Include description of what needs to be included with applications</p> <p>Needs to be in a format that is easily updated and there needs to be a format for ease of sharing</p> <p>Needs to be schedule of materials (positive and negative)</p> <p>What about smaller scale development and development in heritage sensitive locations.</p> <p>Need for training to implement the guide</p>	<p>Chapter iii of Volume 1 Best Practice Design Approach includes section on requirements for applications and Design and Access Statements (pp 69-71)</p> <p>Document has been designed to enable it to be an interactive document. Hyperlinks included to other sources of guidance</p> <p>Materials specified for streets and public realm (Volume 2 pp 44-50) and for landscape (pp 69-78). Case studies provided for each chapter in Volume 2.</p> <p>Guide geared toward larger scale development but character and process information in volume 1 and guidance in volume 2 also applicable to smaller scale of development</p> <p>Not a matter for the guide itself but identified as a fundamental requirement for successfully implementing the Design Guide</p>
<p><b>Wednesday 24th June 2015</b> – follow up Environment and Place workshop</p> <ul style="list-style-type: none"> <li>Follow up to discuss</li> </ul>	<p>Previous attendees but also public art and HCA representatives</p>	<p>Usability – big document. Needs to be broken down</p> <p>Guidance should act as the minimum standard but also be aspirational. Shift from cost to quality.</p>	<p>Now broken into 2 volumes and intention to make it as interactive as possible electronically</p> <p>The whole thrust of the guide is to elevate quality, create aspiration but to also marry this against practicality. This reflects BfL12 – no specific change</p>

