

Strategic Planning Board

Agenda

Date: Wednesday, 17th November, 2021
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

PLEASE NOTE – This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. This may only be removed when seated.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

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 top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website.

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

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest/Pre Determination

For requests for further information

Contact: Sarah Baxter

Tel: 01270 686462

E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies

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

3. **Minutes of the Previous Meeting** (Pages 3 - 8)

To approve the minutes of the meeting held on 13 October 2021 as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

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

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **20/5760C-Reserved matters application for 178no dwellings including associated roads, car parking and landscaping works, Radnor Green, Land off Back Lane, Congleton for Mr Ben Sutton, Stewart Milne Homes** (Pages 9 - 30)

To consider the above application.

6. **Draft Jodrell Bank Observatory Supplementary Planning Document** (Pages 31 - 132)

To consider the draft Jodrell Bank Observatory Supplementary Planning Document.

7. **Crewe Hub Area Action Plan Update** (Pages 133 - 144)

To consider the above report.

8. **Final Draft Housing Supplementary Planning Document** (Pages 145 - 286)

To consider the above report.

Membership: Councillors S Akers Smith, A Critchley, B Burkhill, S Edgar, S Gardiner (Vice-Chair), P Groves, S Hogben, M Hunter (Chair), B Murphy, B Puddicombe, P Redstone and J Weatherill

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 13th October, 2021 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor M Hunter (Chair)
Councillor S Gardiner (Vice-Chair)

Councillors S Akers Smith, A Critchley, B Burkhill, S Edgar, P Groves,
S Hogben, N Mannion (Substitute), P Redstone and J Weatherill

OFFICERS IN ATTENDANCE

Mr T Evans (Neighbourhood Planning Manager), Mr P Hooley (Planning &
Enforcement Manager), Paul Hurdus (Highways Development Manager), Mr
R Taylor (Principal Planning Officer) and Mr J Thomas (Senior Planning &
Highways Solicitor)

37 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Murphy and B
Puddicombe.

38 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 20/3762N, Councillor
S Gardiner declared that as part of his professional role he was involved in
regular communication with the David Wilson Homes, albeit on non-
planning related matters.

In the interest of openness in respect of application 20/3762N, Councillor
S Hogben declared that he was a non-Executive Director of ANSA
however he had not discussed the application or made any comments on
it.

In the interest of openness in respect of application 20/3762N, Councillor
S Edgar declared that he would be exercising his right to speak as Ward
Councillor under the public speaking protocol and would leave the room
for the remainder of the item.

In the interest of openness in respect of application 20/3762N, M Hunter
declared that he was a non-Executive Director of ANSA however he had
not discussed the application or made any comments on it.

In the interest of openness in respect of application 20/3762N, Councillor S Gardiner declared that a conversation had taken place with the Head of Planning, David Malcolm who confirmed with Councillor S Gardiner that the amended plans were as far as the applicant was willing to go.

(This interest was declared just after the applicant had spoken on the item).

It was noted that all Members had received correspondence in respect of application 20/3762N.

39 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 15 September 2021 be approved as a correct record and signed by the Chair.

40 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

41 20/3762N-RESIDENTIAL DEVELOPMENT FOR 146 NEW BUILD DWELLINGS & ASSOCIATED WORKS, LAND OFF SYDNEY ROAD, CREWE FOR ANDREW TAYLOR, DAVID WILSON HOMES/DUCHY OF LANCASTER

Consideration was given to the above application.

(Councillor S Edgar, the Ward Councillor, Councillor H Faddes, the adjoining Ward Councillor, Professor G Lee-Treweek, an objector and Andrew Taylor, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the completion of a Section 106 Agreement securing the following:-

| | Requirement | Triggers |
|---------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Affordable Housing | 30% of total dwellings to be prided (65% Affordable Rent / 35% Intermediate) | No more than 80% open market occupied prior to affordable provision within each phase. (dependent on agreement of Affordable Housing Statement) |
| Biodiversity Net | Commuted sum toward off- | Prior to commencement |

| | | |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Gain - Off site Ecological Mitigation | <p>site habitat creation to be delivered in conjunction with a third party.</p> <ul style="list-style-type: none"> - To offset the 5.91 habitat units. - To offset the 0.42 hedgerow units. | |
| Open Space | <p>Management Scheme for POS, play area and landscaped areas</p> <p>Provision of enhanced LEAP and POS</p> | <p>Prior to occupation</p> <p>Prior to the occupation of no more than 50 % of the dwellings</p> |
| Indoor Sport | £26,650 towards Crewe Lifestyle Centre | Prior to commencement |
| Recreation & Outdoor Sports Contribution | £1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment. | Prior to commencement |
| Education | <p>Total - £699,856</p> <p>Primary - £282,003 towards the expansion at Hungerford Academy.</p> <p>Secondary - £326,853 towards mitigation measure as local schools are forecast to be cumulatively oversubscribed</p> <p>SEN £91,000 - Due to significant shortage of SEN placements across the Borough.</p> | <p>50% Prior to first occupation</p> <p>50% at occupation of 75th dwelling</p> |
| Healthcare | £146,664 towards the cost of providing a new healthcare facility(s) and/or the improvement/upgrading of an existing healthcare facility. | <p>50% Prior to first occupation</p> <p>50% at occupation of 75th dwelling</p> |

And subject to the following conditions:-

1. Commencement of development (3 years)

2. Development in accordance with approved plans
3. Details of materials and finishes
4. Details of Surfacing materials
5. Details of Levels
6. Submission and approval of Landscaping scheme
7. Implementation of landscaping scheme
8. Design detail, specification and implementation of play area
9. Submission of Landscape Management Plan
10. Details of Boundary treatment and retaining structures
11. Tree Protection
12. Details of lighting – minimise impact on bats
13. Safeguarding of nesting birds
14. Development in accordance with Ecological Assessment Version 2
Submission of strategy to secure features to enhance biodiversity
15. Details of surface water drainage scheme to be submitted, approved and implemented
16. Development in accordance with Flood Risk Assessment (FRA)
17. Provision of Toucan crossing
18. Implementation of improvements to cycleway/footways to also refer to the submission of a scheme for the improvement of the footway on the western side of Sydney Road and for the provision of wayfinder signage for bus stops adjacent to the site access
19. Provision of Electric Vehicle infrastructure
20. Provision of Ultra Low Emission Boilers
21. Contaminated Land – Remedial scheme to be carried out in accordance with Enabling Works Remediation Strategy
22. Contaminated land – works to stop if any unexpected contamination is discovered on site
23. Contaminated land - imported soil
24. Implementation of noise mitigation
25. Submission, approval, and implementation of a Construction Environmental Management Plan (CEMP)
26. Details of cycle storage
27. Details of Bin Stores
28. Detailed scheme to secure southern parking courts
29. Removal of permitted development rights (Part 1 Classes A-E)

In order to give proper effect to the Strategic Planning Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

(Prior to consideration of the following item, the meeting was adjourned for a short break).

- 42 **WITHDRAWN BY OFFICERS FROM THE AGENDA IN ORDER TO CONSIDER ADDITIONAL INFORMATION SUBMITTED BY THE APPLICANT-20/4976M-PROPOSED DEVELOPMENT OF A RETIREMENT CARE COMMUNITY (CLASS C2) INVOLVING THE**

DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS, RETAINED SINGLE POINT OF VEHICULAR ACCESS, RETAINED TENNIS COURT, FISHING/BOATING LAKE, JAPANESE WATER GARDEN, SECRET/SENSORY GARDEN, WITH NEW ALLOTMENTS, BOWLING/FEATURE GREENSPACE AND WOODLAND WALKS; CONSTRUCTION OF A 60 BED REGISTERED CARE HOME WITH ISOLATION CAPABILITY; 72 NO. ASSISTED LIVING EXTRA CARE 1, 2 AND 3 BED APARTMENTS; A VILLAGE CENTRE HUB BUILDING COMPRISING HEALTH AND WELLNESS AND COMMUNAL FACILITIES, INTEGRATED SATELLITE COMMUNITY HEALTHCARE (GP) CLINIC AND 5 NO. 2 BED AND 9 NO. 1 BED CLOSE CARE SUITES AND HEALTH AND WELLNESS; ASSOCIATED PARKING (INCLUDING ELECTRIC CAR SHARE AND COMMUNITY MINIBUS), BIN STORAGE, PUMPING STATION, ELECTRICITY SUB-STATION, MEANS OF ACCESS AND OFF-SITE PEDESTRIAN FOOTPATH LINK ALONG PEPPER STREET, H

This application was withdrawn from the agenda by officers prior to the meeting.

- 43 WITHDRAWN BY OFFICERS FROM THE AGENDA FOLLOWING THE RECEIPT OF NEW PLANS REQUIRING CONSULTATION AND CONSIDERATION-21/2412C-RESERVED MATTERS FOR APPROVAL OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING OUTLINE APPROVAL 14/1193C FOR THE ERECTION OF 170 DWELLINGS, CAR PARKING, PUBLIC OPEN SPACE AND ASSOCIATED WORKS, LAND SOUTH OF, OLD MILL ROAD, SANDBACH FOR MR C R MULLER, MULLER PROPERTY GROUP**

This application was withdrawn from the agenda by officers prior to the meeting.

- 44 DRAFT RECOVERY OF FORWARD FUNDED INFRASTRUCTURE COSTS SUPPLEMENTARY PLANNING DOCUMENT**

Consideration was given to the above report.

RESOLVED

That the draft Recovery of Forward Funded Infrastructure Costs Supplementary Planning Document (Appendix A) and its consultation period be noted.

- 45 DRAFT ENVIRONMENTAL PROTECTION SUPPLEMENTARY PLANNING DOCUMENT**

Consideration was given to the above report.

The Chair expressed his disappointment that the document did not tighten up on what he felt was an opportunity to regulate the removal of soil from

development sites. He suggested that information within the document should be included which tightened up on regulations in relation to the disposal of soil including information on how much soil was being taken away, whether the soil was contaminated, where it was being disposed of and whether or not the site it was going to was licensed.

In comments were made in respect of the importance of ensuring noise, light and odour pollution was enforced if the Council was serious about creating a sustainable and resident friendly night time economy and that it would be useful to include an explanation of how the council manages / enforces against the issues contained in the SPD.

RESOLVED

(1)That the draft Environmental Protection Supplementary Planning Document and its consultation period be noted.

(2)That the comments as outlined above be noted.

The meeting commenced at 10.00 am and concluded at 12.25 pm

Councillor M Hunter (Chair)

Application No: 20/5760C

Location: Radnor Green, Land off BACK LANE, CONGLETON

Proposal: Reserved matters application for 178no dwellings including associated roads, car parking and landscaping works.

Applicant: Mr Ben Sutton, Stewart Milne Homes

Expiry Date: 22-Mar-2021

SUMMARY

This is a reserved matters application, submitted following outline permission 16/1824M seeking approval of all reserved matters. The principle of residential development, in line with Local Plan allocation LPS26, has therefore been accepted.

Highways have no objections and whilst the Public Rights of Way team have raised some issues in relation to details of the East – West Greenway this is subject to a condition on the outline approval.

The Council's Ecologist has raised issues in relation to the possible impacts of the drainage outfall, access track and bridge crossing which are not fully considered in this application, however again these matters are the subject of conditions on the outline and the applicant will need to consider the ecological implications of these works as part of the condition discharge. Comments from the Council's Tree and Landscape Officer will need to be included in any update report, although it is not anticipated there will be any significant issues here.

Extensive discussions have taken place in relation to urban design and revised plans have now been received that address the majority of the issues raised.

ANSA have raised some matters which the applicant has sought to address and their comments on these which will be reported in an update report.

Housing have no objections to the affordable housing provision.

Finally matters relating to drainage and contaminated land/air quality/amenity can be addressed by condition, many already applied at the outline stage

RECOMMENDATION

Approve with conditions

SITE DESCRIPTION

This application relates to the southern part of the site approved in outline in 2018. It is bounded by the Congleton Link Road to the North, to the Miller Homes development to the West, to an area of grassland – which has the benefit of outline permission for commercial uses North of Radnor Park to the south, and to the River Dane with its steep wooded embankment to the East.

The site consists of two elements, the main area to the west – proposed for housing, which consists of an area of grassland and the area to the east, which consists of a rougher area of land, and some woodland along the embankment to the River Dane. There is a significant change in level between the main area of the site which sits on the embankment, and the river valley below. There are no trees within the main body of the site, which is essentially one large field, but there are numerous trees to the site boundaries.

PROPOSAL

This reserved matters application seeks approval of all reserved matters – Access, Appearance, Landscaping, Layout and Scale for a development of 178 dwellings (a reduction of 1 from the original submission) . In addition the following are proposed:

- Areas of public open space including a NEAP in the centre of the site
- A landscaped buffer on the southern boundary separating the site from the allocated commercial site beyond
- A sizable SUDS (sustainable urban drainage) pond to the east of the housing area
- A footpath/cycleway link to the Link Road to the north and east out of the housing area running along the river embankment and then down to the River Dane

Access to the site is proposed from the Link Road to the north west of the site, and Back Lane to the south, shared with the allocated commercial site. The two links would not meet.

The proposed housing mix is as follows:

ACCOMMODATION SCHEDULE

| Mews Dwelling Types AFFORDABLE | | | SQFT | No | Total Sqft |
|--------------------------------|--|--|------|----|------------|
|--------------------------------|--|--|------|----|------------|

| | | | | | |
|----|-------|--------------|-----|---|------|
| AE | 3 Bed | Aviemore MT | 770 | 5 | 3850 |
| BK | 3 Bed | Berwick ET/S | 869 | 8 | 6952 |

| Apartments AFFORDABLE | | | SQFT | No | Total Sqft |
|-----------------------|--|--|------|----|------------|
|-----------------------|--|--|------|----|------------|

| | | | | | |
|------|-------|----------------|-----|----|------|
| CRUM | 2 Bed | Crummock APT | 603 | 12 | 7236 |
| LOWE | 2 Bed | Loweswater APT | 617 | 6 | 3702 |

| | | | | | |
|--------------------------|--|--|--|-----------|---------------|
| Total dwellings and sqft | | | | 31 | 21,740 |
|--------------------------|--|--|--|-----------|---------------|

| Mews Dwelling Types | | | SQFT | No | Total Sqft |
|---------------------|--|--|------|----|------------|
|---------------------|--|--|------|----|------------|

| | | | | | |
|----|-------|----------------|------|----|-------|
| AE | 3 Bed | Aviemore MT | 770 | 2 | 1540 |
| BA | 3 Bed | Balgowan MT | 828 | 4 | 3312 |
| BK | 2 Bed | Berwick MT | 866 | 8 | 6928 |
| BK | 3 Bed | Berwick ET/S | 869 | 9 | 7821 |
| BU | 3 Bed | Burford ET/S | 925 | 6 | 5550 |
| CL | 3 Bed | Cairnhill ET/S | 972 | 26 | 25272 |
| CU | 3 Bed | Cullcross S | 1031 | 5 | 5155 |
| DA | 3 Bed | Darrington S | 1059 | 16 | 16944 |
| DY | 4 Bed | Dewsbury S | 1141 | 12 | 13692 |

| 3 Bed Detached Dwellings | | | SQFT | No | Total Sqft |
|--------------------------|--|--|------|----|------------|
|--------------------------|--|--|------|----|------------|

| | | | | | |
|----|--|------------|------|---|------|
| CM | | Corringham | 1026 | 3 | 3078 |
|----|--|------------|------|---|------|

| 4 Bed Detached Dwellings | | | SQFT | No | Total Sqft |
|--------------------------|--|--|------|----|------------|
|--------------------------|--|--|------|----|------------|

| | | | | | |
|----|--|--------------|------|---|------|
| DR | | Daresbury | 1079 | 4 | 4316 |
| DY | | Dewsbury DET | 1144 | 3 | 3432 |
| EL | | Elland | 1188 | 4 | 4752 |
| FH | | Farnham | 1266 | 5 | 6330 |
| HR | | Harris | 1382 | 7 | 9674 |
| DV | | Davenport | 1323 | 6 | 7938 |

| 5 Bed Detached Dwellings | | | SQFT | No | Total Sqft |
|--------------------------|--|--|------|----|------------|
|--------------------------|--|--|------|----|------------|

| | | | | | |
|----|--|--------|------|----|-------|
| KD | | Kendal | 1493 | 10 | 14930 |
| LE | | Leven | 1630 | 4 | 6520 |
| LY | | Lytham | 1668 | 4 | 6672 |
| NA | | Nairn | 1759 | 9 | 15831 |

| | | | | | |
|--------------------------------|--|--|--|------------|----------------|
| Total dwellings and sqft - OMS | | | | 147 | 169,687 |
|--------------------------------|--|--|--|------------|----------------|

| | | | | | |
|-------------------------------------------------|--|--|--|------------|----------------|
| Total dwellings and sqft - Including Affordable | | | | 178 | 191,427 |
|-------------------------------------------------|--|--|--|------------|----------------|

A number of revisions have been made from the original submission.

RELEVANT PLANNING HISTORY

Congleton Link Road:

15/4480C The proposed Congleton Link Road - a 5.7 km single carriageway link road between the A534 Sandbach Road and the A536 Macclesfield Road. APPROVED July 2016

Forming the western boundary of the site:

16/0514C Outline application for demolition of some existing buildings and the development of a residential scheme composing up to 140 dwellings, open space, landscape, access and associated infrastructure - Land at, Back Lane, Congleton Approved 21-Dec-2017

18/4888C Reserved matters application for appearance, landscaping, layout & scale following outline approval application 16/0514C for demolition of some existing buildings and the development of up to 140 dwellings Land at, Back Lane, Congleton - Approved 13-Sep-2019

Relating specifically to this site:

16/1824M Demolition of the existing building and an outline planning application with all matters reserved except for means of access for a mixed use development comprising residential dwellings (use class C3) and employment development (use classes B1, B2 and B8) incorporating an element of leisure uses (use classes A3 and A4), together with associated woodland buffer, ecological mitigation and enhancements, open spaces and infrastructure. - Land to the north of the existing Radnor, Land at Back Lane, Congleton - Approved 21-Sep-2018

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG1 – Development Strategy
PG6 – Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
IN1 – Infrastructure
IN2 – Developer Contributions
SC1 – Leisure and recreation
Sc2 – Indoor and outdoor recreation
SE 1 - Design
SE 2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 - Green Infrastructure
SE 13 - Flood Risk and Water Management
CO1 – Sustainable Travel and Transportation

Site LPS 26 - Back Lane / Radnor Park, Congleton

Saved policies in the Congleton Local Plan

| | |
|-------|------------------------------------------------|
| PS8 | Open Countryside |
| PS10 | Jodrell Bank Radio Telescope Consultation Zone |
| GR6&7 | Amenity & Health |
| GR9 | Accessibility, servicing and parking provision |
| GR10 | Managing Travel Needs |
| GR14 | Cycling measures |

| | |
|------|---------------------------------------------------------|
| GR15 | Pedestrian measures |
| GR18 | Traffic Generation |
| GR20 | Public Utilities |
| GR22 | Open Space Provision |
| GR23 | Provision of Services and Facilities |
| NR4 | Nature Conservation (Non Statutory Sites) |
| NR5 | Maximising opportunities to enhance nature conservation |

Neighbourhood Plans:

Most of the site falls within Somerford Neighbourhood Plan area but an area to the south falls within Congleton.