<p>further refinements to the Design Guide</p> <ul style="list-style-type: none"> <li>• Latest working draft of document circulated in advance</li> <li>• Round table discussion focusing on amendments/additions from earlier draft</li> </ul>		<p>In respect to SUDS there needs to be enough flex to enable new working practices and new legislation. The importance of SUDs should be elevated in conjunction with GI</p> <p>In DM terms difficult to sift through the guidance to determine wither should approve/refuse – use of a summary or checklist?</p> <p>More clarity in terms of the status of illustrative masterplans, parameters plans and the content and level of detail</p> <p>Need to summarise key issues from character assessments</p> <p>Strategic role of public art and role of public artists in design teams needs to be explicit</p> <p>Need to address competing demands on open space within the GI/landscape section, including specific impacts on ecology</p> <p>GI/Landscape section needs to provide advice on local food production</p> <p>Need to stress the links between GI, movement and healthy living and identify principles relating to pedestrian routes</p> <p>Management regimes for more natural areas including benefits for ecology as</p>	<p>As above for Tech. Services workshop 23/3/15</p> <p>Checklists and case studies added to each chapter of Volume 2</p> <p>Chapter iii of volume 1 refined to clarify the level of information to be included in parameters information and level of detail for illustrative masterplans (pp 70-71)</p> <p>Key character area and settlement design cues summarised in relation to each character area and sample settlement (Volume 1 pp 14-65)</p> <p>Guidance re-worked following discussion with the public arts team, including section included (p 60) but with references running through volume 2 of the Guide</p> <p>Guidance within the GI/Landscape section has been substantially redrafted to address these issues. This has entailed working with representatives of open space and landscape team in terms of final content of this section of the guide (chapter iv Green Infrastructure and Landscape Design).</p> <p>Section relating to footpaths in Street Hierarchy amended (Volume 2 p 35), Recreation and Health benefits associated with GI open space set out in GI section (Vol 2 p 58), also referenced in chapter vi (pp 92-93)</p> <p>As part of the re-working of the GI/Landscape section Landscape Management guidance strengthened</p>
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		<p>part of integrated approach to landscape design and provision.</p> <p>Further refine content in relation to local food production</p> <p>Sustainable design – some concern that district heating may be unrealistic except the largest developments. Importance of future proofing for district heating</p> <p>Importance of interaction of settlement edges with countryside – what happens at interface</p> <p>Public art policy gap.</p>	<p>including, specific reference to promoting biodiversity at the start of the chapter (vol 2 pp 56-7 and Landscape management (Vol 2 pp 80-81)</p> <p>Enhanced section relation to local food production included (Volume 2 pp61-62)</p> <p>Checked guidance on district heating with Regeneration major projects team (sustainability) – references to Local Plan Policy with no thresholds – felt appropriate to retain as is.</p> <p>Incorporation of Rural Interface Studies (Positive/Negative examples) for each settlement character area (Volume 1, Chapter ii) and (Volume 2, Chapter ii, para ii/57, page 19) with additional general references throughout the rest of the document.</p> <p>SPD cannot introduce new policy but amendments incorporated as stated above and in relation to Environment and Place workshop 2/4/15</p>
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<p><b>Wednesday 24th June 2015</b> – follow up Technical Services workshop</p> <ul style="list-style-type: none"> <li>• Follow up to discuss further refinements to the Design Guide</li> <li>• Latest working draft of document circulated in advance</li> <li>• Round table discussion focusing on amendments/additions from earlier draft</li> </ul>	<p>Attended by representatives of ANSA in relation to open space, streetscape and refuse and drainage and flood risk</p>	<p>Ensure appropriate street tree and open space species, including spring flowering and bee attracting species</p> <p>Further refinement in relation to adoption and commuted sum payments</p> <p>Suggestions of case study visits to Cambridge and Bristol</p>	<p>Specific section on soft landscape amended in conjunction with landscape and open space to address concerns about species and general principles in relation to tree planting (Vol 2 pp 75-78)</p> <p>Guidance further refined as part of re-writing of chapter iv. (p 80)</p> <p>Case studies included within design guide Volume 2 for each chapter but no scope for case study visits</p>