The Somerford Neighbourhood Development Plan referendum was held on the 15 of February 2018. The plan was made on the 19 March 2018.

D1 (Design)
D2 (Building Design)
H1 (Housing)
H2 (Housing Mix)

Congleton Neighbourhood Plan – Congleton Town Council formally withdrew the Congleton NDP on the 22 May 2019, following an exploratory examination meeting with CEC and an independent examiner. Very limited weight can therefore be afforded the plan.

H4 Housing for the elderly, Disabled and other Vulnerable Groups
H6 Affordable Housing, Starter Homes and Low Cost Housing to meet local housing needs
H7 Tenure Mix
H9 Housing Design
T3 Parking and electric charge points
T7 Pedestrians
T10 Fibre Optic cabling to premises
SE2 Landscape setting of the town
D1 Design for Congleton
D2 Design Quality

Other Material Considerations

The National Planning Policy Framework
National Planning Practice Guidance
Cheshire East Infrastructure Delivery Plan
Cheshire East: Strategic Flood Risk Assessment August 2013
Cheshire Landscape Character Assessment
The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Cheshire East Design Guide

CONSULTATIONS (External to Planning)

Natural England: They have requested further information on water quality impacts on the construction phase of the development so they can determine any impacts on the SSSI located 1km down-stream from the site. This is discussed below.

United Utilities: No objections subject to conditions relating to approving a surface water drainage scheme and separate foul and surface water drainage.

CEC Head of Strategic Infrastructure: No objections.

CEC Housing: Following the receipt of additional supporting information, including an affordable housing statement with a clear break down of bedroom types and also delivery timings, they now have no objections to the application.

CEC Public Rights of Way (PROW): No impacts on designated PROW's but a number of detailed comments have been made to the proposed North Congleton Master-planning: East – West Greenway and are set out in the report below.

CEC Environmental Health: No objections, most matters are covered by conditions on the outline permission, although the contaminated land officer has made recommendations with regards to conditions.

CEC Flood Risk Manager: No comments received at the time of writing this report, but as noted in the report below, drainage was the subject of a condition on the outline approval that needs to be discharged before commencement of development.

ANSA: comments were received to the original scheme, raising a number of questions, which are set out in the report below, which the applicant has sought to address in revised proposals. ANSA's revised comments will be reported in any update report.

VIEWS OF THE TOWN/PARISH COUNCILS

Somerford Parish Council – Observe:

1. The houses do seem tightly packed, 179 houses on 4.82 hectares.
2. There are two entrances onto the development, 28 from one entrance and 151 from another.
3. Approx. 33 houses back onto the CLR.
4. The majority of the houses have no or a very poor view.
5. The road layout appears to be confusing, with lots of dwellings on “private” roads. Some dwellings will have to make 5 turnings before they reach the exit point of the development.
6. One of the roads filters into a new road from the Back Lane Trading Estate, before it then filters into the new Back Lane roundabout
7. The parking is not sufficient at each household

OTHER REPRESENTATIONS

Three representations have been received raising the following issues:

1. Concern all adjacent properties have not been notified
2. Concern about the amount of building work being undertaken in the area.
- 3 Drainage and soil issues. In particular a concern that “Over the last 4 years it seems that the housing developments and now new road are impacting the natural drainage of the land.” The concern is that more development will exacerbate the problem.
4. The part of Back Lane road next to Travis Perkins is also too small. Currently, only one car can pass through at a time. This will only get worse with another ~200 houses all wanting to access the same road. How will this be rectified?
5. Concern about the impact of houses so close to new dwellings built and lack of green space separating them.
6. Concern there are no new schools, hospitals, GP surgeries, and other required public services, being provided.
7. Loss of natural ground for drainage

OFFICER APPRAISAL

Principal of Development

The site is allocated Site LPS 26 - Back Lane / Radnor Park, Congleton:

The development of Back Lane / Radnor Park over the Local Plan Strategy period will be achieved through:

1. The delivery of, or a contribution towards, the Congleton Link Road;
2. The delivery of around 750 new homes (at approximately 30 dwellings per hectare) as set out in Figure 15.31 of the LPS;
3. The delivery of around 7 hectares of employment land adjacent to Radnor Park Trading Estate as set out in Figure 15.31 of the LPS;
4. The delivery of around 1 hectare of employment or commercial development adjacent to the Congleton Link Road junction as identified in Figure 15.31 of the LPS;
5. The retention and enhancement of Back Lane Playing Fields which has Village Green status;
6. The delivery of improved recreational facilities linked to Back Lane playing fields and the proposed primary school site;
7. The provision of appropriate retail space to meet local needs;
8. The provision of pedestrian and cycle links set in green infrastructure to new and existing employment, residential areas, shops, schools, health facilities and the town centre;
9. The provision of public open space, as a new country park adjacent to Back Lane Playing Fields; as set out in Figure 15.31 of the LPS;
10. The provision of children's play facilities;
11. The provision of a new primary school with linked community use as set out in Figure 15.31 of the LPS;
12. Contributions to new health infrastructure; and

13. The provision of land required in connection with the Congleton Link Road as set out in Figure 15.31 of the LPS.

The site already has the benefit of outline planning approval and, in principle, is considered to be in accordance with the Local Plan allocation, although as noted above it only forms a small part of the whole allocation.

Highway Implications

Access

The site will be accessed from the south via the link road that connects Back Lane and 3rd Avenue, this in turn connects with the new roundabout on Back Lane. A portion of the site will be accessed off an existing access point at the north of the site close to the CLR. There is no internal vehicular link between the two residential elements of the site, although pedestrian and cycle connectivity are provided.

Internal Design

The internal road layout is a standard form with the main access road being 5.5m wide with 2m footways to both sides. and the minor roads being shared surface at 4.8m wide. There are a number of private drives within the site that serve up to 5 units. Standard turning heads are provided at the end of the cul-de-sacs to allow for turning of refuse vehicles.

A movement plan has been submitted that indicates the location and connectivity of the footways and cycle paths through the development and also external links to the adjacent development, the CLR and other external pedestrian/cycle tracks.

Car parking provision across the development accords with the CEC car parking standards.

Conclusion

The submitted internal road layout is an acceptable design, speeds are likely to be contained to around 20mph. A number of external links have been provided for pedestrian and cyclists to access existing and planned routes which will aid connectivity generally.

In summary, there are no objections to the revised layout plans submitted in this reserved matters application.

Public Rights of Way/Cycle routes

The Public Rights of Way Team state that they have consulted the Definitive Map of Public Rights of Way and can confirm that the development does not appear to affect a public right of way.

The provision of connectivity for non-motorised users to and from this site needs to take in account the Local Plan requirements, including:

- The provision of pedestrian and cycle links set in green infrastructure to new and existing employment, residential areas, shops, schools, health facilities and the town centre;
- The provision of a network of open spaces for nature conservation and recreation, including access to and enhancement of the River Dane Valley Corridor as shown and detailed within the Local Plan Strategy.
- The provision of pedestrian and cycle routes to provide clear and safe links to surrounding communities.

- Future development should provide an east to west greenway with pedestrian and cycle links across the site linking together proposed and existing leisure uses, local retail and other community facilities at this site with other sites to the north of Congleton. This should include a footbridge over the River Dane for pedestrian / cycle use.

The Proposed Movement shows mainly on road routes for pedestrians and cyclists. Routes should be traffic-free where possible and should be designed and constructed to best practice in terms of pedestrian/cyclist shared use or segregated infrastructure, accessibility and natural surveillance, set within a green infrastructure corridor to create a sense of Quality of Place. The greenway route must link with the adjacent development site to the west and provide at least a 3m usable, surfaced width. The routes should be available prior to first occupation.

The proposals include a pathway from the eastern corner of the development, along the top of the river embankment and then down to the River Dane, as was originally envisaged as part of the outline proposals. This has been revised from the original submission to give a better separation from the proposed SUDS feature on site, but full details have not been provided as part of this application.

Whilst this is regrettable, the applicant highlights that this matter is the subject to a condition on the outline permission, No. 28 which reads:

“A scheme for the improvement of the existing access track down to the River Dane on the south eastern boundary of the site, shall be submitted and approved by the LPA. The approved details, which will make provision for full public access, shall be fully implemented prior to occupation of 50% of the dwellings on land south of the Congleton Link Road.”

As such it is accepted that the details of this provision can be dealt with separately.

The Proposed Planning Layout depicts a link for walkers/cyclists from the development site on to the Congleton Link Road.

Landscape/Trees

No comments have been received from the Council's Tree & Landscape Officers at the time of writing this report, however in support of the application an Arboricultural Impact Assessment was submitted, together with full landscaping plans for the site.

As noted in the description above there are no trees within the main body of the site, however there are numerous trees along the site boundaries, and the submitted report identifies that tree protection measures will be required to ensure these trees are protected as part of any development.

Comments received from the Council's tree and landscape officers will be reported in any update report.

Ecology

Statutory Designated Sites

This application falls within Natural England's SSSI impact risk zones for developments of this type. It is noted that Natural England have been consulted on this application and have requested further information to allow them to determine the potential impacts of the proposed development upon the River Dane SSSI. The applicant however has highlighted that the matters of concern, namely the impact on

water quality from the construction phase of the development, are controlled by conditions imposed on the outline approval, concerning the need for a drainage plan to be approved, and a Construction and Environmental Management Plan. An additional condition is recommended to highlight that the drainage and management plan conditions must consider water quality as part of the assessment

The following conditions were attached to the outline permission at this site (16/1824m).

Condition 25. Updated Great Crested Newt survey

An updated Great Crested Newt Survey has been undertaken and submitted in support of this application.

A number of ponds are located within 500m of the proposed development. No Great Crested Newts were recorded at ponds within 250m of the proposed development. The application site for the most part offers limited habitat for great crested newts. Only land affected by the proposed outfall and footpath link provide any suitable habitat for newts. The application poses a very low risk to great crested newts and measures are proposed in the submitted Ecological Mitigation and Enhancement Strategy to further reduce these risks.

It is therefore advised that great crested newts are not reasonable likely to be affected by the proposed development and an offence under the habitat regulations is unlikely to occur.

Condition 27. Proposals for the incorporation of gaps for hedgehogs to be incorporated into any garden or boundary fencing.

Suitable gaps as required under this condition are proposed for timber fences and the brick screening walls on the revised Boundary Treatment Details drawing rev. A.

Condition 30. Updated survey for Badgers shall be carried out and a revised ecological mitigation strategy for the area of the site covered by the reserved matters application shall be, submitted to and approved in writing by the Local Planning Authority.

A number of badger setts have been recorded on site. The submitted survey report advises that a number of these are located within 30m of a number of elements of the proposed development. Two setts, one disused and one partially used, are present within 30m of the development footprint. It is likely that the proposed development would pose the risk of some level of disturbance of these setts. The precise level of impact would however depend upon the extent of badger activity taking place at these setts at the commencement of development. It is therefore recommended that if planning consent is granted a condition must be attached to ensure that an updated badger survey and mitigation strategy is submitted prior to the commencement of development.

Badger setts are also located in close proximity to the potential location of the drainage outfall and the footpath route through the open space. The precise impacts of the scheme on badgers will depend to large extent upon the design of the surface water outfall and the detailed design and location of the footpath through the open space areas adjacent to the river. It is therefore advised that the badger impact assessment be revised once these details are known.

An Ecological Mitigation and Enhancement Strategy (August 2020, Ecology Services) has been submitted in support of this reserved matters application as required by this condition. This report has however been produced prior to the proposals for the bridge, footpath link and surface water outfall being finalised and so must be updated once the detailed proposals bridge crossing, footpath link and outfall finalised.

The following comments are based on the preliminary assessment:

Reptiles

The majority of the application site is unsuitable for reptile species and so this species is not reasonable likely to be affected by the proposed development.

This group of protected/priority species may however potentially be affected by footpath through the open space areas adjacent to the river. This work would result in a minor adverse impact upon this species through the loss of suitable habitat but also pose the risk of disturbing or killing any animals present when works were undertaken.

The submitted Ecological Mitigation and Enhancement Strategy includes measures (paragraph 3.76) to minimise the risk of reptiles being killed or injured. This may however require updating once the details of the proposed footpath are known.

Kingfisher

This specifically protected bird species may potentially nest on exposed banks of the River Dane and consequently may potentially be affected by the proposed bridge crossing. Further surveys for this species may be required once the design of the bridge crossing have been finalised.

Otter and water vole

Otters are known to be present on the River Dane. The submitted preliminary Ecological assessment advises that habitats along the river are not ideal for water vole.

It is advised that both of these species could be affected by the surface water outfall and bridge crossing. Further surveys/assessments for these species may however be required depending upon the final design and location of the bridge crossing and surface water outfall.

Hedgehogs, Common Toad and Polecat

As was considered at the time of the outline consent there are records of these priority species in the vicinity of the application site. The majority of habitat affected by the proposed development is of limited value for these species. The footpath, drainage outfall may however potentially result in the localised loss of habitat of higher value for these species.

The provision of hedgehog gaps in garden fences have been secured under condition 27 of the outline consent. Measures to minimise the risk to hedgehogs have been included with the Ecological Mitigation and Enhancement Strategy submitted with this application. These should be secured by condition if planning consent is granted.

Brown Hare

The proposed development would result in the loss of a significant area of farmland which is potentially utilised by this priority species. As was considered at the time outline consent was granted, if this species was present, this loss of habitat would result in a permanent minor adverse impact. The retention of the woodlands and the incorporation of the suggested buffer zone would reduce this impact, but it is advised that the loss of open farmland is difficult to fully compensate for. The application site is however becoming increasingly isolated as a result of adjacent development which reduces its suitability for this species.

Ancient Woodland and Local Wildlife Sites

As considered at the outline stage, the proposed development is located adjacent to the River Dane (Radnor Bridge to Congleton) and Forge Wood Local Wildlife Sites. Both of these Local Wildlife Sites support ancient Woodland Habitats. Ancient Woodlands receive specific protection under paragraph 118 of the NPPF. Ancient woodlands are sensitive to a number of impacts resulting from adjacent development, including, tipping of garden waste, loss of woodland edge habitats, changes in hydrology/water quality, light pollution and pollution by garden chemicals etc.

The submitted ecological assessment states that an undeveloped buffer of between 15 and 30m would be provided between the woodland and the proposed development. This is as anticipated at the outline stage.

In order to demonstrate that the required buffer has been incorporated into revised layout plan SK306-PSL02 Rev. N. This revised plan shows that the attenuation basin has been removed from the ancient woodland buffer. Footpaths are proposed within the buffer. In order to avoid an impact upon the adjacent woodland these must be designed carefully, and the extent of engineering work minimised.

It is advised that, to ensure that the buffer zone functions as intended, Proposals must be submitted for the retention and safeguarding (fencing off) of the buffers during the construction phase. Detailed landscaping/planting plans for the buffers must also be submitted.

In addition to the undeveloped buffer zone adjacent to the River Dane, a wildlife corridor was also proposed on the northern boundary as part of the outline application, as detailed in paragraphs 8.0102 and 8.108 of the ES. The submitted revised layout plan includes proposals for planting in this area, however this is located outside the red line of the application and so presumable forms part of the Congleton Link Road. It is advised that the northern boundary buffer must be provided on land within the control of the applicant.

Proposed drainage outfall and footpath link

Whilst proposals for a drainage outfall and footpath link were anticipated at the outline stage no specific details were available at the time of the determination of the outline application. The provision of these features was anticipated to potentially have an adverse impact upon ecological interests including the adjacent Local Wildlife Sites. These sites are protected by Local Plan Policy SE 3.

The drainage outflow and footpath link have been included with this reserved matters application, however, again only outline details are provided and the impacts of these features have not been fully assessed as part of the ecological assessment submitted with this application.

It is advised that an assessment of the potential impacts of the creation of the surface water outfall and footpath together with mitigation and compensation measures must be submitted at the same time as any detailed designs for those. The assessment should consider at least: protected/priority species and habitats, designated sites and the loss of biodiversity determined using the Natural England Version 3 Biodiversity Metric.

Lighting

To avoid any adverse impacts on bats resulting from any lighting associated with the development, particularly of the proposed footpath, it is advised that a lighting scheme should be submitted in support of this reserved matters application.

The lighting scheme should reflect the Bat Conservation Trust Guidance Note 08/18 (Bats and Artificial Lighting in the UK) and should consider both illuminance (lux) and luminance (candelas/m²). It should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

The scheme should also include a modelled lux plan, and details of:

- Proposed lighting regime;
- Number and location of proposed luminaires;
- Luminaire light distribution type;
- Lamp type, lamp wattage and spectral distribution;
- Mounting height, orientation direction and beam angle;
- Type of control gear.

This matter is to be conditioned.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The applicant has advised that the hedgerow along the sites western boundary (identified as TN 1 on the 2020 Phase One Habitat Plan) would be retained as part of the proposed development, with the exception of the loss of a small section to facilitate an access route. This is however not clear from the submitted layout plan or detailed landscape plans. If planning consent is granted, It is recommended that the retention of this hedgerow be secured by means of a condition.

A tree within this hedgerow has been identified as potentially offering habitat for roosting bats. This tree is however shown for retention on the submitted arb impact assessment.

Nesting Birds

The application site may support breeding activity by the more widespread priority bird species which are a material consideration for planning. The vast majority of suitable habitat for these species would however be retained. If planning consent is granted the following condition is required to safeguard nesting birds:

Ecological Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3. Whilst an Ecological Mitigation and Enhancement Strategy has been submitted with the reserved matters application this lacks sufficient detail to be enforceable.

It is therefore recommended that the applicant submits a detailed ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Habitat Management Plan

If planning consent is granted a condition is required to secure the submission and implementation of a 30 year habitat management plan. The contents of the management plan would need to be informed by the proposals for and the impacts of the proposed footpath link.

Japanese Knotweed

The applicant should be aware that Japanese Knotweed (*Fallopia japonica*) is present on the proposed development site. Under the terms of the Wildlife and Countryside Act 1981 it is an offence to cause Japanese Knotweed to grow in the wild. Japanese knotweed may be spread simply by means of disturbance of its rhizome system, which extends for several meters around the visible parts of the plant and new growth can arise from even the smallest fragment of rhizome left in the soil as well as from cutting taken from the plant.

Disturbance of soil on the site may result in increased growth of Japanese Knotweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with Japanese Knotweed must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

Conclusion

The Council's Ecologist has requested more information in relation to the possible impacts of the drainage outfall, footpath link and bridge crossing of the River Dane. Whilst not ideal, these matters are secured by conditions on the outline and in order to discharge these conditions the applicant will need to consider ecological impacts as part of any proposals.