<p><b>Monday 13th July 2015</b> – Follow up Highway Workshop</p> <ul style="list-style-type: none"> <li>• Follow up to discuss further refinements to the Design Guide</li> <li>• Latest working draft of document circulated in advance</li> <li>• Round table discussion focusing on amendments/additions from earlier draft</li> </ul>	<p>Attended by various staff from Development Liaison, technical and adoptions in Highways</p>	<p>Technical amendments to street hierarchy text and drawings</p> <p>Refinement of materials palette for street types</p> <p>Refinements in relation to adoption information</p> <p>Refinements to information on technical requirements of street design</p>	<p>Street hierarchy section amended, including diagrams and cross sections (Vol 2 pp 32-40).</p> <p>Materials specifications for streets and associated public realm amended (Vol 2 pp 44-50)</p> <p>Amendments to information on adoption (vol 2 p 43)</p> <p>Amendments to section relating to technical requirements (vol 2 pp 41-42)</p>
<p><b>August 2015</b> – Developer testing of Design Guide by Barratt Homes</p> <ul style="list-style-type: none"> <li>• Latest draft of the</li> </ul>	<p>Discussion with Technical Team (Layout Planners/Housing Designers)</p>	<p>Overall happy with approach and methodology to design - clear and concise guidance on best practice approach</p>	<p>Design Guide is intended to improve the quality of the public realm within housing developments. A hierarchical approach to movement and public realm will mean a balanced use of materials between bitmacs, concrete block paving and natural stone products as set</p>

<p>design guide issued to Barratt Homes (Manchester) for review</p> <ul style="list-style-type: none"> <li>Follow up call to Barratt Manchester's Technical Team for Feedback</li> </ul>		<p>Concerns expressed over materials palettes and use of block paving/natural materials and the associated costs</p>	<p>out in the guide. Conservation Areas are more sensitive with a weighting towards natural products. (Vol 2, pp 44-50).</p> <p>Refinement of materials narrative, but no major changes (Vol 2 pp 44-45)</p>
<p><b>15th and 19th October 2015</b> - Member and Development Management technical workshops (3 workshops held)</p> <ul style="list-style-type: none"> <li>Presentations and workshop/round table discussion using a testing scheme with different groups testing the effectiveness of specific sections of volume 2 of the Guide</li> <li>Q &amp;A session at the end of each workshop</li> </ul>	<p>Attended by circa 40 Councillors and officers, including Development Management, Environmental Planning and Highways</p>	<p>Ordering of questions and wording of some of the checklists</p> <p>In the GI and Landscape checklist, Physical and ecological features should be separated</p> <p>Be careful about specifying manufacturers in the materials of streets public realm and for landscape details</p> <p>Ensure Latin names used for soft landscape specifications. Concern about limitations for variety imposed by the plants included in the guide.</p> <p>Include evidence box in checklists</p> <p>Concern about promoting connected street pattern as opposed to cul-de-sacs, which are safer and more readily policed. The guide should promote that form of development</p>	<p>Questionnaires reviewed and re-ordered where appropriate. BfL12 questions moved to bottom of the page</p> <p>It was felt that these could remain combined and so no change required</p> <p>References to manufacturers largely removed except where specific product advocated for its distinct qualities</p> <p>Plant specification substantially reduced in GI and Landscape chapter. Only tree species referenced but more about scale and character of planting rather than species. Latin names used where identified (Vol 2 pp 75-78).</p> <p>Evidence box to be incorporated into comprehensive checklist for DM use once the Guide has been through public consultation</p> <p>The diagrams on p 16 of Volume 2 of the Guide provide a simple illustration of positive urban design incorporating a connected street pattern that has significant urban design benefits set against an inappropriate cul-de-sac arrangement that results in a</p>

		<p>Concern over use of urban design language and it's meanings – use of plain English</p>	<p>far less successful urban design structure.</p> <p>The Guide is intended for use by professionals and lay-people, the language used is necessary to ensure it is a professional document and lay-users of the guide need capacity building sessions so that they can articulate their thoughts using the correct terminology. This workshop in itself assisted in that process. Additional resources will be required to ensure members are further informed on matters of design. In addition a CABE publication 'The Councillor's Guide to Urban Design' has been used as a 'Useful reference' document at the end of Volume 2 with hyperlinks to the complete document and the bibliography included, explaining the general urban design terminology.</p>
<p><b>18th November 2015 –</b> Follow up developer presentation/workshops</p> <ul style="list-style-type: none"> <li>• 2 workshops/ Q &amp;A sessions</li> <li>• Overview of the guide and its content with significant focus on Volume 2</li> </ul>	<p>Over 30 representatives of the development industry including developers, agents and consultants</p>	<p>Balance and proportionality weighing between vernacular and more recent development – guide too heavily focused on historic centres and not more modern post-war peripheral character where most new sites would be located</p> <p>Materials section in relation to highways and landscape is too prescriptive</p> <p>Concern that officers and members may apply the guide too literally and too inflexibly, with too much focus on the look of the scheme</p> <p>Concern that parking solutions illustrated need to be deliverable based on</p>	<p>Text added into guidance clarifying that vernacular should be used to understand and re-interpret the character and distil out the 'sense of place' but not slavishly copy or create pastiche. Text also clarifies that insensitive, anywhere neighbourhoods should not be used as positive precedents or as 'vernacular' to justify a design that has not been derived from a site sensitive design process. (Volume 2 p7)</p> <p>Materials palette largely unchanged, as it has already been agreed in discussion with highways and is informed by local character assessment. A hierarchical approach will mean a balanced use of materials between bitmacs, concrete block paving and natural stone products, with a stronger focus on natural materials in sensitive settings, such as conservation areas (Vol 2 pp 44-50)</p> <p>No change as this is about use of the guide. However,</p>

		<p>adoptable standards and demands of customers for enough, convenient parking</p> <p>Use of Design Codes – what scale of development will require their development</p> <p>Broadband – ensure developments or future proofed etc.</p>	<p>the purpose of the guide is to elevate quality including the attractiveness of developments in their context.</p> <p>Parking options set out in the guide have been re-assessed in terms of the Councils current parking requirements and as part of mixed solutions within a development as a whole.</p> <p>See Volume 1, Page 68, Chapter iii, Para’s ii/30 to ii/32.</p> <p>See Volume 2, Page 88, Chapter v, Para’s v/44 to v/48.</p>
<p><b>9th December 2015 –</b> Town and Parish Conference</p> <p>1 of several presentations to Town and Parish Councillors setting design Guide in context with the Local Plan and Neighbourhood Plans</p>	<p>32 Town and Parish Councils represented</p>	<p>No issues raised</p>	<p>No amendments required</p>
<p><b>4<sup>th</sup> March 2016</b> Neighbourhood Planning Workshop day</p> <p>Series of presentations and workshops on neighbourhood planning</p>	<p>55 representatives from existing or prospective Neighbourhood Planning Groups</p>	<p>How will the guidance apply in an area that straddles 2 or more character areas</p> <p>Status of the guidance in planning terms</p> <p>How can the guidance be applied at the local level and what should Neighbourhood Plans be saying about design?</p>	<p>Added emphasis to assess and interpret local character – this is embedded in the guidance. Chapter iii of volume 1 (p 66) of the Guide sets out the importance of character assessment</p> <p>Design Guide refers to it being adopted as an SPD, initially against saved Policies in the Local Plan. (Vol 1 p 11)</p> <p>P17 vol 1 refers to the Design Guide being read in conjunction with Neighbourhood Plans and Village Design Statements</p>