Urban Design

The performance of the scheme based upon these latest changes is summarised here:

| 1 Connections | 2 Facilities | 3 Public transport | 4 Local housing requirements | 5 Character | 6 Working with site/context | 7 well defined streets/spaces | 8 Easy to find way around | 9 Street for all | 10 Car parking | 11 Public/private spaces | 12 External storage/amenity |
|---------------|--------------|--------------------|------------------------------|-------------|-----------------------------|-------------------------------|---------------------------|------------------|----------------|--------------------------|-----------------------------|
| | | | | | | | | | | | |

Summary of assessment

The CEC Design guide would usually advocate creating a wholly outward looking development, however the previously approved development for Back Lane, the relationship to Congleton Link Road and the need to buffer the relationship with the proposed employment land do help to justify the layout as proposed. A stronger relationship has been created to the eastern fringe of the site and further 'in plot' landscaping indicated (subject to the detail) to reinforce the northern boundary in conjunction with the landscaping associated with the Link Road.

This aside, the revised scheme now performs more favourably when reviewed against the Building for Life 12 criteria that underpin the Cheshire East Design Guide. There are no reds and certain ambers are beyond the control of the applicant and dependent on the wider community and social infrastructure of the north Congleton development area coming forward. With the provision of a little more information then criterion 12 could readily be converted to a green.

During the course of the application the scheme has been amended and improved in a number of ways including creating stronger gateways, stronger building designs, identifying areas of distinct character, additional greening, improving connectivity, creating more balanced and less dominant parking,

improved street design and the hierarchy within the scheme. Certain positive attributes of the initial design have also been further strengthened as part of this iterative process.

The ambers where there is still an element of modest concern/where further changes are advocated relate to 5 Character, 6 Working with the site and its context, 10 Car parking and 11 Public and private spaces, (12 previously mentioned) and these are reflected upon below with recommended actions.

If these are satisfactorily addressed either with targeted revisions or via condition then the scheme can be supported.

5 Character

There have been improvements to the layout and the house types that have given a lift and sense of identity and quality for the scheme, but still more could be done to further reinforce character.

Recommendations/ With actions from the applicant in italics:

- Further amendment to the apartment building design - omit rusticated render plinth in favour of a rusticated brick or use of good quality string coursing and wrapping the detail round all elevations. Consider omitting or reducing the Tudor boarding within the apex (see below for other large expanses of Tudor boarding). *Agreed, elevations have been updated.*
- Inclusion of more trees within the avenue leading up to the square, and there are also odd locations elsewhere where additional trees could be set in front garden spaces. *Agreed, the layout has been updated and the new landscaping plan has been submitted.*
- Set plots 176-8 back by a metre or 2 to allow hedging to front curtilage and elsewhere return hedging along frontages where space allows. *Layout amended to move 176-178 back 1.5m.*
- Boundary walls should return further where fencing would be visible in street scenes. The footpath link to the link road should not be enclosed by fencing except for the back garden of plot 154. *Boundary treatment layout updated.*
- The substation located at the edge of the main POS is unfortunate and will need to be landscaped and its access should be in grasscrete or corresponding block to the square. *Agreed, note added to layout.*
- There should be a more distinct treatment for the rural edge character area to differentiate it from the avenue/square area. The materials plan has been updated which shows all the homes around the main square in the same brick as discussed. The rural edge has a less formal feel with a various palette of materials. *The green edge also has the stone mullions removed as discussed.*
- The entrance off Back Lane requires a strong landscape scheme, including the land presently outside the control of the applicant to the north of the farm access. *Agreed and awaiting the landscaping plan for the land within our red edge. Obviously the applicant cannot influence the land outside their control.*
- Make better use of the space in the northern part of the site and potentially create localised play here and at the eastern edge of the site, where it interfaces with the rural edge of the Dane Valley. *Agreed and the details of which can be secured by condition.*
- Change the hipped roof design of Harris house type on the avenue, the square and the rural edge to a standard gabled roof. *Agreed, elevations have now been updated.*
- Refine details like header and string details and ensure string courses wrap full side elevations and where Cheshire boarding is proposed in large apexes consider making those part boarded to reduce the scale. *Agreed, elevations now updated.*

- Hardscape needs tweaking - ensure shared drives and parking courts are in block as per the design guide and also driveways around the main square should be in block. Pavements along the Avenue should be in 'Charcon' paving, and that around the square in the north western part of the site should be the same as for the carriageway. The connecting paths in the NE part of the site should be in resin bound. *Agreed, hard landscaping plan has been updated and matches the approved adjacent Miller Homes scheme.*
- 10 year maintenance condition for frontage landscaping. Assume this can form part of a landscaping condition.

6 Working with the site and context

This would be green if the apartment building in the central northern part of the site was less dominant and had a better relationship to the adjoining housing development to the south. This could be quite strident and overbearing to a couple of those properties. The issue of SuDS is unfortunate as this would have added to the scheme rather than the reliance on a pipe and basin system. However, the improvements to the basin design and ecological betterment, the technical explanation and the current policy position mean that reluctantly we cannot compel a more innovative approach at this stage

Recommendations:

- Consider reducing the central apartment block to 2 storey to create a better relationship within the street and to neighbouring housing. The applicant however does not consider this is appropriate and that the building is acceptable. This is considered further below in the Layout/Amenity section.

10 Car parking

Generally the strategy works well and has been improved by the latest amendments, however, shared driveways and parking courts in tarmac (including those for apartments) have the potential to undermine should all be surfaced in block to enhance their hard landscape quality, whilst parking around the square should be in a block type in accord with the design guide

Recommendations:

- Surface private drives and courts in block and ensure those areas have good soft landscaping. Surface driveways around the square in block

The applicant has agreed to this change and update the submitted plans accordingly.

11 Public and private spaces

The main space for the scheme is well located at the heart and on the axis of the east-west greenway through the site. More could still be made of the small space in the northern part of the site, including making it more productive (i.e. fruit trees/growing beds). The southern boundary of the space needs to be landscaped to stop it being framed by a hard and abrupt boundary structure. There is scope to create 1 main LEAP and 2 less formal spaces for doorstep play, one being in the northern space, the other at the eastern built edge of the site, comprising more naturalistic elements, associated with the pond and East-West Greenway. Play could have an arts based aspect to help tie the scheme into the wider area.

Properties generally have reasonable sized gardens. The apartments have defined amenity space but no detailed design of that. The space to the central block is a little mean, but if the space in front is designed well, with a strong community function, then that would help compensate

It is understood that management will be via management company in perpetuity but that needs to be clearly secured.

Securing a green for this criterion is dependent on the landscape, ecology and open space officers being supportive of the scheme.

Recommendations:

- Ensure the central and northern spaces are well designed and provides a community function incorporating scope for social interaction, play and food production. Also consider the potential for more naturalistic play on the eastern edge of the site associated with the east/west greenway and pond are
- Ensure absolute clarity about management and duration

These matters can be conditioned.

12 External storage and amenity space

No information has been provided re: bin, cycle and external storage, which could be easily remedied by providing more information, including for apartments. Comments in relation to provision of private space are as for criterion 11

Recommendations:

- Provide further information re: provision for external storage, cycle and bin storage including for apartments.

It is considered this matter could be dealt with by condition.

Layout/Amenity

The site has a close relationship with the Miller Homes development to the west, and there are some separation distances that are slightly below the recommended distances, however in most examples the properties are off set from one-another and it is considered that the layout in this respect is acceptable.

Within the site itself, there are a few examples where the recommended distances between properties is not fully met – frontage to frontage distances, however in these examples the shortfall in the recommended distances is not considered to be significant and as such to achieve the successful layout, as described in the urban design section above, the layout is considered acceptable.

The apartment block in the centre of the site, plots 159-167, is not ideal being 3 storeys high adjacent to 2 storey houses and is a matter raised by the Council's Urban Designer. However, the block is designed with no habitable windows in the side elevation closest to the adjoining properties and being on the north side, separated by an established hedge-line the relationship is considered acceptable. The location whilst not at the site entrance, as would be typical for such units, does mark the end of the internal road(s) adjacent to an area of central open space and as such is considered on balance acceptable.

Noise / residential amenity

The conditions recommended – and applied, by Environmental Protection on the outline application relating to noise mitigation, lighting and construction management need to be discharged separately.

Air Quality

The conditions raised by Environmental Protection on the outline application relating to electric vehicle charging points, travel information packs and dust management remain in place through this reserved matters application and need to be discharged separately.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.
- It is noted that this application only covers part of the approved site, this is residential development in land south of Congleton Link Road, as shown on the Proposed Planning Layout, drawing number SK306-PSL02, revision G dated 03/07/2019. The submitted report, e3P reference 12-479-r1, dated February 2019 also covers the land to the west of this.
- Site investigation works have been carried out in 2018. This did not identify any contaminants of concern with respect to soils or groundwater. Ground gas monitoring of 18 window sample boreholes across the extended area had commenced. It is uncertain why this was carried out when the consultants identified ground gas to be a very low risk, there was no obvious potential source of ground gas and shallow made ground was only encountered in 3 locations, none of which were assessed for ground gas risk. However, the report noted that as one location recorded elevated carbon dioxide which could require gas protection measures in this location, recommendations for measures would be considered upon completion of the gas monitoring. Six gas monitoring visits over three months were proposed, with three visited having been completed at the time of writing the report. No further information has been provided with this respect; however, it is noted that a summary of the report submitted to support the application (unauthored) states that no remedial measures are required. Clarification of this matter is sought.
- The contaminated land conditions as per the outline approval should be carried forward, noting that 12a) and b) are pre-commencement.
- Upon conclusion of the gas monitoring and subsequent reporting a discharged application should be raised to consider the discharge of contaminated land conditions for this part of the application site.

Flood Risk/Drainage

Whilst no comments have been received from the Council's Flood Risk Team, this matter was considered in general terms at the outline stage, and a condition (No.9) was attached to the outline namely:

“No phase of the development hereby permitted shall commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. This shall include

a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+30% allowance for Climate Change)), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharge from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water.

b) Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution

c) Flood water exceedance routes, both on and off site;

d) A timetable for implementation;

e) Site Investigation and test results to confirm infiltration rates;

The approved scheme shall be implemented in accordance with the approved timetable.”

As such this matter needs to be resolved prior to development commencing.

Public Open space

The Areas Plan Drawing SK306-POS indicates eight areas of Public Open Space however the majority are general landscaping, buffers and verges acting only as a visual amenity and for the retention of hedgerows and trees so offer little value in terms of future adaptability.

The Section 106 agreement requires a minimum of a Neighbourhood Equipped Area of Play (NEAP) (1,000m²) on each side of the link road plus 3,300m², an area totalling 4,300m². The central area is just under 384m² short which when providing so little POS would ideally need to be increased.

The POS area containing the NEAP is central and much better location than it was positioned previously, the only issue raised is that the substation is located in what should be informal space for informal recreation and play. The substation creates an unwelcomed barrier in the space for it to be utilised to its full potential therefore should be removed. Attention is drawn to the applicants requirement of a minimum buffer of 30m from the activity zone of the NEAP to the boundary of the nearest property as laid out in Fields in Trusts (FiT) standards. The NEAP should be to FiT standards paying particular attention to inclusivity and accessibility whilst maximising the open green amenity space. It is requested that surrounding developments are considered when designing the play facility so that it complements other facilities.

ANSA note there was very little to comment on with regard to planting and landscaping as there are no details submitted. This was a requirement for this reserved matters application and must be submitted in support of this application. Careful consideration should be given to the planting in the central space to allow informal games such as tag or kick about. Trees should offer shade but also give good sight lines in and through the open space for natural surveillance.

ANSA note that the phasing plan attached shows Phase 1 LEAP & NEAP and Phase 3 with LEAP & NEAP which they consider is misleading and ask for clarity.

Revised proposals, including detailed planting plans have been received to address these questions, and ANSA's comments are anticipated shortly and will be included in any update report.

Affordable Housing

The requirement for affordable housing was established at the outline stage in the Section 106 Agreement.

A plan has been submitted showing the affordable housing mix, accompanied by an affordable housing statement setting out a clear break down of bedroom types and also delivery timings which Housing have now confirmed they are happy with.

The affordable houses, whilst in particular blocks, for ease of management, are well scattered or pepper potted across the site.

CONCLUSIONS

This is a reserved matters application, submitted following outline permission 16/1824M seeking approval of all reserved matters. The principle of residential development, in line with Local Plan allocation LPS26, has therefore been accepted.

Highways have no objections and whilst the PROW team have raised some issues in relation to details of the East – West Greenway this is subject to a condition on the outline approval.

The Council's Ecologist has raised issues in relation to the possible impacts of the drainage outfall, access track and bridge crossing which are not fully considered in this application, however again these matters are the subject of conditions on the outline and the applicant will need to consider the ecological implications of these works as part of the condition discharge. Comments from the Council's Tree and Landscape Officer will need to be included in any update report, although it is not anticipated there will be any significant issues here.

In relation to urban design extensive discussions have taken place, and revised plans have now been received that address the majority of the issues raised.

ANSA have raised some matters which the applicant has sought to address and their comments on these which will be reported in an update report.

Housing have no objections to the affordable housing provision.

Finally matters relating to drainage and contaminated land/air quality/amenity can be addressed by condition, many already applied at the outline stage.

RECOMMENDATION

Approve subject to the following conditions;

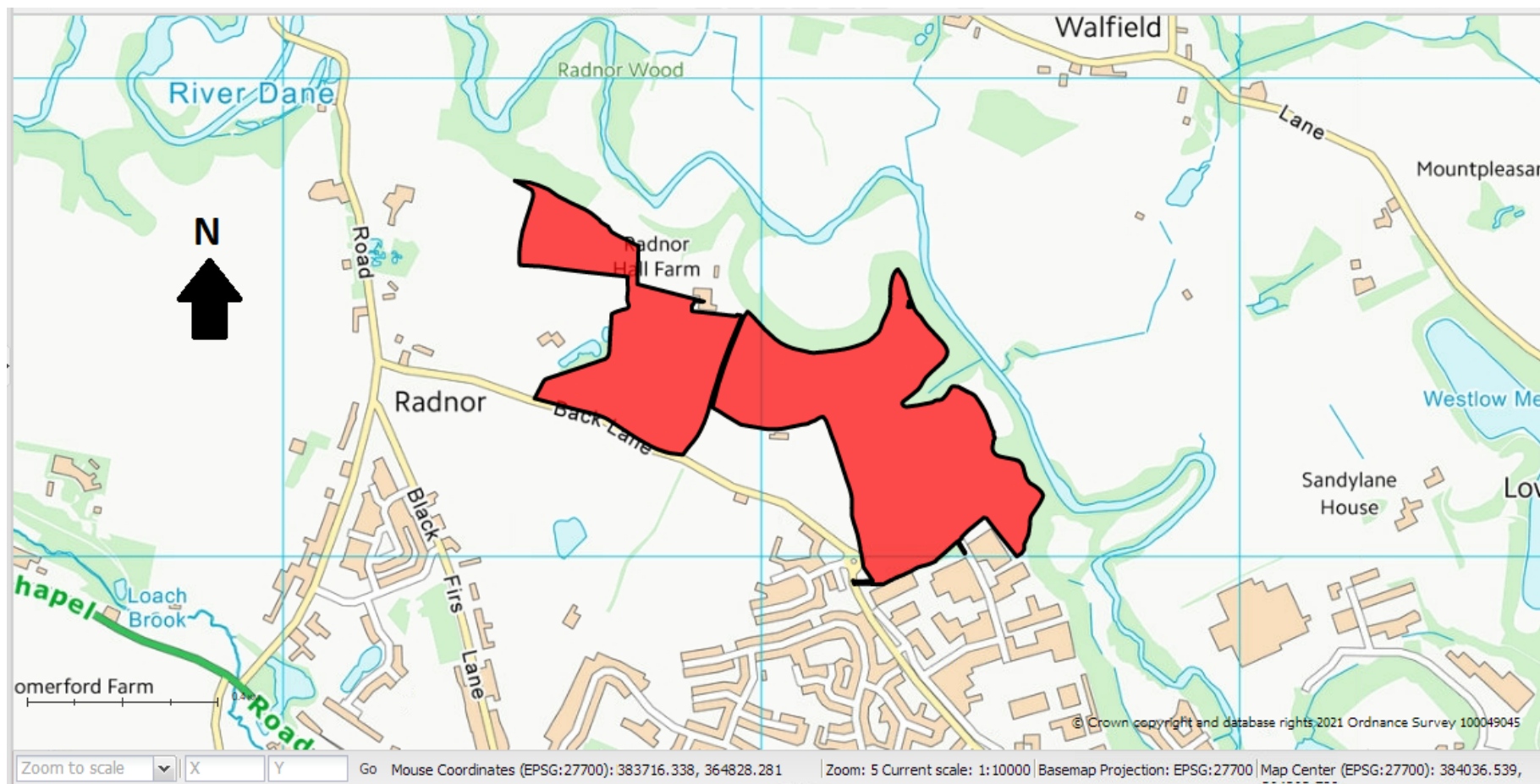
- 1. Approved plans**
- 2. Tree retention**
- 3. Tree Protection**
- 4. Arboricultural method statement**

5. Levels survey – Trees
6. Services drainage layout - Trees
7. Updated badger survey and mitigation strategy submitted prior to commencement.
8. Implementation of hedgehog mitigation measures.
9. Submission of proposals for the fencing off of the woodland buffer zones during the construction phase of the development.
10. Submission of bat friendly lighting scheme.
11. Safeguarding of nesting birds.
12. Ecological enhancement.
13. Submission and implementation of 30 year habitat management plan.
14. The hedgerow identified as TN 1 on the submitted 2020 Phase One Habitat Plan to be retained with the exception of any unavoidable losses associated with the access.
15. 10 year maintenance condition for frontage landscaping
16. Drainage management/maintenance
17. Details of play areas and incidental open space, including the areas around the apartment blocks, to be agreed
18. Details of external storage, cycle and bin storage including for apartments required.

Informatives;

- Water Course & Bylaw 10
- Contaminated Land

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.





Working for a brighter future together

Strategic Planning Board Committee Report

| | |
|--------------------------|-----------------------------------------------------------------|
| Date of Meeting: | 17 November 2021 |
| Report Title: | Draft Jodrell Bank Observatory Supplementary Planning Document |
| Report of: | Paul Bayley; Director of Environment and Neighbourhood Services |
| Ward(s) Affected: | Gawsworth Ward; Brereton Rural Ward |

1. Executive Summary

- 1.1.** This report is to brief the Strategic Planning Board (SPB) on the forthcoming public consultation on the draft Jodrell Bank Observatory Supplementary Planning Document ("SPD").
- 1.2.** On 11th November 2021 a decision was taken by the Environment and Communities Committee to consult on the Draft JBO SPD. Therefore, no decision is required by SPB, however the committee is asked to note the consultation period and requested to provide feedback on the draft JBO SPD within this timeframe, should the Board feel it appropriate to do so.
- 1.3.** Jodrell Bank Observatory (JBO) and its buffer zone of operations was designated a World Heritage Site on 7th July 2019. This designation recognises the Outstanding Universal Value of the Jodrell Bank Observatory, and is based on the tremendous scientific endeavours of the observatory and its role in achieving a transformational understanding of the Universe.
- 1.4.** Ensuring the delivery of a thriving and sustainable place is priority within the Corporate Plan 2021-2025 which seeks to deliver a great place for people to live, work and visit. The SPD provides additional guidance to support the implementation of existing planning policies will help to appropriately control new development to protect and support the heritage of our borough, in turn supporting high value employment and the visitor economy.
- 1.5.** The preparation of an SPD involves two rounds of public consultation. This is the first consultation stage and will be followed by another opportunity to comment on a final draft version of the SPD, which is consulted upon

alongside a consultation statement. Having also considered comments made at that stage, the SPD may then be considered for adoption by the Council. As the SPD has a dependency on policies in the emerging Site Allocations and Development Policies Documents (SADPD), it will not be adopted until after the adoption of the SADPD.