<b>Other comments received in writing as a consequence of the engagement</b>		
<b>Organisation</b>	<b>Key issues raised</b>	<b>Response (in consultation draft)</b>
Cheshire Police	Weak on designing out crime	Secured by design section added (vol 2 pp28-29)
Building Control, Civicance (formerly CEC)	Lifetimes Homes references a little out dated as now covered in the Building Regulations	Amended to omit specific references to Lifetime Homes but adaptability and liveable homes referred to in Chapter ii (p 27) and Chapter vi (p93)
Public rights of Way	Amendments to incorporate information relating to rights of way and inclusion of links to additional sources of information	Sections redrafted in accordance with comments, key amendments incorporated (Vol 2 p9, p 38, p57) but also other minor amendments in other parts of the Guide as required.
Advisory Team for Large Applications and Sites (part of the HCA)	Amendments to clarify function and status of design guide in the introduction;	The function and status of the guide as part of the Cheshire East design toolkit is set out (vol 1 p8)
	Emerging LP policies should refer to the Design SPD;	Emerging policies will directly cross refer to the Design Guide SPD
	introduction should set out how, via reference to national policy in relation to SPDS, the Design Guide fulfils this;	The function and status of the guide as part of the Cheshire East design toolkit is set out (vol 1 p8)
	More clarity in the use of design cues within character section;	Design cues refined within chapter ii including design cues for positive edges to new developments onto countryside (Vol 1 pp 17-65)
	setting out guidance in relation to comprehensive masterplans and what they should contain/involve;	Advice provided at vol 1 p71
	reference to use of BfL12 to structure pre-application discussion and design review;	Advice provided at vol 1 p67

<p>Flood Risk, Cheshire East Council</p>	<p>Greater reference to defined parameters and what is fixed and flexible;</p> <p>Development objectives to underpin the vision;</p> <p>Discussion on principles for strategic roads as part of larger developments Reference to phasing of GI alongside development</p> <p>Suggested amendments regarding SUDS drainage information in GI Landscape Chapter iv of Volume 2</p>	<p>Advice set out at vol 1 p70</p> <p>Set out in vol 2 p 10</p> <p>Street Design section written in conjunction with Highways and hierarchy identified in the guidance (Vol 2 p 33)</p> <p>Amendments incorporated then trimmed down in discussion with flood risk team to focus on place making issues relating to SUDs with links to forthcoming technical guidance on SUDs to be incorporated (Vol 2 pp60-61)</p>
<p>Health Improvement Team, Cheshire East Council</p>	<p>Need to include reference to policy that requires HIA on major schemes</p>	<p>Reference inserted (vol2 p93)</p>
<p>Cultural Economy, Cheshire East Council</p>	<p>Various comments and suggested amendments and insertions in relation to public art</p>	<p>1 to 1 discussion between consultant and public arts co-ordinator resulted in several amendments to the document (in particular in Chapter iv of Volume 2 p 60)</p>
<p>Development Management, Cheshire East Council</p>	<p>Making the document as usable as possible in format; more clarity on what is acceptable and what isn't, aided by graphics/drawing, indication of good and bad (use of ticks and crosses)</p>	<p>Guide split into 2 volumes; Additional information provided in relation to design cues within Volume 1 Chapter ii (pp 16-65); Checklists and case studies inserted and subsequently refined at end of each chapter (Vol 2, Chapters i-vi)</p>
<p>Open Space Management , ANSA (formerly CEC)</p>	<p>Concern about size of document; various technical comments about content of the guide</p>	<p>Split into 2 volumes, checklists provided to each chapter in Volume 2, including GI and Landscape section (Chapter iv); Chapter re-written in conjunction with Landscape officer working with consultant to address combined concerns requirements</p>

<p>David Wilson Homes, North West</p>	<p>Advice needs to be applied consistently and early to ensure that costs can be taken account early in the process</p> <p>Flexibility in approach to detailing and use of standard house types crucial and should be assessed early for each scheme and proportional</p> <p>Greater focus on vernacular design responses but less prescription about where modern design solutions would be suitable. This should be an early part of the design discussion</p> <p>Need to establish the degree of compliance for each site, depending on local circumstances. The guide provides a good starting point for discussion.</p> <p>Guide says little about commitment of other CEC departments to implement the guide -highways design, parking provision, drainage, adoption of public spaces etc. are all potentially troublesome areas. How the other departments embrace the guide will be important.</p>	<p>This is about application of the guide post adoption. The guide is intended as the framework to achieve this consistency – no amendment was required.</p> <p>Whilst the Guide does seek to achieve unique developments with their own sense of place, and encourages bespoke housing designs where they are appropriate to the site, it also accepts the potential for standard house types, to be re-modelled as an alternative to meeting the quality aspirations of the Guide (Vol 2 pp 24-25)</p> <p>The Design Guide explains the process of analysis of the local vernacular and distilling the sense of place. It explains the use of vernacular in building design as part of the contextual appreciation of a place and highlights how local tradition and character can positively influence a more contemporary approach (Vol 2 p7), The section, ‘House types - Making them Unique’ (Vol 2 pp24-25) explains that contemporary as well as more traditional designs, as long as they are justified, will address the CEC design agenda – no amendment was required</p> <p>As commented by DWH above, there needs to be consistency in how the Guide is applied. The Council aspires to make all development better and therefore, whilst local circumstances may have some bearing, it is important that high quality is achieved in all instances. This is referenced throughout the Guidance but the Foreword and Introduction of Volume 1 especially explains why this is so important, Chapter iii, in respect</p>
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<p>Jones Homes (North West)</p>	<p>Guidance may be overly detailed in places and potential conflict with guidance in the NPPF regarding not being overly prescriptive or preventing/stifling innovative design. Should include sufficient flexibility to act as a design aid, Concern that members will apply it too rigidly. Images in guide should include some more modern examples.</p> <p>Important to ensure the Guide complements other strategic objectives of the Local Plan, for example delivering 30dph on sites to ensure efficient use of land</p> <p>Design panel experience – participants</p>	<p>to use of Building for Life 12, states that the Council is seeking Built for Life accreditation on all future residential developments. This requires a minimum of 9 greens and no reds. – no amendment was required</p> <p>The Guide was developed with 2 stakeholder groups, one focusing on Environment and Place and the other on the technical services including highways, open space and streetscape. There was also direct collaboration with highway, drainage and landscape/open space to refine and re-work particular sections of the guidance, resulting in an agreed philosophy and requirements. In respect to street design, this resulted in the street hierarchy and materials specifications set out in the guide – no amendment was required</p> <p>As described above in relation to the DWH comments, the guidance seeks to encourage a vernacular driven approach but it explains the use of vernacular in building design as part of the contextual appreciation of a place not creating pastiche. It highlights how local tradition and character can positively influence a more contemporary approach (Vol 2 p7), The section, 'Housetypes - Making them Unique' (Vol 2 pp24-25) explains that contemporary as well as more traditional designs, as long as they are justified, will address the CEC design agenda – no amendment was required</p> <p>The guide advocates density reflecting characteristics of the site rather than applying a uniform figure for all sites and varied density within sites depending on their situation within the scheme (vol 2 p 17 and p 19) – no amendment was required</p>
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	<p>sometimes have limited and blinkered views, panels will only be useful if they have the right information including constraints plans – detailed working of the panels needs careful consideration.</p> <p>The guide place importance on pre-application process, especially as part of BfL process. Council needs to properly resource to ensure the process is credible. Important that everyone is signed up to the process.</p> <p>Concern regarding the approach to SUDS and that there is sufficient expertise to implement the guidance.</p> <p>Within character areas information over emphasis on properties over 100 years old. Should be examples illustrating current good practice.</p> <p>Concerned about the logic of building in character with an area then encouraging character areas within larger schemes</p>	<p>This is a matter for setting up and running the design review panel - no amendment was required.</p> <p>Comments noted however this is a matter for the review of the pre-application service – no amendment was required</p> <p>Comments noted but this is a matter for the Flood Risk team to address with support from Planning rather than within the Guide – no amendment was required</p> <p>The Guide highlights how local tradition and character can positively influence a more contemporary approach (Vol 2 p7), The section, ‘Housetypes - Making them Unique’ (Vol 2 pp24-25) explains that contemporary as well as more traditional designs, as long as they are justified, will address the CEC design agenda – no amendment was required. In case studies both traditional looking and contemporary design are included throughout Volume 2, Page 25 includes a series of photographs of a contemporary housing scheme with supporting narrative – no amendment was required</p> <p>Vol 2 Para ii/103 explains the reasoning behind this suggestion that larger sites should consider character areas. It highlights that character areas should be defined by the local context and opportunities but there</p>
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	<p>In terms of drive widths these should be reviewed, whilst question practicality of including garages as part of parking provision as they often get used for storage. Whilst sustainable transport is encouraged the guide needs to be realistic in terms of parking provision and its practicality</p> <p>Commuted sums for abnormal features and SUDS. Suggest updated specification on lighting that requires commuted payments. Some SUDs features could readily be maintained through resident management agreements. If commuted sums are required cannot see why permeable paving will not be adopted by CEC, particularly in areas where there is little scope for other surface water systems.</p> <p>POS suggest it would be preferable for open space to be adopted rather than via management company.</p> <p>Pleased that efforts had been made so that guide not too restrictive and limiting</p>	<p>may still be scope to utilise a more contemporary approach away from established townscape but employing base characteristics to tie the scheme together – no amendment was required</p> <p>The guide stresses that CEC intend to take a more pragmatic view to parking provision (Vol 2 p 20). The parking solutions included in (Vol 2 pp 21-24) have been considered with Highways input. External storage provision is discussed (Vol 2 pp 27/28) to ensure adequate storage space is provided either in sheds, bin storage areas or via enlarged garages as illustrated in fig ii:15 p 28 - No amendment was required.</p> <p>Noted. These are issues partly for the adopting authorities (namely highways and flood risk/drainage). Commuted payments included for trees within adoptable areas (Vol 2 Table iii:02 p 43) but for matters like detailed specification and costing for non-standard street furniture and lighting, for the time being, this will be by discussion with the Highway Authority until such a schedule is in place. The same applies to SUDS – No amendment was required.</p> <p>Within the GI/Landscape chapter, the guide does discuss options for management of open space, including the option to transfer to the Council via adoption. It stresses early discussion with CEC as to the most appropriate form of management. It also stresses the importance of management plans for POS. (Vol 2 p 81) – no amendment is required</p>
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<p>Wardell Armstrong, Environmental Consultant</p>	<p>for landscape designers but concern that it could still be restrictive in terms of creating schemes that lack 21st Century innovation and uniqueness because they become bland and the same. The guidance may need tweaking to avoid this</p>	<p>Landscaping section comprehensively amended. Amended to remove soft landscape species matrix with more generic references in relation to hedging and examples in relation to tree species, with greater focus in the guidance on form, scale, function and context (Vol 2 pp 75-78)</p> <p>Para iv/138 suggests innovation in materiality for hard landscaping within the palettes set out or different character areas.</p> <p>This gives licence to designers to create varied and distinctive landscapes that still reflect the characteristics and vernacular of different parts of the Borough</p>
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**CHESHIRE EAST COUNCIL**