- 1.6. Once adopted, the SPD will provide additional planning policy guidance on the implementation of Local Plan Strategy policies SE14 'Jodrell Bank', and SE7 'The Historic Environment'. It will also provide guidance to support implementation of policy HER9 'World Heritage Site', of the Site Allocations and Development Policies Document (SADPD). The SPD, once adopted, will be a material consideration in decision making and support the delivery of key policies in the Development Plan.

2. Recommendations

- 2.1. To note the following documents, their consultation periods, and to provide commentary and feedback where the Board wishes to do so:
 - 2.1.1. the draft JBO SPD (Appendix A),
 - 2.1.2. the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA") (Appendix B),
 - 2.1.3. the associated Equalities Impact Assessment Screening Report ("EQIA") (Appendix C),

3. Reasons for Recommendations

- 3.1. Policy SE14 of the CELPS seeks to ensure that the efficacy of the telescopes, historic environment and visual landscape setting of the telescopes is not harmed. Policy HER9 of the SADPD, requires applications to consider their impact on the World Heritage Site site and highlights that conditions may require specialised construction techniques in this area. This SPD provides guidance to applicants on how the Council expects these requirements to be achieved, and the relevant planning matters that will be considered when determining proposals.
- 3.2. An SPD is not part of the statutory development plan. It is a recognised way of putting in place additional planning guidance and a material consideration in determining planning applications in the borough.
- 3.3. Providing clear guidance up front about policy expectations should enable applicants to better understand policy requirements. The SPD should assist applicants when making relevant planning applications, and the Council in determining them.

4. Other Options Considered

- 4.1. The Council could choose not to prepare an SPD on Jodrell Bank Observatory. Any relevant planning application would continue to be assessed against existing planning policies. However, this would not allow the Council to provide additional practical guidance to support the delivery

of positive development at the JBO site and to provide clarity on the approach taken to development in the wider buffer zone.

5. Background

- 5.1. Cheshire East Council's Corporate Plan sets out three aims. These are to be an open and enabling organisation, a Council that empowers and cares about people, and to create thriving and sustainable places. In striving to be create thriving and sustainable places, a key objective is to support jobs and the visitor economy. As a truly unique cultural attraction that supports world leading scientific research, Jodrell Bank is both a scientific leader in it's field and an an important asset to the visitor economy in Cheshire East. As such, this SPD sets out guidance on policies contained in the Local Plan Strategy (LPS) that will support the continued operation of the telescopes, the future development of the main site and protect the World Heritage Site from harm that may arise through development.
- 5.2. One of the key objectives of the LPS is for the Plan to support and enhance heritage assets in the borough. The LPS includes policy SE7 (The Historic Environment) which sets out heritage assets should be treated as part of a planning application and SE14: Jodrell Bank that seeks to protect the observatory from harm arising from development. Policy HER9 'World Heritage Site' of the SADPD also emphasises the importance of the site and the need to consider impact of development on the identified Outstanding Universal Value of the whole site.
- 5.3. This SPD aims to give greater clarity to developers, landowners, communities and decision makers on the issues of landscape, heritage and design across the World Heritage Site. The draft Jodrell Bank Observatory SPD provides additional guidance to applicants on how they should respond to the policy requirements in the LPS. It also 'signposts' sources of information, including relevant documentation and Council services.
- 5.4. The draft SPD has been jointly prepared by the Strategic Planning Team and Manchester University, with key input from the Heritage and Design Planning Team.
- 5.5. Subject to the approval of the recommendations in this report, the SPD will be consulted on in accordance with the Council's Statement of Community Involvement for a period of four weeks.
- 5.6. The process for preparing an SPD is similar in many respects to that of a local plan document. However, they are not subject to independent examination by the Planning Inspectorate. There are several stages in their production:

| Stages in Producing an SPD | Estimated Timing |
|------------------------------------------------------------------|------------------------|
| Publish the initial draft SPD for four weeks public consultation | November / December 21 |
| | Current Stage |

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Consider feedback received and make any changes necessary | Spring 22 |
| Publish the final draft SPD, along with a consultation statement setting out who has been consulted in its preparation, the main issues raised in feedback and how those issues been addressed in the final draft SPD | May 22 |
| Having considered representations, the SPD may then be adopted: | July 22 |

5.7. Following adoption, the SPD must be published and made available along with an adoption statement in line with the 2012 Regulations. The adoption of the SPD may be challenged in the High Court by way of judicial review within three months of its adoption.

5.8. Once adopted, the effectiveness of this SPD will be monitored as part of the Authority Monitoring Report, using information from planning applications and decisions. The outcome of this ongoing monitoring work will help inform future decisions about the SPD.

6. Consultation and Engagement

6.1. It is proposed that the draft SPD will be subject to four weeks consultation. Following this, all comments will be considered, and changes made to the SPD, as appropriate, before a final version of the SPD is prepared for approval and further consultation.

6.2. The Draft SPD has been prepared in consultation with the University of Manchester.

7. Implications

7.1. Legal

7.1.1. The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012 provide the statutory Framework governing the preparation and adoption of SPDs. These include the requirements in Section 19 of the 2004 Act and various requirements in the 2012 Regulations including in Regulations 11 to 16 that apply exclusively to producing SPDs.

7.1.2. Amongst other things, the 2012 regulations require that an SPD contain a reasoned justification for the guidance contained within it and for it not to conflict with adopted development plan policies.

7.1.3. The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which SPDs should be prepared.

7.1.4. SPDs provide more detailed guidance on how adopted local plan policies should be applied. They can be used to provide further

guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

- 7.1.5.** Strategic Environmental Assessment involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 7.1.6.** The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (“SA”), which is a requirement for development plan documents.
- 7.1.7.** There is no legal requirement for SPDs to be accompanied by SA, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008- 20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the local plan.
- 7.1.8.** A screening assessment has been undertaken (in Appendix B) which has determined that a SEA (or an appropriate assessment under the Habitats Regulations) is not required for the SPD.

7.2. Finance

- 7.2.1.** There are no significant direct financial costs arising from consultation on the SPD. The costs of printing and the staff time in developing the SPD are covered from existing budgets of the planning service.

7.3. Policy

- 7.3.1.** The SPD will provide guidance on the application of existing development plan policies related to the protection of the heritage significance of Jodrell Bank Observatory. An SPD will give additional advice to applicants on how they can demonstrate they have complied with relevant policies of the development plan, within the defined World Heritage Site.

7.4. Equality

- 7.4.1.** The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a “relevant protected characteristic” and persons who do not share it; foster

good relations between persons who share a “relevant protected characteristic” and persons who do not share it.

- 7.4.2.** The draft Jodrell Bank Observatory SPD provides further guidance on the factors that should be considered when proposing development within the World Heritage Site. The SPD is consistent with the LPS which was itself the subject of an Equalities Impact Assessment (EqIA) as part of an integrated Sustainability Appraisal. A draft EQiA on the draft Jodrell Bank Observatory SPD has been prepared (appendix C) and will be published alongside the draft SPD for comment.

7.5. Human Resources

- 7.5.1.** There are no direct implications for human resources.

7.6. Risk Management

- 7.6.1.** The adoption of planning documents can be subject to judicial review. The risk is managed by closely following the process for the preparation of an SPD, which is governed by legislative provisions (as set out in the legal section of the report).

7.7. Rural Communities

- 7.7.1.** The draft Jodrell Bank Observatory SPD seeks to provide further guidance on the management development across a largely rural area. Planning policy in this area already restricts development that may harm the operation of the telescopes, this SPD provides further guidance on these matters.

7.8. Children and Young People/Cared for Children

- 7.8.1.** The draft SPD seeks to provide additional guidance on protecting the heritage significance of the World Heritage Site. It does not have a direct implication for children and young people or cared for children.

7.9. Public Health

- 7.9.1.** The draft SPD does not have any public health implications.

7.10. Climate Change

- 7.10.1.** The draft SPD does not have any direct climate change implications.

| Access to Information | |
|------------------------------|--------------------------------------------------------------------------------------------|
| Contact Officer: | Tom Evans, Neighbourhood Planning Manager Tom.Evans@cheshireeast.gov.uk 01625 650023 |

| | |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appendices: | Appendix A: Draft Jodrell Bank Supplementary Planning Document Appendix B: SEA / HRA Screening Report Appendix C: Draft Equalities Impact Assessment Screening Report |
| Background Papers: | N/A |

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Cheshire East Local Plan

First Draft

Jodrell Bank Observatory Supplementary Planning Document

November 2021



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1. Part 1: Background and Context

Introduction

- 1.1 On 7 July 2019, in recognition of its internationally significant heritage, science and cultural impact, Jodrell Bank Observatory (JBO) was awarded UNESCO World Heritage Site (WHS) status and has been inscribed on the World Heritage List.
- 1.2 Jodrell Bank now joins a prestigious group of sites across the globe recognised by UNESCO's international community as sites of Outstanding Universal Value (OUV). The WHS inscription acknowledges Jodrell Bank's tremendous scientific endeavours and its role in achieving a transformational understanding of the Universe.
- 1.3 It places the site on an equal heritage footing with places such as Stonehenge and the Taj Mahal, representing an enormous accolade, not only for Jodrell Bank and The University of Manchester (UoM), but also for the region, and the UK as a whole. As a WHS, Jodrell Bank and its Consultation Zone (JBOCZ) are important to us all, and the planning system has a role to play in ensuring that the universal value of the site is protected. By providing guidance on development across the JBO site itself and the JBOCZ, the planning system can make sure development takes place in a way that protects and enhances the significance of the heritage assets here and enables the ongoing functional operation of the telescopes.
- 1.4 The Outstanding Universal Value of JBO uniquely arises, in part, to its ongoing and continued functional operation as a working scientific facility. The planning system has a vital role in protecting the ability of the observatory to carry out leading scientific research, by ensuring that new development does not create electrical interference that harms the efficiency of the telescopes. The operational efficiency of the telescopes is therefore intrinsically linked to, and inseparable from, the heritage value of JBO and its Outstanding Universal Value.
- 1.5 Planning policies held in the development plan for Cheshire East seek to protect the heritage value of JBO and this SPD provides further guidance on how those policies will be applied in decision making.

Background

- 1.6 JBO has been awarded WHS status by UNESCO under three criteria:
 - i) It is a masterpiece of human creative genius related to its scientific and technical achievements.
 - ii) It represents an important interchange of human values over a span of time and on a global scale.

- iii) It is an outstanding example of a technological ensemble which illustrates a significant stage in human history It directly and tangibly associated with events and ideas of outstanding universal significance.
- 1.7 Founded in 1945, JBO was a pioneer of a completely new science; the exploration of the Universe using radio waves instead of visible light.
- 1.8 This transformational development completely opened humanity's understanding of the Universe. The new science of radio astronomy discovered previously undreamt-of things – quasars, pulsars, gravitational lenses, and the fading glow of the Big Bang, allowing us to see way beyond our galaxy and back in time almost 14 billion years to the origin of the Universe itself.
- 1.9 The emergence of radio astronomy has defined the landscape of Jodrell Bank and it is the only remaining site in the world that retains traces of the development of this science from its earliest days to the present. Research at JBO has led to revolutionary scientific discoveries, and advanced engineering.
- 1.10 Scientific research first began here in 1945 when surplus army radar equipment was used to study meteor showers. Further experiments followed, leaving behind a physical trail of the development of a whole new science.
- 1.11 Radio astronomers at Jodrell Bank proceeded to build the world's largest radio telescopes in succession. The 66m Transit Telescope made the first ever identification of a radio object outside our own galaxy - the great nebula in Andromeda. It was superseded by the Lovell Telescope (1957), the first act of which was to track the carrier rocket of Sputnik 1 by radar, witnessing the dawn of the Space Age.
- 1.12 The site has remained at the forefront of radio astronomy since its inception and today, the Jodrell Bank team are world-leaders in pulsar research. Part of The UoM, the site runs state-of-the-art astronomical research programmes on the e-MERLIN array of national facility radio telescopes. Jodrell Bank also hosts the international headquarters of the Square Kilometre Array - a global project to create the largest radio telescope on Earth.
- 1.13 The site also hosts Jodrell Bank Discovery Centre, which sees over 185,000 visitors every year, including some 27,000 school children, to tell the story of radio astronomy. The discovery centre also hosts the annual BlueDot music and arts festival attracting over 25,000 people, and will host a new exhibition space, the First Light Pavilion, within the Jodrell Bank Gardens.

Purpose and Scope of the SPD

- 1.14 JBO was designated as a UNESCO WHS in July 2019 and great care must be taken to make sure that development of the site, and within the consultation zone, does not harm the significance and operational functionality of the telescopes.
- 1.15 The boundary of the WHS extends across the Jodrell Bank site itself and an extensive area of land south, east and west, of the telescopes. This area is

referred to as the JBOCZ and considered to be same as the 'WHS Buffer Zone' (WHSBZ). For the avoidance of doubt, this SPD will refer to the JBOCZ throughout.

- 1.16 Great emphasis is placed on protecting the OUV of the site. In all instances, new development should not harm the OUV, including the continued operational efficiency of the telescopes, and should positively contribute to further revealing the value of the site itself.
- 1.17 Four criteria define the OUV of Jodrell Bank:
 - Criterion (i): JBO is a masterpiece of human creative genius related to its scientific and technical achievements.
 - Criterion (ii): JBO represents an important interchange of human values over a span of time and on a global scale on developments in technology related to radio astronomy.
 - Criterion (iv): JBO represents an outstanding example of a technological ensemble which illustrates a significant stage in human history (1940s-1960s) – the transition from optical astronomy to radio astronomy and the associated consequence for the understanding of the Universe through multi-wavelength astrophysics.
 - Criterion (vi): JBO is directly and tangibly associated with events and ideas of outstanding universal significance.
- 1.18 The integrity of the site is well preserved and the consultation zone, and buffer zone of the property is designed to limit development (and therefore electrical interference) in order to protect the scientific capabilities of the Observatory from radio emissions in its vicinity. By limiting development, and electrical interference, these zones are therefore an essential planning tool to ensure the continued functional integrity of the property and are fundamental to the OUV. In this way the harm that may be created by new development to the efficiency of the telescopes, is inextricable from the harm to the heritage significance of the WHS.
- 1.19 Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The impact of development on a heritage asset can therefore be given great weight in planning decisions, and the weight attributed to the impact on a heritage asset increases with the significance of the heritage asset. As a WHS, the impact of development on the telescopes at Jodrell Bank and their operational capacity will be given very significant weight in decision making on planning applications.
- 1.20 Both parts one (the Local Plan Strategy) and two (the emerging Site Allocations and Development Policies Document) of Cheshire East Council's Local Plan include policies that address how development should take place across the Jodrell Bank site itself and the JBOCZ. This SPD is therefore a tool to assist applicants and decision makers in understanding how proposals will be assessed against those policies (primarily SE 14 'Jodrell Bank' and emerging

HER 9 'World Heritage Site') and the type of information that will be required as part of a planning application for sites across the JBOCZ.

- 1.21 Supplementary Planning Documents (SPDs) add further detail to policies contained within the development plan and are used to provide guidance on specific sites or particular issues. SPDs do not form part of the adopted development plan but they are a material planning consideration in decision making.
- 1.22 An SPD cannot introduce new policy requirements. It must limit its scope to providing advice on the implementation of existing policies held in the development plan. In this case the core policies that this SPD provides further guidance on are SE 14 'Jodrell Bank' and emerging HER 9 'World Heritage Site'.
- 1.23 The SPD sets out an approach that is divided between the JBO site itself, and the JBOCZ as defined on the Policies Map of the Local Plan. The JBO site includes all the operational equipment and buildings that form the functional asset; many of the structures here are subject to individual heritage listings.
- 1.24 Therefore, the scope of this SPD is to provide further guidance on policies held in the LPS and emerging SADPD, providing guidance to applicants on what type of information they will need to submit and how the policies of the development plan will be applied when determining planning applications across the JBO site and JBOCZ.
- 1.25 The key policies that this SPD provides guidance on are:
 - **Local Plan Strategy Policy SE 14 Jodrell Bank**
 - i) *Within the Jodrell Bank Radio Telescope Consultation Zone, as defined on the Proposals Map, development will not be permitted if it:*
 - (1) *Impairs the efficiency of the telescopes;*
 - (2) *Or. (ii) Has an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Radio Telescope.*
 - ii) *Conditions will be imposed to mitigate identified impacts, especially via specialised construction techniques.*
 - iii) *Proposals should consider their impact on those elements that contribute to the potential outstanding universal value of Jodrell Bank.*
 - **Emerging SADPD Policy HER 9: World Heritage Site:**
 - iv) *Proposals that conserve or enhance the outstanding universal value of the WHS at Jodrell Bank will be supported.*
 - v) *Development proposals within the WHS at Jodrell Bank (or within its consultation zone) that would cause harm to the significance of the heritage asset (including elements that contribute to its outstanding universal value)*

will not be supported unless there is a clear and convincing justification; and an appropriate heritage impact assessment has evaluated the likely impact of the proposals upon the significance of the asset and the attributes that contribute to its outstanding universal value.

vi) *Where development has a demonstrable public benefit, and harm to the outstanding universal value is unavoidable and has been minimised, this benefit will be weighed against the level of harm to the outstanding universal value of the WHS.*

- 1.26 Based on policies of the LPS and SADPD that apply to JBO and the JBOCZ, the scope of this SPD is to provide guidance on the following topics:
- The type of development and other factors, such as location of development, that may impair the **efficiency of the telescopes** as well as how and when the UoM will be consulted on this matter.
 - How the **historic environment** may be relevant to planning applications and how Heritage Impact Assessments should be prepared.
 - The role that the **visual landscape** setting of the WHS plays in the determination of planning applications and the type of information applicants will need to submit to address this.
 - How the **OUV** of the WHS should be taken into account and what this means across different parts of the JBO site and JBOCZ
 - The type of **conditions** that may be imposed on proposed development, to make sure that the OUV of the site remains protected.

Within the Jodrell Bank Observatory Site

- 1.27 The JBO site itself is under the ownership and management of the UoM. Alongside the policies of the development plan, the UoM Conservation Management Plan (CMP) for the site forms the primary guidance for development here. The CMP forms part of this SPD and will be treated as a material consideration in the determination of planning applications.
- 1.28 Further guidance on the CMP is provided below at paragraph section 5.