<b>Report of:</b>	Director of Planning and Sustainable Development
<b>Subject/Title:</b>	Brereton Neighbourhood Plan – Decision to make the Plan
<b>Portfolio Holder:</b>	Councillor Ainsley Arnold: Housing and Planning
<b>Date of Meeting:</b>	04.04.2016

**1.0 Report Summary**

- 1.1 The Brereton Neighbourhood Development Plan (BNDP) was submitted to the Council in July 2015 and, following a statutory publicity period, proceeded to Independent Examination. The Examiners report recommended that, pending a series of modifications to the plan, the plan would meet the prescribed requirements and should proceed to referendum. A successful referendum has now been held on the neighbourhood plan.
- 1.2 The Council must now ‘make’ the neighbourhood plan and bring it into force as part of the Development Plan for Cheshire East.

**2.0 Recommendations**

- 2.1 That the Council confirm the Brereton Neighbourhood Plan is made and forms part of the Development Plan for Cheshire East.

**3.0 Reasons for Recommendations**

- 3.1 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.
- 3.2 An independent examination of the neighbourhood plan was undertaken and, subject to modifications that have since been implemented, the plan is considered to meet the basic conditions.
- 3.3 A referendum has now been held on the neighbourhood plan. The question put to the local community was: ‘Do you want Cheshire East Council to use the Neighbourhood Plan for Brereton to help it decide planning applications in the neighbourhood area?’

3.4 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires that where half or more of those voting in the Plan referendum vote in favour of the Plan, that the Council make the Neighbourhood Plan and adopt it as part of the Development Plan.

3.5 The referendum was held on 10<sup>th</sup> March and returned a positive vote in favour of using the neighbourhood plan to help determine planning applications in the neighbourhood area. The Council must now 'make' the Neighbourhood Plan and thereby enable it to become part of the development plan for the area that it covers.

### **4.0 Wards Affected**

4.1 Brereton Rural

### **5.0 Local Ward Members**

5.1 Councillor John Wray

### **5.0 Policy Implications**

5.1 The Neighbourhood Plan for Brereton contains a series of policies that will be used when considering planning applications that are located within the defined Neighbourhood Area. Once 'made' the Brereton Neighbourhood Plan forms part of the statutory development plan and becomes, alongside the adopted Local Plan, the starting point for determining relevant planning applications in that area.

### **6.0 Implications for Rural Communities**

6.1 Brereton is a rural parish and the Brereton Neighbourhood Plan addresses a number of rural issues including Business and Economic Activity and Protecting the Rural Environment. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

### **7.0 Financial Implications**

7.1 The population of Brereton Parish is 1190 and the cost of the referendum is estimated to be £4000. This is paid for through government grant (Neighbourhood Planning Grant) and the service's revenue budget.

### **8.0 Legal Implications**

8.1 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. A positive majority at the referendum means that the Council is now obliged to "make" the plan. Following this, the Neighbourhood Plan 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.

### **9.0 Risk Management**

- 9.1 The decision 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.

## **10.0 Background and Options**

- 10.1 The preparation of the Neighbourhood Plan began in January 2013.
- 10.2 The proposed Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council in July 2014.
- 10.3 Cheshire East undertook the required publicity between 10<sup>th</sup> August 2015 and 21<sup>st</sup> 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.
- 10.4 The Borough Council appointed John Mattocks 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. Mattocks decided to hold a public hearing. The hearing was held at Sandbach Town Hall on 11<sup>th</sup> November 2015
- 10.5 A series of modifications were proposed to ensure the Plan met regulatory tests contained in the Basic Conditions. Modifications were made to the Plan and a decision to proceed to referendum was made on 4<sup>th</sup> January 2016. Following this a statutory period to publicise the referendum was held, starting on 28<sup>th</sup> January 2016 with the referendum being held on 10<sup>th</sup> March 2016.

## **11.0 Next steps**

- 11.1 Once made, the Brereton Neighbourhood Plan will be used in the Authority's statutory role to make decisions on and determine planning applications.
- 11.2 The Brereton Neighbourhood Plan will be published on the Neighbourhood Planning pages of Cheshire east Councils Website and available for inspection at Council Headquarters in Westfields, Sandbach. A notice detailing where and when the document can be inspected will be issued to all parties that have registered an interest in the outcome of the process.