Within the Jodrell Bank Observatory Consultation Zone

- 1.29 The JBOCZ protects the scientific capabilities of the Observatory from radio emissions in its vicinity, contributing to maintenance of the functional integrity of the property and its ability to continue research. The JBOCZ is therefore an integral and essential component of the OUV of the WHS, and development that harms this will not be supported.
- 1.30 Development may require consultation with The UoM, to determine whether the proposal will harm the operational efficiency of the telescopes. This assessment primarily focuses on the level of electrical interference that will be created by a proposal.

- 1.31 The SPD also sets out a range of mitigation measures that may be employed as planning conditions in instances where development that is otherwise harmful can be made acceptable in planning terms through the application of planning obligations and conditions.
- 1.32 Interference and mitigation issues are addressed at Section 6 of this document.

Status of the SPD

- 1.33 The SPD has been prepared in accordance with the Planning Act 2004 and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 1.34 Once finalised and published, this document will be used alongside policies in the Development Plan to inform decision making on planning applications within the JBOCZ.

2. Draft SPD Consultation

- 2.1 Consultation on the draft SPD will take place between 22nd November 2021 and 20th December 2021. Comments must be received by the Council **no later than midnight on 20th December 2021**.
- 2.2 The consultation documents can be viewed online at <https://cheshireeast-consult.objective.co.uk/portal/planning/spd>, and at public libraries in Cheshire East during opening hours (for information about opening hours see www.cheshireeast.gov.uk/libraries or telephone 0300 123 7739).

SEA and HRA

- 2.3 There is no legal requirement for SPDs to be accompanied by Sustainability Appraisal, and this is reinforced in national planning guidance. However, “in exceptional circumstances” there may be a requirement for SPDs to be subject to Strategic Environmental Assessment (SEA) where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening assessment has been undertaken and concludes that such an assessment is not necessary.
- 2.4 A screening exercise has been carried out to determine whether the document gives rise to the need for Appropriate Assessment (under the Habitats Regulations). This similarly concludes that such an assessment is not necessary.
- 2.5 These screening assessments have been published and you can give your views on their findings too.

Submitting your views

- 2.6 The council's online consultation portal is our preferred method for submitted responses, but you can also respond by e-mail or in writing using a comment form available online and at the locations listed above. You can respond:
- **Online:** Via the consultation portal at: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/BNG>
 - **By e-mail:** To planningpolicy@cheshireeast.gov.uk
 - **By post:** Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ
- 2.7 Please make sure that your comments reach us by **midnight on the 2nd December 2021**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Strategic Planning Privacy Notice, which is available on the council's website (www.cheshireeast.gov.uk). Your name and comments will be published and made available to view on the council's online consultation portal.

What happens after the consultation?

- 2.8 Following consultation, the council will carefully consider all representations received before deciding whether any amendments to the draft SPD are needed. The final version of the SPD alongside a Consultation Statement summarising the feedback and changes to the SPD will then be published for further comment before the SPD is proposed for adoption by the Council.
- 2.9 Once adopted the SPD will be formal planning guidance and will be considered as a material consideration when assessing planning applications in Cheshire East.

3. Legal Framework

- 3.1 In addition to the planning framework that is primarily set out in the Town and Country Planning Act 1990, the legislative framework related to heritage includes the following:
 - the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest
 - the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for monuments of national interest
 - the Protection of Wrecks Act 1973 provides specific protection for wreck sites of archaeological, historic, or artistic interest
 - the Historic Buildings and Ancient Monuments Act 1953 makes provision for the compilation of a register of gardens and other land (parks and gardens, and battlefields).
- 3.2 Whilst not part of the legislative framework, the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage 1972 (to which the UK is a signatory) makes provision for the World Heritage List, which is a list of cultural and/or natural heritage sites of outstanding universal value.
- 3.3 Any decisions where listed buildings and their settings and conservation areas are a relevant factor must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see sections 16, 66 and 72) as well as applying the relevant policies in the development plan and the National Planning Policy Framework.
- 3.4 In addition to the legislation cited here, the Town and Country (Jodrell Bank Radio Telescope) Direction 1973 requires the Local Planning Authority to consult with The UoM before granting planning permission on any application for development. The Direction sets out exceptions to these requirements and specifies the exceptions that apply to the JBOCZ.
- 3.5 The Direction, and the exceptions to the Direction, are set out in full at Appendix 3. The schedule of exceptions has been used to inform the approach to the guidance set out in this SPD relating to when The UoM is consulted on planning applications.
- 3.6 The conversion or redevelopment of a range of buildings, including dwelling houses may not require consultation with The UoM, subject to the circumstances of the planning application meeting criteria set out in the Direction. However, whilst consultation with The UoM may not be necessary, this does not mean that such proposals should be assumed to be acceptable in planning terms. As such, all proposals will be considered on their own merits and applicants should demonstrate accordance with the Development Plan for Cheshire East. Further advice on this is set out in section 6 of this SPD.

4. Planning Policy Framework

National Policy Context

4.1 The National Planning Policy Framework (NPPF) February 2019 has, at its heart, the core principle of sustainable development and sets out several requirements related to heritage. The key section of the NPPF that is relevant to heritage is Section 16: Conserving and Enhancing the Historic Environment, which contains important policy requirements, with the following notable paragraphs:

- *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”* (NPPF 2019, Paragraph 193)
- *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of 56 a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and WHSs, should be wholly exceptional.”* (NPPF 2019, Paragraph 194)

Planning Practice Guidance

4.2 The Planning Practice Guidance (PPG) also provides guidance on the historic environment. On WHSs the PPG provides advice on the principles that need to be considered when developing plans and strategies for WHSs (Paragraph: 032 Reference ID: 18a-032-20190723); the approach to the setting of WHSs (Paragraph: 034 Reference ID: 18a-034-20190723) and the approach to be taken to assess the impact of development (Paragraph: 035 Reference ID: 18a-035-20190723).

4.3 It should also be noted that WHSs are considered to be ‘sensitive areas’ for the purposes of Environmental Impact Assessment and that the threshold that triggers a need for a Design and Access Statement is also lower within a WHS (see Section 12 of this SPD).

Cheshire East Council Local Plan Strategy

4.4 Cheshire East Council’s Local Plan is being prepared in two parts. The first part of the Local Plan, the Local Plan Strategy (LPS), sets out several key policies that align to the NPPF (2019) and seek to make sure that development does not harmfully impact the Jodrell Bank site or JBOCZ. The primary policy here is SE 14 ‘Jodrell Bank’ however several other policies are also relevant:

- Policy SE 14 'Jodrell Bank' seeks to make sure that the telescopes can continue to operate efficiently and that the historic environment and visual landscape setting of the telescopes is not harmed. The policy requires applications to consider their impact on JBO and highlights that conditions may require specialised construction techniques.
- Policy SE 7 'The Historic Environment' recognises the importance of heritage assets and seeks to make sure that their significance is enhanced, managed, and protected from harmful development.
- Policy SE 4 'The Landscape', recognises the role that landscape plays in delivering high quality development and seeks to make sure that development protects and/or conserves the historical qualities of an area.

Saved Policies

4.5 Several policies from the legacy local plans for Crewe and Nantwich, Congleton and Macclesfield have been saved. Some of the most relevant to this SPD are listed here:

- Policy GC14 'Jodrell Bank' of the Macclesfield Borough Local Plan establishes the spatial extent of the JBO Consultation Zone (the area to which the 1973 Directive applies) within the former Macclesfield Borough area
- Policy PS10 'Jodrell Bank Radio Telescope Consultation Zone' of the Congleton Borough Local Plan First Review establishes the spatial extent of the JBO Consultation Zone (the area to which the 1973 Directive applies) within the former Congleton Borough area

Cheshire East Council Site Allocations and Development Policies Document

4.6 The council is currently preparing part two of its Local Plan, the Site Allocations and Development Policies Document (SADPD) which, once adopted, will form part of the development plan, and provide additional policies related to LPS policy SE 14 'Jodrell Bank', and policy SE 7 'The Historic Environment'. Emerging SADPD policies most relevant to this SPD are:

- HER 1 'Heritage assets', which sets out a requirement to provide proportionate information that assess and describes the impact of proposals on the significance of a relevant heritage asset, including WHSs.
- HER 4 'Listed buildings', which requires proposals to preserve and enhance the heritage asset and its setting wherever possible.
- HER 9 'WHS', which supports development that conserves or enhances the outstanding universal value of the WHS and requires applicants to submit an appropriate Heritage Impact Assessment evaluating the

proposals impact on the significance of the asset and on the attributes that contribute to the outstanding universal value of JBO.

- 4.7 The SADPD will form the second part of the Local Plan. It will set non-strategic and detailed planning policies to guide planning decisions and allocate additional sites for development to assist in meeting the overall development requirements set out in the LPS.
- 4.8 A revised publication draft version of the SADPD was published for a period of public representations between the 26 October and the 23 December 2020 and was submitted to the Secretary of State on 29 April 2021 for examination.
- 4.9 Although the SADPD must proceed through public examination before adoption, this draft Jodrell Bank Observatory SPD has been prepared to be consistent with emerging planning policies in the SADPD. Whilst this is not a legal or national planning policy requirement, this approach provides opportunity for this SPD to complement and support the implementation of future development plan policies too.

Neighbourhood Plans

- 4.10 Relevant neighbourhood plan policies are mapped and available to view on the Council's [GIS network](#). Within the JBOCZ, there are two made neighbourhood plans that may be relevant when determining planning applications; Goostrey and Marton.
- 4.11 All neighbourhood plans, including those for Goostrey and Marton, can be [accessed via the Councils web pages](#).

5. Part 2: Development within the Jodrell Bank Observatory Site

The Conservation Management Plan

- 5.1 Within the defined JBO site itself great value will be given to the positive management and development of the site to further enhance and reveal the OUV of the heritage assets, including their settings.
- 5.2 Toward that aim, a long-term CMP has been produced by The UoM to guide development and ensure successful management of the site. The primary purpose of the CMP is to secure the strategic long-term protection of the JBO WHS to make sure that the OUV of the site, and the significance of the heritage assets within it, are protected and enhanced for current and future generations.
- 5.3 The CMP is included in full at Appendix 5 and its principles will be used to inform decision making on planning applications within the JBO site.
- 5.4 The CMP:
- contains the location, boundary details and description of the site;
 - specifies how the OUV, including the attributes, authenticity, and integrity of the site, is to be managed and maintained;
 - provides an overview of the current condition of the property and factors which may have positive or negative effects on attributes, authenticity and integrity;
 - presents a collective vision for the management of the property over the coming decades, and the policies, objectives and actions over the next five years. This covers descriptions of the various management structures and plans in place and the way that they are coordinated and support each other;
 - examines issues affecting its conservation and enjoyment, including development, tourism, interpretation, education and transport; and
 - describes an implementation strategy, including monitoring and review.
- 5.5 The CMP also includes a full list and description of the features of the JBO site. The main components are listed in Table 1 below:

| Brief description | CMP Code | Type | Condition | Protection | Note |
|----------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|-----------|-----------------|-------------------------------------------------|
| 1. The Lovell Telescope: Radio telescope, standing 89m high, with dish of diameter 76m. First very large radio telescope in the world. | B07 | Structure | Good | Grade I listed | Still in use as a radio telescope |
| 2. The Control Building: Principal building in the property, completed in 1955 and housing the Control Room for the Lovell Telescope. | B05 | Building | Good | Grade II listed | Later (unlisted) extensions in poorer condition |

| Brief description | CMP Code | Type | Condition | Protection | Note |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|---------------|-----------------|-----------------------------------|
| 3. Helical Antenna base: Concrete pad, approx. 4m x 4m, which was originally the base of the Helical Antenna installed by the US Space Technology Laboratories team in around 1959. | A01 | Archaeology | Good | | |
| 4. The Green: Landscape at the heart of the property | L05 | Landscape | Good-moderate | | |
| 5. 30ft Telescope base: Concrete pad, approx. 4m x 4m, originally the footing of the steerable 30ft Telescope that was part of the inspiration for the Lovell Telescope. | A02 | Archaeology | Good | | |
| 6. Cosmic Noise Hut: Concrete building now known as the Link Hut, originally the control room for the 30ft Telescope, later altered to accommodate solar and optics experiments. | B11 | Building | Mixed | Grade II listed | |
| 7. Polarisation Hut: Another typical hut in the style of the ensemble around the Green. Originally used as the base for early experiments in long-baseline interferometry. | B13 | Building | Good | | |
| 8. Mechanical Workshop | B17 | Building | Moderate | | |
| 9. Electrical Workshop: Original site of the Main Office for the Observatory, including Lovell's office, lecture room and library. | B19 | Building | Good | Grade II listed | |
| 10. Radiant Hut: originally home to the meteor research group | B26 | Building | Moderate | | |
| 11. Moon Hut: original home to the lunar and planetary radar group | B25 | Building | Moderate | | |
| 12. Park Royal: Original control building for the Transit Telescope, subsequently used as the control room for the Mark II Telescope | B20 | Building | Good | Grade II listed | |
| 13. Powerhouse: location for electrical generators | B23 | Building | Moderate | | Still in use for original purpose |
| 14. Mark II Telescope: Completed 1964, it was the first large telescope in the world to be controlled by digital computer. | B21 | Structure | Good | Grade I listed | Still in use as a radio telescope |
| 15. Remains of searchlight aerial: only the base remains | A05 | Archaeology | Good | Grade II listed | |
| 16. Remains of 218ft Transit Telescope: first very large paraboloidal telescope at the site, inspiration for Lovell Telescope | A13 | Archaeology | Good | | |

Table 1: Main heritage components of JBO

- 5.6 The CMP seeks to achieve the strategic long-term protection of the JBO through setting out a vision for the site, principles for development and non-planning policies that should be used to achieve the identified objectives. The principles set out in the CMP will be a material consideration and should be considered when determining planning applications within the Jodrell Bank Site.

Vision

5.7 The Vision contained in the CMP is:

“The Jodrell Bank Observatory will be a WHS that changes people’s lives for the better and demonstrates humanity’s ongoing exploration of our place in the Universe. It will bring together stakeholders to continue to protect and develop a site that people from regional, national and global communities can learn about or visit and have a genuinely world-class experience. Visitors will bring a sustainable growth in tourism to local communities, benefiting their quality of life and raising the profile of the region as a place to live, work and invest. This nomination will transform this regional and national icon into an international icon of science, a showcase of international cooperation and endeavour that exemplifies astronomy and engineering at its best.”

CMP principles

Principle 1

5.8 **Protection, conservation and maintenance of the OUV, integrity and authenticity of the property, including the identification and promotion of change that conserves and enhances these qualities; and the modification and/or mitigation of development and change that might damage them.**

Principle 2

5.9 **Jodrell Bank Observatory continues to perform its function as a radio astronomy facility. It is important to conserve and enhance the heritage of the site whilst maintaining this role as a world-leading scientific research facility, thus retaining its authenticity of use and function.**

Principle 3

5.10 **Sustainable use for the benefit of the local population and economy.**

Principle 4

5.11 **Commitment to a comprehensive programme of presentation and education, including a commitment to sustainable visitation.**

Principle 5

5.12 **Importance of gathering all stakeholders in a shared understanding of the property; in a commitment to developing and implementing the management plan; and to furthering the obligations of the World Heritage Convention.**

Principle 6

- 5.13 **Commitment to ensuring effective governance, resources and monitoring are in place to support implementation of the plan, including a commitment to capacity building and to the planning, implementation, evaluation and feedback cycle.**
- 5.14 A Heritage Impact Assessment (HIA) may be required as part of the submission of a planning application. All HIAs need to consider the impact of any proposed project or change, on the Outstanding Universal Value of a WHS, both individually and collectively and it is essential to link these impacts to the WHS's Management Plan, which itself should be linked to planning arrangements at the national, regional and local level.

6. Part 3: Development in the Jodrell Bank Observatory Consultation Zone (JBOCZ)

- 6.1 This section sets out guidance on how important matters addressed in policies SE 14 'Jodrell Bank' and emerging SADPD policy HER 9 'World Heritage Site' of the development plan will be considered when assessing planning applications within the JBOCZ.

The Consultation Zone

- 6.2 The JBOCZ extends south, east and west of the observatory, across a large area of countryside.
- 6.3 The area is predominantly agricultural but includes the settlement of Goostrey, which is close to the main site and, at a greater distance, Holmes Chapel. Several smaller hamlets, individual homes and farmsteads are also dispersed across the JBOCZ. At the far south east of the JBOCZ lies the northern edge of Congleton, which is subject to significant planned development.
- 6.4 In addition to policies related to JBO, development in the JBOCZ is controlled by a number of policies, notably PG 6 'Open Countryside', which limits development in the countryside to specific uses.
- 6.5 Within the JBOCZ full weight will be given to policies in the development plan that relate to the OUV of the WHS. The impact of development on the WHS and its OUV will be given full weight in determining planning applications.

Threats and Risks

- 6.6 The JBOCZ is a largely agricultural area and development is controlled through several planning policies. Some areas immediately adjoining the JBO site are owned by The UoM, which has more direct control over proposed developments on this land.
- 6.7 However, there are potential risks across a range of issues that this SPD seeks to provide guidance on. The threats and risks relate primarily to heritage, landscape and the efficient operation of the telescopes (as identified in LPS Policy SE 14) but also include the ability to manage development through a plan led system. The planning system has an important role to play in managing these issues through assessing the impact of development and consenting that which is consistent with the policies of the Local Plan (unless material considerations indicate otherwise). The ability of the LPA to exercise development management is therefore essential to preserving the OUV of the WHS and ensuring that development does not harm the continued operation of telescopes at JBO.

Efficient Operation of the Telescopes

- 6.8 The continued efficient operation of the telescopes at JBO is a fundamental component of the OUV of the site and inextricable from the heritage significance

of JBO. Protecting the operational efficiency from harm is essential to ensure the continued functioning of the telescopes at JBO and development that harms this capacity, individually or cumulatively will not normally be acceptable.

- 6.9 The main threat to the continued efficient operation of the telescopes arises from electrical and radio interference generated by development and populations within JBOCZ.
- 6.10 This issue has been present and has required management since the earliest days of JBO and in 1973 an act of parliament ('the 1973 Direction') was introduced to help manage the proliferation of electrical interference through new building in the vicinity of JBO. However, since then development has occurred in the area, and permitted development rights have expanded to allow development that may otherwise have been prevented by the 1973 Direction. More importantly the proliferation of electrical devices in recent years means that new residential dwellings in particular are able to generate higher levels of electrical interference than previously.
- 6.11 Radio interference created by electrical equipment across the JBOCZ is harmful to the continued efficient operation of the telescopes. For the Telescopes at JBO, external radio interference to precision timing measurements of pulsars is the most significant concern to the continued efficient operation of the telescope. Within the JBOCZ the level of electrical interference is already substantially too high and on a cumulative basis even small-scale development can have a significant negative impact on the efficient operation of the telescopes and therefore on the OUV of the WHS. External radio interference is significant for the following reasons:
 - i) Precision measurement of pulsars is the most important and internationally significant research programme carried out by the Lovell Telescope as a single dish and has the greatest potential for breakthroughs in fundamental physics;
 - ii) this programme relies on continuing to make the most precise timing measurements possible at regular intervals over the coming years and making use of the data gathered over the last 40 years;
 - iii) these measurements can be degraded and corrupted in an irrevocable manner by interference, especially the type of sporadic broad-band interference caused by domestic and industrial equipment.
- 6.12 The International Telecommunications Union (ITU) defines the level of interference that should be considered as detrimental to radio astronomy measurements as 10% of the intrinsic thermal noise created by radio astronomy equipment itself, combined with background interference present in the atmosphere.
- 6.13 Over decades radio astronomers have reduced the intrinsic (thermal) noise in the receivers they use, using cryogenic cooling (typically to -260C) and sophisticated semiconductor technologies. The ITU recommendation simply says that interference should not contribute an additional component of variation

that is more than 10% of this intrinsic thermal noise (including the irreducible noise from the atmosphere etc.).

- 6.14 Determining if the ITU threshold is exceeded rests on the measurement of the brightness of a radio source, and a measurement that determines its impact on a receiver. JBO is a receiver system that measures data emitted by pulsars and interference creates a scatter in these measurements. Electrical equipment, including the telescopes themselves, and background interference ('noise' from other sources and electrical equipment across the JBOCZ) create a normative baseline of interference which manifests itself as a scatter in the data measurements received by the telescopes. By understanding the baseline, it is possible to establish whether the observed scatter is greater than expected due to normal everyday background noise. Therefore, an increase in background noise is measurable and observable as a deviation from the baseline and may be modelled. The degree to which that deviation increases above the baseline is the core concern when determining the impact of development on the operational efficiency of the telescopes at JBO. The ITU threshold is such that interference should not increase this observed scatter by more than 10% of the baseline amount.

Application requirements and considerations

- 6.15 **To demonstrate compliance with policy SE14 of the CELPS, within the JBOCZ applicants are expected to submit a Radio Interference Assessment, at their own cost, of the interference likely to be generated by their proposal. This should be carried out by an accredited test lab and include a design review and noise profile of the proposed development. The assessment should also include proposals to mitigate the identified impacts.**
- 6.16 The UoM will be consulted on such assessments and, in instances where it is
- 6.17 necessary for the UoM to verify or carry out their own assessments, the following approach will be employed.
- 6.18 **Noise Assessments carried out by the UoM**
- 6.19 When consulted, The UoM will undertake an assessment of interference likely to be generated by development proposals and determine the impact of this on the operation of JBO. The methodology for this assessment is set out at paragraphs 7.36 to 7.42 of this SPD.
- 6.20 The main factors that will be considered by The UoM in determining whether a development proposal is likely to individually, or cumulatively harm the operational efficiency of the telescopes at JBO are:
- i) **Location of development** - the closer a proposal is to the telescopes, the more potential there is for harm. Similarly, the more elevated a site the more potential there is for harm.
 - ii) **Type of development** - interference arises from the proliferation of radio and electromagnetic interference, therefore residential development that increasingly incorporates digital transmission alongside home-based radio

electromagnetic interference has the most scope to introduce proliferation of electrical devices

- iii) **Scale** – individual dwellings present a cumulative harm and this harm is increased when the number of dwellings on an application site is increased; more intensive development introduces more risk
 - iv) **Radio Interference Assessment** – each proposal will generate a degree of electrical interference. An exercise that quantifies what that level of interference may be, and its impact, is carried out by the UoM when proposals trigger the requirement for consultation.
- 6.21 The likely level of interference generated by a development will be given great weight in decision making on planning applications in the JBOCZ and whether and to what extent a proposal is likely to generate interference that impacts on the efficiency of the telescopes, will be an assessment undertaken in consultation with The UoM and based on the thresholds set out in the 1973 Directive.
- 6.22 Where consultation with the UoM is carried out, the following methodology will be used.

Methodology

- 6.23 The following is a summary of the full methodology and technical explanation employed by The UoM, an example of which is included in full at Appendix 7. Applicants are expected to address these matters in their own assessments.
- 6.24 **Stage 1: Analysis of interference from the proposed development**
- **Single appliance emission:** It is necessary to set out the reduction of interference required to avoid harmful interference from a single piece of domestic equipment. This is known as the ‘minimum coupling loss’.
 - **Aggregate emission:** To understand the impact of a dwelling on interference, it is necessary to establish the aggregated level of the emissions from all appliances in that dwelling. This is done through an independent estimate based on published values of ambient man-made radio noise per type of equipment and an estimate of the number of pieces of equipment per dwelling.
 - **Path loss:** Path loss is the interference that will be generated between the proposed development and the Lovell Telescope. This is determined by modelling the interference created by the development against mitigating factors that may reduce that impact (such as reduction of interference through wall and other barriers). This analysis also accounts for the profile of the terrain, which may help reduce the impact (if the development is site in a depression) or amplify it (if the development is prominent or elevated in the landscape).

- **Estimated interference compared to ITU threshold:** This is the expected strength of total interference from the proposed development compared to the accepted ITU threshold.
- 6.25 **Stage 2: Analysis of interference from the proposed development and interference from the wider area**
- 6.26 It is important to assess the impact of any proposed development in the context of interference already existing in the wider area of JBO. Sky maps are used to plot individual buildings across the JBOCZ and assign each a level of interference. The process identifies how much interference is being generated by location, across the JBOCZ, and highlights that dominant contributions to interference arise from nearby relatively small settlements rather than larger more distant settlements.
- 6.27 This analysis demonstrates that the baseline level of interference is already high across the JBOCZ. Applying this to analysis of a single development proposal means focusing on the relevant pathway between the proposal and JBO, to establish the background level of interference on this particular pathway and determine the extent to which the additional interference caused will be individually or cumulatively harmful.

Historic Environment

Introduction

- 6.28 Most of the heritage assets of the WHS are located within the JBO site and identified as part of the CMP.
- 6.29 In the wider JBOCZ, it is unlikely (but not impossible) that development will have an adverse impact on the visual setting of the listed assets. However, with the WHS/JBOCZ heritage statements are required providing proportional information on how relevant heritage matters have been addressed. Therefore, a full HIA may not be required for every application.
- 6.30 Development proposals within the WHS will require a heritage statement (or an impact assessment for minor works), proportionate to the scale and likely impact of development, to support a planning application. Applicants are advised to seek pre-application advice from the Council to determine whether HIA is likely to be required and the level of detail that may be needed.
- 6.31 Generally, the closer a proposal is to the main Jodrell Bank Observatory, the greater the potential for development to have an impact on heritage assets, particularly in relation to the setting of the WHS. However, the Heritage value of JBO and its OUV are inseparable from the continued functioning and operation of the telescopes. Therefore, the impact of a development on heritage significance manifests not only on impact on buildings, structures and landscapes but in the extent to which a proposal interferes with the operation of the telescopes. Therefore the Radio Interference Assessment is an essential component of understanding a proposals impact on the heritage value of the WHS.
- 6.32 If a Heritage Impact Assessment is required, the following guidance sets out how this report should be prepared.

Application requirements and considerations

- 6.33 Paragraph 189 of the NPPF (2019), requires applicants to describe the significance of any Heritage Assets¹ affected by their proposals, including any contribution made by the setting of the asset. Within the WHS (including the JBOCZ) a heritage statement will be required to support planning applications.
- 6.34 In the context of this SPD the WHS (JBO and its setting - the JBOCZ) are designated heritage assets, and the JBO site itself includes multiple listed buildings. Therefore, most applications within this defined area will be required

¹ Heritage Assets are defined as: "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage Assets include designated Heritage Assets and assets identified by the local planning authority".

to submit a Heritage Statement that includes information on the matters set out below.

6.35 Where required HIAs should include:

- i) A comprehensive understanding of the WH property and its OUV, authenticity and integrity, condition, context (including other heritage attributes) and interrelationships.
- ii) An understanding of the range of impacts arising from the development or other proposal for change;
- iii) An objective evaluation of those impacts (beneficial and adverse) on the heritage elements, especially the site's OUV, integrity and authenticity;
- iv) An assessment of the risk posed to the retention of OUV and the likelihood that the property may be in potential or actual danger;
- v) A statement of heritage benefits which may arise from proposals including better knowledge and understanding and awareness-raising;
- vi) Clear guidelines as to how impact can be mitigated or avoided;

6.36 The level of information required should be proportionate to the scale of work proposed and the significance of the Heritage Asset affected. Therefore, smaller scale change proposed for a Heritage Assets of less importance (i.e. a non-designated heritage asset) may enable the Design and Access Statement to be prepared by the applicant, but larger scale change to more significant Heritage Assets will require more detailed evaluation and may also require professional assessment.

6.37 As a minimum, the relevant Historic Environment Record should be consulted, and the Heritage Assets assessed using appropriate expertise where necessary. For minor development we recommend this assessment is provided in the form of a letter and for major development in a Heritage Statement.

6.38 The letter or statement to support the application should incorporate the following sub-headings and make use of at least the Historic Environment Record.

6.39 **Heading 1: Description of Heritage Asset's Significance:**

6.40 Provide a factual description of the Heritage Asset including, but not limited to:

- i) the reason it is designated
- ii) its age
- iii) its character and appearance.

6.41 This information can be found online using the Historic Environment Record.

6.42 **Heading 2: Description of Change Proposed:**

- 6.43 Describe the works or development proposed and provide justification why it is needed and how it will take place.
- 6.44 **Heading 3: Assessment of Impact on Significance:**
- 6.45 Explain how the change proposed will impact upon the reason the Heritage Asset is designated. Use the following to guide the assessment:
- i) the nature of the asset's significance and its interest (a modern building of high architectural interest will have quite different sensitivities from an archaeological site where the interest arises from the possibility of human remains)
 - ii) the extent of the fabric that holds that interest (this can lead to a better understanding of how adaptable the asset may be)
 - iii) the level of importance of that interest (this guides how protectively policies should be applied)
- 6.46 **Heading 4: Sources used**
- 6.47 The heritage statement should detail the sources that have been considered and the expertise that has been consulted.
- 6.48 Where a planning application is submitted in parallel with an application for Listed Building consent, a single, combined statement should address the requirements of design, access and impact on Heritage Assets. Without this information applications will be invalidated as they will contain insufficient information for the Council to reach a decision.

Visual Landscape

- 6.49 The landscape across JBOCZ consists of managed farms, some woodlands, and shallow river valleys. It is a mainly flat, at times rolling and undulating, plain interspersed with small settlements and individual farmsteads and dwellings. Whilst the landscape holds an intrinsic visual quality, it is valued for its open and mainly flat typology that allows the telescopes at JBO to transmit and receive signals across pathways that are largely uninterrupted, and beyond into space.
- 6.50 Threats to the value of the landscape may rise primarily from developments that reduce the openness of the plain through introducing built form and physical clutter that interfere with pathway transmissions. Development that is prominent in the landscape, or that is unusually tall, is most likely to present a threat to the value of the landscape.
- 6.51 Generally, if a site is more elevated, a development will become more prominent in the landscape and may therefore require further assessment regarding the impact of the development on landscape matters. If this is the case, it is expected that the approach set out below is followed to provide information on this matter to the local planning authority.
- 6.52 Applicants are advised to seek pre-application planning advice from the council to establish whether a Landscape Value Impact Assessment (LVIA) will be required as part of the application.

Application requirements and considerations

- 6.53 In assessing a planning application from a landscape design perspective, there are a number of general design principles to be considered whilst taking account of the individual factors relevant for any scheme. The following information should be provided as a minimum for applications within the JBOCZ:
- i) drawings showing the location of existing landscape features, including a tree survey if there are significant numbers of trees, and their loss or retention
 - ii) drawing showing landscape proposals
 - iii) visuals and photos to demonstrate the visual impact of a development, and a full Landscape and Visual Impact Assessment if the scale of the scheme merits this
 - iv) levels information or cross sections to indicate any significant changes in levels.
 - v) measures for the protection of trees and vegetation to be retained.
 - vi) details associated with temporary access roads, compounds, storage areas for construction
- 6.54 LVIAs should be carried out by a suitably qualified professional and in accordance with the most recent Guidelines for Landscape Value Impact Assessment produced by the Landscape Institute. In any LVIA, proposals

should describe and explain how the following matters have been addressed in the design process:

- 6.55 **Evaluation of existing features**, based on accurate site surveys (physical and ecological) and their retention, protection and enhancement as appropriate for trees, hedges, habitats, walls, fences, etc.
- 6.56 **Respecting local landscape character**, taking account of any character statements, e.g. landscape assessments, village design statements.
- 6.57 **Designations**: Respecting landscape designations (for example, Public rights of Way, Sites of Biological Importance/Local Wildlife Sites, Conservation Areas, Tree Preservation Orders).
- 6.58 **Siting**: Appropriate siting of the development to integrate with its surroundings.
- 6.59 **Density**: Balance of provision for open space and vegetation in relation to density of built development and infrastructure.
- 6.60 **Impact**: Consideration of the landscape and visual impact of proposals.
- 6.61 **Mitigation**: Providing landscape mitigation proposals where appropriate, (for example replacement habitats, ponds, new structure planting, screening, boundary planting, acoustic barriers.)
- 6.62 **Proposals**: Providing new landscape proposals appropriate to the scheme (for example pedestrian access routes, paving, boundary treatments, street furniture, lighting, replacement tree planting, structure planting, hedges, ornamental planting).
- 6.63 **Quality**: Quality of proposals in relation to their appropriateness to design intent and setting.
- 6.64 **Access**: Adequate provision for pedestrian and cycle access, including disabled access.
- 6.65 **Security**: "Secured by Design" principles for crime prevention.
- 6.66 **Feasibility**: Technical feasibility of a scheme design.
- 6.67 **Materials**: Appropriate choice of hard (i.e. built elements such as paving, fencing) and soft materials (i.e. plant material and earthworks) throughout.
- 6.68 **Management**: Adequate provision for maintenance and management of the scheme following completion.

Development Management

- 6.69 The location of the JBO site was originally selected because of its distance from urban settlements, and therefore the lack of interference from other electrical equipment nearby.
- 6.70 Managing development across the JBOCZ is essential to preserve the OUV of the WHS. This is primarily achieved through the planning system and the application of national and local planning policies. Guidance set out in the 1973 Direction provides additional requirements on when The UoM should be consulted regarding development proposals. The Direction is reproduced in full at Appendix 3.
- 6.71 Where development proposals exceed the thresholds set out in Table 1 below, The UoM will be consulted and the impact of the proposal on the efficiency of the telescopes will be assessed. The outcome of this assessment will be a very significant material consideration in determining planning applications.

| First Schedule | |
|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (consultation is not required if development is one of the following and meets the criteria set out) | |
| Development | Criteria |
| Redevelopment of a building | Redevelopment must be for the same use |
| | Redevelopment must be on the same site (or substantially the same site) |
| | The cubic content of the new building is not increased |
| | The area of land occupied by the new building does not exceed the area of land occupied by the existing building |
| Redevelopment of a dwelling house | Must currently be in use as a dwelling house |
| | Redevelopment must be on the same site (or substantially the same site) |
| | The cubic content of the original dwelling house (as ascertained by external measurement) is not exceeded by more than 914 cubic metres or 30% whichever is greater) |
| The enlargement improvement or other alteration of any dwelling house which is in use. | The erection of a garage within the curtilage of a dwelling house shall be treated as the enlargement of the dwelling house |
| Building a new single dwelling house | Occupied by a person employed locally in agriculture |
| Conversion of a building or buildings to form a single dwelling house | Occupied by a person employed locally in agriculture |

| | |
|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| The formation, laying out or widening of a means of access | |
| The erection, construction, improvement or other alteration of gates, fences, walls or other means of enclosure | |
| The Second Schedule (consultation is not required if development is one of the following and meets the criteria set out) | |
| Development | Criteria |
| The erection, enlargement or other alteration of a building or buildings | Development must not be for more than one dwelling house |
| | The erection of a garage within the curtilage of a dwelling house shall be treated as the enlargement of the dwelling house |
| Operations in connection with the conversion of a single dwelling house for use as not more than two dwelling houses | |
| The erection, enlargement or other alteration of a shop | The sales area must be confined to the ground floor. |
| | The gross floor area of the building must not exceed 610 square metres |
| The erection, enlargement or other alteration of a medical or dental surgery, health centre or office | Limited to two storeys |
| ? | Gross floor area must not exceed 610 square metres |
| Change of Use | Acceptable Change |
| The change in use of a building or buildings | not more than one dwelling house |
| single dwelling house | to use as not more than two dwelling houses |
| The change in use of a building or buildings | Change must be for a shop, medical or dental surgery, health centre or office |

Table 1: Development thresholds

Guidance on Design and Access Statements

- 6.72 A Design and Access Statement (D&AS) is a short report that accompanies and supports a planning application. It illustrates the process that has led to the development proposal and explains the design and the different options considered in the design process.
- 6.73 Applicants are encouraged to seek pre-application planning advice to determine the relevant planning issues that may need to be addressed in detail within their applications. In some instances, it may be appropriate to address matters of landscape and heritage within a design and access statement, rather than preparing a separate LVIA or HIA. However, where heritage or landscape matters are relevant planning issues that require more detailed information, applicants should prepare their supporting information accordingly.
- 6.74 D&ASs help to make sure that development proposals are based on a thoughtful design process and a sustainable approach to access. They help us to better understand the analysis that has underpinned the design, which in turn helps negotiations and decision-making and should lead to an improvement in the quality, sustainability, and inclusiveness of the development whilst demonstrating how the proposal meets design related policy criteria of the Development Plan.

When is a Design and Access Statement required?

- 6.75 A D&AS is required for major development and all developments in Conservation Areas and WHSs.
- 6.76 In major developments, a D&AS is required for:
- i) sites with an area of 0.5 hectares or more and it is not known whether the development relates to dwelling houses
 - ii) all sites having an area of 1 hectare or more
 - iii) the provision of 10 or more dwelling houses
 - iv) A building or buildings where the floor space to be created by the development is 1,000 square metres or more
- 6.77 Certain major developments are excluded, such as mining operations or waste development, where the form of particular schemes will largely be dictated by their function.
- 6.78 In areas of historic value, smaller proposals may also have a significant impact on the character of an area. Therefore, D&AS will be required for proposals within the JBOCZ where:
- i) the proposal includes the provision of one or more dwelling houses
 - ii) the proposal includes the provision of a building or buildings where the floor space created by the development is 100 square metres or more
- 6.79 Developments of this scale can have a greater impact on the immediate surroundings and the wider area and a D&AS can perform a valuable function

in helping the local planning authority and third parties to understand the analysis underpinning the design of a scheme and assess its impact on the WHS.

Content requirements

- 6.80 In preparing the D&AS, developers need to consider and explain the merit of the design and how it relates to the existing setting. This will include considering:
- i) The mass, form and scale of buildings.
 - ii) The immediate landscape and wider landscape, and how the proposal relates to this.
 - iii) The impact on heritage, including views to and from the Jodrell Bank site
 - iv) The level of likely electrical interference likely to be created by the development and the measures proposed to mitigate and contain this.