## **12.0 Access to Information**

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

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## CHESHIRE EAST COUNCIL

<b>Report of:</b>	Director of Planning and Sustainable Development
<b>Subject/Title:</b>	Bunbury Neighbourhood Plan – Decision to make the Plan
<b>Portfolio Holder:</b>	Councillor Ainsley Arnold: Housing and Planning
<b>Date of Meeting:</b>	04.04.2016

**1.0 Report Summary**

- 1.1 The Bunbury Neighbourhood Development Plan (BNDP) was submitted to the Council in August 2015 and, following a statutory publicity period, proceeded to Independent Examination. The Examiners report recommended that, pending a series of modifications to the plan, the plan would meet the prescribed requirements and should proceed to referendum. A successful referendum has now been held on the neighbourhood plan.
- 1.2 The Council must now ‘make’ the neighbourhood plan and bring it into force as part of the Development Plan for Cheshire East.

**2.0 Recommendations**

- 2.1 That the Council confirm the Bunbury Neighbourhood Plan is made and forms part of the Development Plan for Cheshire East.

**3.0 Reasons for Recommendations**

- 3.1 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.
- 3.2 An independent examination of the neighbourhood plan was undertaken and, subject to modifications that have since been implemented, the plan is considered to meet the basic conditions.
- 3.3 A referendum has now been held on the neighbourhood plan. The question put to the local community was: ‘Do you want Cheshire East Council to use the Neighbourhood Plan for Brereton to help it decide planning applications in the neighbourhood area?’

3.4 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires that where half or more of those voting in the Plan referendum vote in favour of the Plan, that the Council make the Neighbourhood Plan and adopt it as part of the Development Plan.

3.5 The referendum was held on 10<sup>th</sup> March and returned a positive vote in favour of using the neighbourhood plan to help determine planning applications in the neighbourhood area. The Council must now 'make' the Neighbourhood Plan and thereby enable it to become part of the development plan for the area that it covers.

## **4.0 Wards Affected**

4.1 Bunbury Ward

## **5.0 Local Ward Members**

5.1 Councillor Michael Jones

## **5.0 Policy Implications**

5.1 The Neighbourhood Plan for Bunbury contains a series of policies that will be used when considering planning applications that are located within the defined Neighbourhood Area. Once 'made' the Bunbury Neighbourhood Plan forms part of the statutory development plan and becomes, alongside the adopted Local Plan, the starting point for determining relevant planning applications in that area.

## **6.0 Implications for Rural Communities**

6.1 Bunbury is a rural parish and the Bunbury Neighbourhood Plan addresses a number of rural issues including use of rural buildings, local economy and agricultural buildings. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

## **7.0 Financial Implications**

7.1 The population of Bunbury Parish is 1,195 and the cost of referendum is estimated to be £4100. This is paid for through government grant (Neighbourhood Planning Grant) and the service's revenue budget.

## **8.0 Legal Implications**

8.1 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. A positive majority at the referendum means that the Council is now obliged to "make" the plan. Following this, the Neighbourhood Plan 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.

## **9.0 Risk Management**

- 9.1 The decision 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.

## **10.0 Background and Options**

- 10.1 The preparation of the Neighbourhood Plan began in Autumn 2014.
- 10.2 The proposed Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council on 28<sup>th</sup> August 2015.
- 10.3 Cheshire East undertook the required publicity between 07.09.15 to 16.10.15. 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.
- 10.4 The Borough Council appointed Mr. Nigel McGurk 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. McGurk decided not to hold a public hearing.
- 10.5 A series of modifications were proposed to ensure the Plan met regulatory tests contained in the Basic Conditions. Modifications were made to the Plan and a decision to proceed to referendum was made on 4<sup>th</sup> January 2016. Following this a statutory period to publicise the referendum was held, starting on 28<sup>th</sup> January 2016 with the referendum being held on 10<sup>th</sup> March 2016.

## **11.0 Next steps**

- 11.1 Once made, the Bunbury Neighbourhood Plan will be used in the Authority's statutory role to make decisions on and determine planning applications.
- 11.2 The Bunbury Neighbourhood Plan will be published on the Neighbourhood Planning pages of Cheshire east Councils Website and available for inspection at Council Headquarters in Westfields, Sandbach. A notice detailing where and when the document can be inspected will be issued to all parties that have registered an interest in the outcome of the process.

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