Design component

- 6.81 Development proposals within the JBOCZ must be accompanied by a D&AS that must relate to the context of the WHS, identify the specific issues that arise within the proposed development site and explain how those issues have been addressed.
- 6.82 To agree a suitable approach, proposals within the JBOCZ should submit a Radio Wave Prevention Scheme alongside their proposals, demonstrating how they have sought to minimise interference through design and materials led solutions.
- 6.83 All D&ASs must:
- i) explain the design principles and concepts that have been applied to the development
 - ii) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account in relation to the proposed use
 - iii) explain the policy adopted as to access and how policies relating to access in relevant development plan documents have been considered
 - iv) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation
 - v) explain how any specific issues that might affect access to the development have been addressed
- 6.84 When preparing a D&AS the following headings should be used:
- 6.85 **Heading 1: Amount and Type of Development**
- 6.86 The statement for both outline and detailed applications should explain the amount of development proposed for each use, how this will be distributed

across the site, how the proposal relates to the site's surroundings and what consideration is being given to make sure that accessibility for users to and between parts of the development is maximised. Where the application specifies a range of floorspace for a particular use, the reasons for this should be explained clearly in the D&AS.

6.87 For residential development, this means the number of proposed units for residential use. For all other development, this means the proposed floor space for each proposed use.

6.88 Amount cannot be reserved within an outline application, although it is common to express a maximum amount of floorspace for each use in the planning application and for this to be made the subject of a planning condition.

6.89 **Heading 2: Layout**

6.90 The layout and location of development within a site is an important variable that can impact on the operation of Jodrell Bank's telescopes. Therefore, layout choices can be important in determining whether a proposal is harmful to the operation of the telescopes.

6.91 The D&AS accompanying an outline application should explain:

- i) the principles behind the choice of development zones and blocks or building plots proposed and how these principles, including the need for appropriate access will inform the detailed layout.
- ii) the underlying terrain of the site and how the proposal makes best use of low-lying areas for development.
- iii) how the layout, relationship between buildings, public and private spaces, will help to create safe, vibrant and successful places
- iv) the accessibility of the site in term of travel distances, gradients and topography.
- v) how the layout has been used to minimise energy consumption
- vi) how the layout creates a safe and accessible environment

6.92 **Heading 3: Scale**

6.93 Scale is the height, width and length of a building or buildings in relation to its surroundings.

6.94 If scale has been reserved at the outline stage, the application should still indicate the upper and lower limits of the height, width and length of each building, to establish a 3-dimensional building envelope within which the detailed design of buildings will be constructed. In such cases the design component of the D&AS should explain the principles behind these parameters and how these will inform the final scale of the buildings.

6.95 The height of buildings can have an adverse effect on the operational functionality of the telescopes. The higher the building, the more adverse effect is likely. As such, proposals should carefully consider building height and explain how this matter has been considered in the process.

- 6.96 For detailed applications, and outline applications that do not reserve scale, the D&AS should explain the scale of buildings proposed, including why particular heights have been settled upon, and how these relate to the site's surroundings and the relevant skyline. The statement should also explain the size of building parts, particularly entrances and facades, with regard to how they will relate to the human scale.
- 6.97 **Heading 4: Landscaping**
- 6.98 Landscaping is the treatment of private and public spaces to enhance or protect the amenities of the site and the area in which it is situated through hard and soft landscaping measures.
- 6.99 Statements should explain:
- i) the function of the landscaping
 - ii) the principles that will inform any future landscaping scheme for the site.
 - iii) the purpose of landscaping and its relationship to the surrounding area.
Where possible, a schedule of planting and proposed hard landscaping materials to be used is recommended.
- 6.100 Some development proposals (for example, alterations to an existing building) may include no landscaping element. For such proposals, this section of the D&AS would simply need to state why landscaping is not relevant to the application.
- 6.101 **Heading 5: Appearance**
- 6.102 Appearance is the aspect of a place or building that determines the visual impression it makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 6.103 If appearance is reserved at the outline stage, the outline application does not need to provide any specific information on the issue. In such cases the design and access statement should explain the principles behind the intended appearance and how these will inform the final design of the development.
- 6.104 For detailed applications, and outline applications that do not reserve appearance, the design and access statement should explain the appearance of the place or buildings proposed including how this will relate to the appearance and character of the development's surroundings. It should explain how the decisions taken about appearance have considered accessibility. The choice of materials and textures will have a significant impact upon a development's accessibility. Judicious use of materials that contrast in tone and colour to define important features such as entrances, circulation routes or seating for example will greatly enhance access for everyone. Similarly, early consideration of the location and levels of lighting will be critical to the standard of accessibility ultimately achieved.
- 6.105 **Heading 6: Context**
- 6.106 An important part of a D&AS is the explanation of how local context has influenced the design. Context should be discussed in relation to the scheme

as a whole, rather than specifically in relation to the five sub-components of amount, layout, scale, landscaping and appearance.

6.107 A D&AS should demonstrate the steps taken to appraise the context of the proposed development. It is important that an applicant should understand the context in which their proposal will sit and use this understanding to draw up the application.

6.108 A good understanding of context includes:

- i) Assessment of the site's immediate and wider context in terms of physical, social and economic characteristics and relevant planning policies. This may include both a desk survey and on-site observations and access audit. The extent of the area to be surveyed will depend on the nature, scale and sensitivity of the development.
- ii) Involvement of both community members and professionals. Depending on the scale, nature and sensitivity of the proposed development, this might include consultation with local community and access groups and planning, building control, conservation, design and access officers. The statement should indicate how the findings of any consultation have been considered for the proposed development and how this has affected the proposal.
- iii) Evaluation of the information collected on the site's immediate and wider context, identifying opportunities and constraints and formulating design and access principles for the development. Evaluation may involve balancing any potentially conflicting issues that have been identified.
- iv) Design of the scheme using the assessment, involvement, and evaluation information collected. Understanding a development's context is vital to producing good design and inclusive access and applicants should avoid working retrospectively, trying to justify a predetermined design through subsequent site assessment and evaluation.

6.109 **Heading 7: Use**

6.110 A D&AS should explain how this understanding of the context has been considered in relation to its proposed use. The use is the use or mix of uses proposed for land and buildings. Use cannot be reserved within an outline application.

6.111 D&ASs for both outline and detailed applications should explain the proposed use or uses, their distribution across the site, the appropriateness of the accessibility to and between them and their relationship to uses surrounding the site.

6.112 **Heading 8: Access**

6.113 The access component should explain how you plan to make sure that all users will have equal and convenient access to buildings and spaces and the public transport network.

6.114 For outline applications, where access is reserved, the application should still indicate the location of points of access to the site. Statements accompanying such applications should, however, clearly explain the principles that will be

used to inform the access arrangements for the final development at all scales, from neighbourhood movement patterns where appropriate to the treatment of individual access points to buildings.

6.115 The level of detail provided in the access component of the statement should be proportionate to the nature and scale of the access that will be required to the site. For proposals that will have no public access and only limited maintenance or operational access, the access component need not be long.

6.116 The access component should:

- i) Address the need for flexibility of the development and how it may adapt to changing needs.
- ii) Explain the policy adopted and how relevant policies in local development documents have been considered.
- iii) Provide information on any consultation undertaken in relation to issues of access and how the outcome of this consultation has informed the development proposals. This should include, for example, a brief explanation of the applicant's policy and approach to access, with particular reference to the inclusion of disabled people, and a description of how the sources of advice on design and accessibility and technical issues will be, or have been, followed. Access for the emergency services should also be explained where relevant. Such information may include circulation routes round the site and egress from buildings in the event of emergency evacuation.

6.117 Matters for consideration in relation to access include:

- i) Transport links
- ii) Disabled parking provision or setting down points or garaging
- iii) Approach routes to building – wayfinding signage, gradient, width, surface finish
- iv) External hazards/features – hard landscaping, projections, furniture
- v) External steps/ramps – gradient, width, guarding and height
- vi) Entrances – primary and secondary
- vii) Doors – operation, size, level threshold, automatic
- viii) Visibility of external signage – size and contrast for people with impaired vision
- ix) Spectator seating - number of spaces, choice of viewing point, facilities

6.118 The access component should be amended to reflect any decisions reached on site so that any new owner or occupier can be aware of the rationale used in making decisions which impact on accessibility and their ongoing obligations under the Equality Act 2010.

Mitigation and the Application of Conditions

- 6.119 Mitigation measures to reduce the impact of interference to radio astronomy are possible and may be useful in certain cases where development is found otherwise acceptable. These measures include control of activities likely to cause interference; installation of shielding to reduce the level of signals emitted; and techniques used in observing and processing radio astronomy data.
- 6.120 Control measures in place at JBO include restrictions on the use of radio transmitters, mobile phones and Wi-Fi; testing of radio frequency emissions from electronic and electrical equipment. Enhanced restrictions for particular observations have been implemented including complete curfews on the use of all electrical and electronic equipment, except for items in highly shielded 'Faraday cages' for certain periods. None of these control measures would be feasible in a residential setting.
- 6.121 Shielding measures in place at JBO include the construction of highly shielded rooms made of steel plates riveted to a steel frame with metal gasketing and copper tape over all joints. Such rooms that have no windows and a submarine-type radio quiet door provide up to 80 dB additional attenuation for particular equipment. In other rooms, shielded racks provide typically 50 dB attenuation for computing servers. None of these shielding measures would be feasible, appropriate, or enforceable in a residential setting.
- 6.122 Simple shielding measures that are appropriate and recommended by JBO for residential buildings include the use of foil backed plasterboard and metallised window glass, both of which are generally required to meet thermal insulation requirements in modern buildings. The mitigation effects of these measures have already been described and considered in the methodology that calculates the impact of interference on the operation of the telescopes.
- 6.123 It is not practical to build a convenient house with full radio frequency screening, so the proposed solution is to install targeted screening on the roof and those walls that face generally towards Jodrell Bank. Radio emissions travel on a horizontal plane and therefore the objective is to direct any radio emissions generated within the house away from the telescopes, so it is equally important that there should be no screening on walls that face away from the telescopes. A house in which all the walls are built to the same specification would not achieve the required objective.
- 6.124 In order to avoid unnecessary costs and potential conflicts with normal building regulations, the JBO encourages screening solutions that employ standard building materials, provided these can be shown to have appropriate radio frequency properties. The observatory has conducted tests to identify a selection of suitable materials, as listed below and is willing to conduct further tests on other materials that may be proposed. Ideally, such tests should be completed before a formal planning application is made, so that the design proposed can take account of the test results.

Planning Conditions

- 6.125 Planning conditions may be applied to make a development proposal acceptable in planning terms. Such conditions could be applied to mitigation measures that will reduce potential electrical interference from a development proposal.

Screening Materials and Design

- 6.126 Where development is found acceptable, subject to the delivery of measures on the Radio Wave Prevention Scheme, other conditions and having regard to the site and the area in which it is located, and the need to minimise electromagnetic interference that would impact upon the JBO, conditions will be applied to require the delivery of measures agreed in the Radio Wave Prevention Scheme.
- 6.127 Materials and components with radio frequency screening properties, suitable for use in roofs or external walls facing toward the telescope, should generally incorporate a continuous sheet of metal within them. The following may be used in walls, roofs and elevations facing toward the telescopes:
- i) Plasterboard with aluminium foil backing on one or both sides that has been tested by The UoM and found suitable for screening rolls. It would also serve to screen the roof if applied to the ceiling of the top story.
 - ii) Pilkington K glass that has been tested by the UoM and found suitable for screening windows. This is a proprietary low emissivity glass. Other types of low emissivity glass may provide similar radio frequency screening but would need to be tested before use.
 - iii) Reflective insulating blanket material intended for use in walls and lofts, a sample of which (incorporating a layer of aluminium foil) has been tested by UoM and found to provide satisfactory screening. Other products that are similar in appearance but contain no metallic film would be ineffective so testing of the exact product to be used is essential. Where a suitable material of this type is used, adjacent strips should be overlapped by at least 100mm for maximum screening.
 - iv) Doors should be of metallic construction or incorporate an aluminium foil barrier.
- 6.128 It is essential that the walls facing away from the telescope should permit the radio waves to escape. In general, this means that materials and components incorporating metallic films sheets or meshes must be avoided. Plain glass, standard brickwork, wooden doors and plasterboard with no aluminium foil are acceptable. Large areas of reinforced concrete would be a problem. Or the materials should be tested before use.

Permitted Development

- 6.129 Whilst the planning system allows the LPA to manage development through the issuing of consents, development that falls within permitted development rights does not require consent and therefore this reduces the ability of the LPA to exercise control of development.
- 6.130 All electrical equipment within the JBOCZ gives rise to interference that impedes the efficiency of the telescopes at Jodrell Bank. Permitted development rights apply to a wide range of development and are not limited to residential matters, however this category is generally of most concern to The UoM due to the high volume of electrical devices that homes hold, and therefore the risk to increases in electrical interference from this source of development. There is scope for permitted development to cumulatively harm the efficient operation of the telescopes through other matters such as electrical charging points for vehicles, which also fall within permitted development rights, and plant machinery associated with agricultural and other industries.
- 6.131 The 1973 Direction applies across the JBOCZ and sets out size, scale and use thresholds for development. If development exceeds these thresholds The UoM must be consulted and an assessment of the developments impact on JBO will be undertaken. However, the General Permitted Development Order (GPDO) introduces multiple scenarios that allow development to exceed the thresholds set out in the 1973 Direction, and for which no planning consent is required, and therefore no consultation would take place with The UoM regarding the impact of that development on JBO. Changes of use within a use class generally do not constitute development and therefore are not subject to planning consent.

Removal of Permitted Development Rights

- 6.132 In addition to conditions regarding screening and the minimization of interference, to ensure continued control over the extent of further building on the site, conditions will be applied that remove future permitted development rights, including changes of use, that are reasonably likely to create electrical or radio interference within the JBOCZ.
- 6.133 An example condition is:

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A, B, C, D, E and G of Part 1 Schedule 2 of the Order shall be carried out.”

7. Appendix 1: UNESCO's criteria for the Assessment of Outstanding Universal Value

UNESCO's criteria for the assessment of OUV (para 77 of the Operational Guidelines):

- (i) represent a masterpiece of human creative genius;
- (ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
- (iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;
- (iv) be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;
- (v) be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change;
- (vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (vii) contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;
- (viii) be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;
- (ix) be outstanding examples representing significant ongoing ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;
- (x) contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

8. Appendix 2: World Heritage Committee Decision and Statement of Outstanding Universal Value

Decision: 43 COM 8B.35

Jodrell Bank Observatory (United Kingdom of Great Britain and Northern Ireland)

The World Heritage Committee,

Having examined Documents WHC/19/43.COM/8B and WHC/19/43.COM/INF.8B1,

Inscribes the Jodrell Bank Observatory, United Kingdom of Great Britain and Northern Ireland, on the World Heritage List on the basis of criteria (i), (ii), (iv) and (vi);

Adopts the following Statement of Outstanding Universal Value:

Brief synthesis

Jodrell Bank Observatory was important in the pioneering phase and later evolution of radio astronomy. It reflects scientific and technical achievements and interchanges related to the development of entirely new fields of scientific research. This led to a revolutionary understanding of the nature and scale of the Universe. The site has evidence of every stage of the history of radio astronomy, from its emergence as a new science to the present day.

Jodrell Bank Observatory is located in a rural area in northwest England. Originally, scientific activity was located at the southern end of the site, and from that time activity has moved to the north across the site with many new instruments developed and then abandoned. Remnants of early scientific instruments survive.

At the south end of the site is the location of the Mark II Telescope and it is bounded by an ensemble of modest research buildings in which much of the early work of the Observatory took place.

To the north of the Green, the site is dominated by the 76 metre diameter Lovell Telescope which sits in a working compound containing a number of engineering sheds and the Control Building. There are spaces open to the general public which include visitor facilities set around the Lovell Telescope. Other visitor facilities are outside the property to the northeast.

Jodrell Bank Observatory is the hub of the UK's national wide array of up to seven radio telescopes (e-MERLIN) including the Lovell and Mark II Telescopes.

Criterion (i): Jodrell Bank Observatory is a masterpiece of human creative genius related to its scientific and technical achievements. The adaptation and development of radar and radio frequency reflectivity to develop radically new equipment, such as

the Transit Telescope and Lovell Telescope, were a key part in the development of entirely new fields of scientific research and led to a dramatic change in the understanding of the Universe. The Observatory was important in the pioneering phase and later evolution of radio astronomy.

Criterion (ii): Jodrell Bank Observatory represents an important interchange of human values over a span of time and on a global scale on developments in technology related to radio astronomy. The scientific work at Jodrell Bank was at the heart of a global collaborative network. In particular, several important technological developments such as very large paraboloidal dish telescopes and interferometer were developed at the Observatory, and were later influential in scientific endeavours in many parts of the world.

Criterion (iv): Jodrell Bank Observatory represents an outstanding example of a technological ensemble which illustrates a significant stage in human history (1940s-1960s) – the transition from optical astronomy to radio astronomy and the associated consequence for the understanding of the Universe through multi-wavelength astrophysics. The property is also associated with the peacetime development of ‘Big Science’ as a major change in the way in which scientific research was supported and undertaken. The surviving evidence at the property related to the evolutionary development of radio astronomy from the post-war pioneering phase through to sophisticated, large scale research activity in the field makes Jodrell Bank an outstanding example of such a technological ensemble.

Criterion (vi): Jodrell Bank Observatory is directly and tangibly associated with events and ideas of outstanding universal significance. The development of the new field of radio astronomy at the property led to a revolutionary understanding of the Universe which was only possible through research beyond the possibilities of optical astronomy to explore the electromagnetic spectrum beyond visible light. Understanding of the nature and scale of the Universe has been dramatically changed by research in radio astronomy at the Observatory.

Integrity

The property retains all attributes that document its development as a site of pioneering astronomical research. Practically all stages of development from the very beginning, with improvised, re-used or borrowed equipment, onwards are represented by buildings, physical remains or in some cases archaeological remnants. Some important stages, such as represented by the large Transit Telescope, have not survived intact although traces remain. The later, large scale and far more ambitious instruments are still present at the property. This includes the iconic Lovell Telescope with its Control Building. The property also retains many quite modest structures which are, none the less, important for their research use, or which otherwise supported the work of the Observatory.

In general, all the structures are very well preserved and the property continues to be

dominated by the large scale Lovell Telescope and Mark II Telescope. However, several early wooden buildings have suffered from neglect and dis-use. Their restoration is to be undertaken. The grounds are well cared for. Recent buildings have a simple and subdued character, which do not detract from the overall appreciation of the property.

The Consultation zone, consultation zone of the property, protects the scientific capabilities of the Observatory from radio emissions in its vicinity, contributing to maintenance of the functional integrity of the property.

Authenticity

The location of the property has continued unchanged, and the largely agricultural setting is essentially identical apart from the construction of the Square Kilometre Array building as part of the ongoing scientific use of the Observatory. The form and design has evolved through time reflecting the important development history of the property. This includes the somewhat improvised character of many structures indicative of the priority given to scientific research rather than the quality of buildings. Materials and substance have been mostly retained although there has been some replacement of deteriorated materials over time. The property retains its ongoing scientific use.

Protection and management requirements.

Most of the attributes of Jodrell Bank Observatory have been listed under the Planning (Listed Buildings and Conservation Areas) Act 1990. The two major telescopes have been listed in the highest category, Grade 1. There are some elements which have no listing at the present time, although they are managed for their heritage values as part of the property.

In addition, World Heritage inscription affords all attributes a protection status equivalent to the highest level or Grade 1, in accordance with the National Planning Policy Framework (2012) and the spatial planning system which operates through several pieces of legislation, including the Town and Country Planning Act 1990. Any changes to listed buildings require approval.

The consultation zone is based on the Jodrell Bank Radio Telescope Consultation Zone which has operated effectively to protect the Observatory for many decades. It was established by the Town and Country Planning (Jodrell Bank Radio Telescope) Direction 1973.

The property is managed by the UoM with a committee, the Jodrell Bank Site Governance Group responsible for coordination. This committee includes key internal stakeholders such as the three main site user groups. Each of the site user groups has its own well-developed and independent management and operational structures. Roles managing the heritage of the Observatory are integrated with the daily work of

the Jodrell Bank Centre for Astrophysics, responsible for scientific and engineering research, telescope operations and engineering, and the Jodrell Bank Discovery Centre which is responsible for visitor management and heritage coordination. These user groups are supported by other management groups within the University. The third site user group is the Square Kilometre Array Organisation, located just outside the property within the consultation zone but within the overall Observatory.

The management of the property is based on existing University structures, to be augmented by a WHS Steering Committee which will have oversight of the property and undertake coordination between the University, users and external stakeholders. The Conservation Management Plan (2016) provides an overview of the instruments and procedures for the effective management of the property. The plan, supplemented by an extensive Site Gazetteer, is currently being updated. The Observatory has a long experience with managing visitors. There is a current tourism management plan and enhanced presentation of the property is ongoing.

Recommends that the State Party give consideration to the following:

- Providing a summary end of project report following completion of the current major conservation project,
- Confirming the timeframe for the conservation of the two Botany Huts,
- Continuing to respect and portray the historical character of the buildings and site development. This character often includes relatively primitive buildings, often with additions undertaken with little regard to aesthetics or quality construction,
- Providing the revised Conservation Management Plan and associated Site Gazetteer when completed, to the World Heritage Centre,
- Considering masterplanning for the property and consultation zone to anticipate possible future development needs.

9. Appendix 3: Jodrell Bank Radio Telescope Direction 1971

THE TOWN AND COUNTRY PLANNING ACT 1971

THE TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1973

THE TOWN AND COUNTRY PLANNING (JODRELL BANK RADIO TELESCOPE) DIRECTION 1973

The Secretary of State for environment in exercise of the powers conferred on him by paragraph (1) of Article 10 and paragraph (3) of Article 13 of the town and country planning general development order 1973 hereby directs as follows:-

Definitions

‘The map’ Means a map certified by the Secretary of State to be the map for the purposes of this Direction.

‘The radio telescope’ means the laboratories, radio telescopes and associated equipment of the Victoria UoM, which are together known as the Nuffield Radio Astronomy Laboratories and are situated at Jodrell Bank in the Parishes of Withington and Goostrey in the County of Chester.

‘The inner zone’ means the area around the radio telescope which is cross hatched on the map.

‘The outer zone’ means the area around the telescope which is hatch to vertically on the map.

‘The University’ means the Victoria UoM.

Any other expressions of the meanings assigned to them by virtue of the Town and Country Planning Act 1971.

Requirement to Consult

The local planning authority shall consult with the University before granting planning permission on: -

Any application for development within the inner zone (subject to the exception specified in the First Schedule hereto).

Any application for development within the outer zone (subject to the exceptions specified in the First and Second Schedules hereto).

Determination of Applications

Where the local planning authority are disposed to grant consent to an application contrary to the views expressed by the University, they shall not do so within a period of 21 days from the date on which they notify the University of their intention to grant permission.

Dated this 6th day of April

1973

SJ heritage

Authorised by the Secretary of State to sign in that behalf

THE FIRST SCHEDULE

Planning applications in respect of which consultation is not required with the University in the inner zone:-

The re-building for the same use on the same or substantially the same site of any building which is in use otherwise than in breach of planning control on the date of the application, provided the cubic content of the new building is not increased and the area of land occupied by the new building does not exceed the area of land occupied by the existing building.

The re-building on the same or substantially the same site of any dwelling house which is in the use as such on the date of the application and the enlargement improvement or other alteration of any dwelling house which is in use as such on the date of application, so long as in either case the cubic content of the original dwelling house (as ascertained by external measurement) is not exceeded by more than 914 cubic metres or 30%, whichever is the greater, provided that the erection of a garage within the curtilage of a dwelling house shall be treated as the enlargement of the dwelling house for the purposes of this direction.

An application for the erection of a single dwelling house or the conversion of a building or buildings to form a single dwelling house where the terms of the application are such that if it is granted the dwelling house will be occupied by a person employed locally in agriculture.

The formation, laying out or widening of a means of access.

The erection, construction, improvement or other alteration of gates, fences, walls, or other means of enclosure.

THE SECOND SCHEDULE

Planning applications in respect of which consultation is not required with the University in the outer zone.

(A) Any application which involves:

The erection, enlargement or other alteration of a building or buildings for use as not more than one dwelling house, provided that the erection of a garage within the curtilage of a dwelling house shall be treated as the enlargement of the dwelling house for the purposes of this direction;

Operations in connexion with the conversion of a single dwelling house for use as not more than two dwelling houses;

The erection, enlargement, or other alteration of buildings to be used for or in connexion with any of the following purposes: -

A single shop, the sales area of which is to be confined to the ground floor provided the gross floor area of the building does not exceed 610 square metres;

A medical or dental surgery, health centre or office, provided that each building of such types is not more than two storeys in height and the gross floor area of the building does not exceed 610 square metres;

Any application for development in relation to which either before or after the coming into force of this direction the local planning authority have consulted with the University on the question of whether such land should be developed and upon such consultation the University have informed the local planning authority in writing they have no objection to such development provided that this exception shall not apply where the proposal materially differs from that disclosed to the University when such consultation took place.

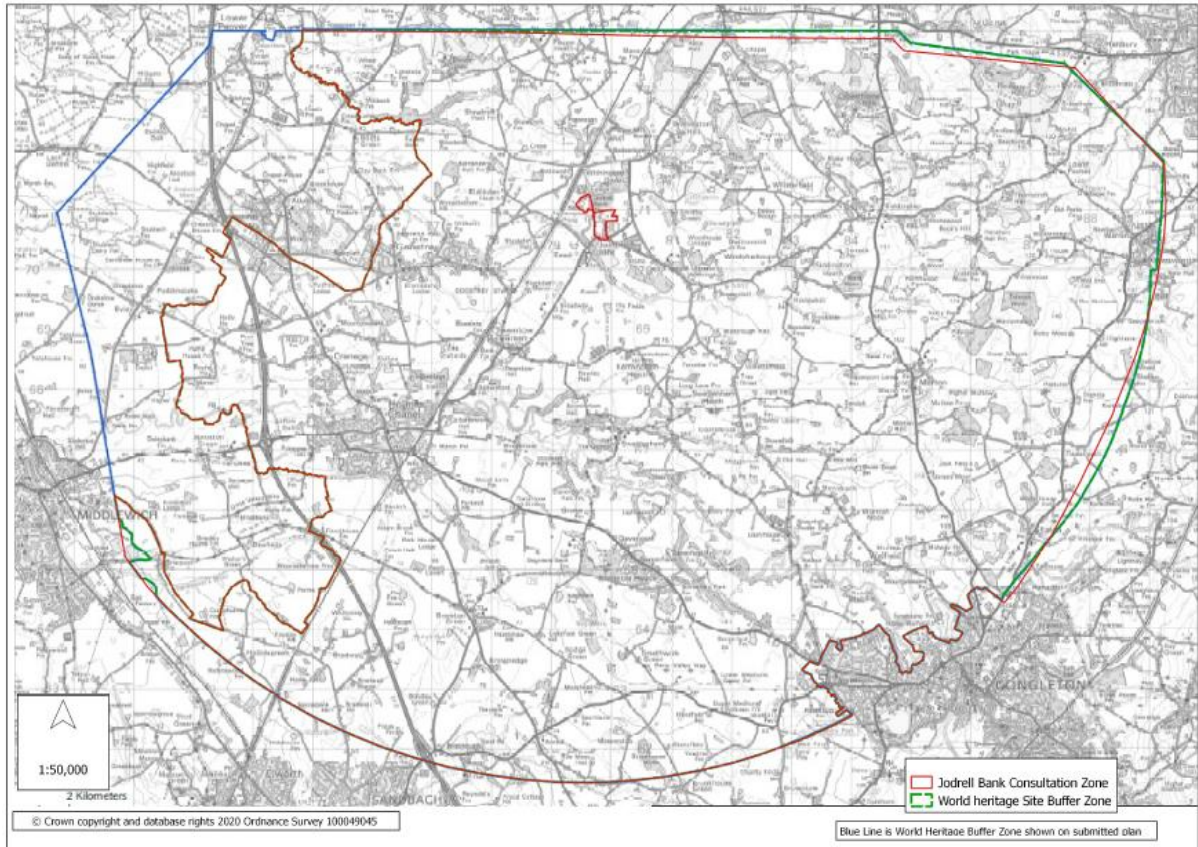
15.25 (B) Applications in respect of development by change of use:-

The change in use of a building or buildings to use as not more than one dwelling house and the change in use of a single dwelling house to use as not more than two dwelling houses;

The change in use of a building or buildings to use for or in connexion with any of the purposes specified in paragraph A3 of this schedule (subject to the limitations and other provisions contained in the said paragraph).

10. Appendix 4: Conservation Management Plan

11. Appendix 5: Defined JBO Consultation Zone



12. Appendix 6: Schedule of Relevant Appeal Decisions

- 12.1 Land Off Main Road, Goostrey. Planning Appeal Reference: [APP/R0660/W/15/312954](#). Appeal dismissed.
- 12.2 Brickbank Farm, Boothbed Lane, Goostrey. Planning Appeal Reference [APP/R0660/W/21/3267030](#). Appeal dismissed.
- 12.3 Rose Bank, Twemlow Lane, Cranage, Crewe CW4 8E. Planning Appeal Reference: [APP/R0660/W/19/3224057](#). Appeal dismissed.
- 12.4 Over Peover Methodist Church, Cinder Lane, Over Peover. Planning Appeal Reference: [APP/R0660/W/19/3226479](#). Appeal dismissed.
- 12.5 Macclesfield Road, Holmes Chapel. Planning Appeal Reference: [APP/R0660/W/18/3214286](#). Appeal dismissed.
- 12.6 Maintenance Shed at the Coach House, Peover Lane, Chelford. Planning Appeal Reference: [APP/R0660/W/18/3204248](#). Appeal dismissed.
- 12.7 Coachman's Cottage, Macclesfield Road, Jodrell Bank. Planning Appeal Reference: Appeal Ref: [APP/R0660/W/18/3206533](#). Appeal dismissed.
- 12.8 Crossmere Farm, Davenport Lane, Brereton Heath. Planning Appeal Reference: Appeal Ref: [APP/R0660/W/18/3202847](#). Appeal dismissed.
- 12.9 Moss Nook, Moss Lane, Brereton Heath. Planning Appeal Reference: Appeal Ref: [APP/R0660/W/18/3206467](#). Appeal allowed.
- 12.10 51 Main Road, Goostrey. Planning Appeal Reference: Appeal Ref: [APP/R0660/W/18/3218817](#). Appeal dismissed.

13. Appendix 7: Example Methodology

Introduction

- 1.1 This document sets out the University of Manchester's further representations in accordance with Part 2 of the Town and Country Planning Act 2009 to the Appeal Statement submitted by Fisher German LLP on behalf of Mr Boffey following the refusal of Application 20/2250C by Cheshire East Council.
- 1.2 The further representations will address the impact of the proposed development on the operations of the Jodrell Bank Radio Telescope and demonstrate how that impact impairs the efficiency of the Radio Telescope.
- 1.3 Policy PS10 of the Congleton Borough Local Plan and SE14 of the Cheshire East Local Plan Strategy require consideration to be given to development that can be shown to impair the efficiency of the Jodrell Bank Radio Telescope.

Summary

- 2.1 Radio astronomy provides a unique view of the Universe, often revealing material that cannot be detected by telescopes operating at visible or other wavelengths, looking into the most highly obscured parts of galaxies, and routinely producing images at higher resolution than any other telescopes. However, unlike any other type of astronomy, the 'light pollution' which affects radio telescopes in the form of radio transmissions and unwanted radio noise, is very powerful and all-pervasive. The future of radio astronomy relies on simultaneously maintaining the continued regulatory protection of key frequency bands, continued protection of radio telescope sites from the build-up of activity which generates uncontrolled radio interference, and continual development of radio astronomy techniques to distinguish between cosmic and terrestrial signals.
- 2.2 Jodrell Bank Observatory (JBO) is the UK's primary radio astronomy facility, operated and maintained by the University of Manchester and the UK Science and Technology Facilities Council (STFC) as part of the Jodrell Bank Centre for Astrophysics (JBCA). The 76-m Lovell Telescope is still the third largest steerable radio telescope in the world and, thanks to major upgrades, it is more capable than ever before. It is one of the most productive radio telescopes in terms of pulsar research and has produced the longest database of pulsar timing observations in the world – a unique resource which makes current observations even more valuable. Pulsar timing is the most important and internationally significant research programme carried out by the Lovell Telescope as a single telescope and has the potential for breakthroughs in fundamental physics.
- 2.3 The Lovell Telescope and other JBO telescopes are used by hundreds of research astronomers from the UK and around the world, including almost all UK university astrophysics research groups. Jodrell Bank radio telescopes are used

as part of international networks which combine signals from all of the largest radio telescopes in Europe and around the world. JBCA carries out world-class research in many of the key science topics of modern astrophysics and also has a vital and well-established role in communicating that science to the general public through the Jodrell Bank Discovery Centre. Its contributions throughout the development of radio astronomy as a technique and a new branch of science are unrivalled in the world. Continued investment in JBO has maintained its world-class status and further major investment is being made now to guarantee its future scientific competitiveness for the next 20 years or more. This combination of an unequalled heritage, world-class science, public engagement and ongoing development underlie the decision to host the headquarters of the International Square Kilometre Array at Jodrell Bank with the full support of UK government.

- 2.4 National bodies which administer the use of the radio spectrum (Ofcom in the UK) protect key frequency bands for radio astronomers and respect internationally recognized definitions of the levels at which interference into these bands causes harm to radio astronomy. However, the unintentional emission of radio signals by domestic or industrial equipment is not controlled by the spectrum allocation process and such equipment can and does cause interference in frequency bands used for radio astronomy. This interference is already causing artifacts and distortions in radio images and spectra, may mimic astronomical sources, and will add a component of variable noise to timing measurements of pulsars or radio images of objects. For JBO the perturbation to timing measurements of pulsars is of the greatest concern, since this is such an important and internationally significant research programme and because these measurements can be degraded and corrupted in an irrevocable manner by interference, especially the type of sporadic broad-band interference caused by domestic and industrial equipment.
- 2.5 The methodology for the assessment of radio interference is based on the procedure established in the case of the appeal by Gladman Developments for a site in Goostrey (APP/R06609/W/15/3129954). This appeal was dismissed by the Secretary of State and in paragraph 15 of the decision he says that the methodology to predict interference was reasonable. The same methodology was accepted at the inquiry for the appeal by Henderson Homes (APP/R0660/W/16/3166025) for a development of 6 homes on an adjacent site.
- 2.6 Detailed modelling, also accepted in these previous appeals, uses a carefully constructed map of the degree to which signals reaching the Lovell Telescope from any location in the NW are attenuated by the combination of distance and intervening terrain. By combining this map with the distribution of buildings and population density data, the relative contributions to interference received at the Lovell Telescope can be predicated as a function of distance and direction. This work confirms that the dominant contributions are expected to come from local settlements rather than larger more distant conurbations. Whilst additional interference from small scale development may appear small, it nonetheless

represents a further impairment to the efficiency of the telescope, involving a breach of the international threshold for harmful interference. It is also important to place this type of assessment in its proper context, which is that it is a further degradation relative to existing levels of interference which are already impairing the efficiency of the telescope and affecting the work carried out at Jodrell Bank.

Policy protection for radio astronomy

- 3.1 Some radio astronomy observatories (notably Green Bank in the US and the SKA sites in Australia and South Africa) have defined 'radio quiet zones' surrounding the observatories within which there is legislative control on radio transmission and sources of radio interference. The ITU report ITU-R RA.2259 'Characteristics of Radio Quiet Zones' contains more details and examples.
- 3.2 There is no such radio quiet zone in the UK and instead JBO has relied on the consultation process established in the 1973 Article 11 Direction to the Town and Planning Act 1971 to safeguard its radio frequency environment by reviewing planning applications within a defined consultation zone.
- 3.3 The relevant planning policy statement is SE14 in the Cheshire East Local Plan Strategy: 'Within the Jodrell Bank radio telescope consultation zone, as defined on the proposals map and inset maps, development will not be permitted if it (i) impairs the efficiency of the telescopes; or (ii) has an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Radio Telescope.' The Congleton and Macclesfield Borough Local Plans contains a similar policy, PS10/GC14.
- 3.4 Below we explain the relevant recommendation of the International Telecommunications Union (ITU) which defines the level of interference which should be considered as detrimental to radio astronomy observations. This is the only internationally recognized standard for interference thresholds in radio astronomy and is widely used by national administrations including the UK when dealing with frequency allocations. In his decision on the appeals by Gladman Developments, the Secretary of State relied upon this ITU benchmark when assessing whether the proposals in that case complied with policy PS10 (now SE14), as did the Inspector in dismissing other recent appeals.

Impact of radio interference on radio astronomy operations at Jodrell Bank

4.1 General Remarks

- 4.2 In almost all cases the radio signals emitted by astrophysical phenomena are noise-like and extremely weak. Unlike communications systems, the signals being sought are typically a hundred to a million times lower than the internal noise generated by the receiver on the telescope even with the very best receiver designs cooled to a few degrees above absolute zero. Radio astronomers can work successfully in this low signal-to-noise (S/N) regime because they can

measure the average properties of the signal over long periods or across large bandwidths in order to detect small changes in the total noise level. Interfering signals can be much more powerful than the radio astronomy signal and disrupt this process.

- 4.3 Interference manifests itself in many different ways depending on its strength and how it is distributed in time and frequency. It causes artifacts and distortions in images and spectra; it may mimic astronomical sources such as emission at a particular frequency or a newly discovered type of transient source; it may add a component of variable noise to timing measurements of pulsars or radio brightness measurements of individual objects.

4.4 Impacts on Jodrell Bank Radio Telescopes

- 4.5 For the Lovell Telescope at JBO, the perturbations to precision timing measurements of pulsars is the most significant concern for the following reasons:

- 4.5.1 this is the most important and internationally significant research programme carried out by the Lovell Telescope as a single dish and has the greatest potential for breakthroughs in fundamental physics;

- 4.5.2 this programme relies on continuing to make the most precise timing measurements possible at regular intervals over the coming years and making use of the data gathered over the last 40 years;

- 4.5.3 these measurements can be degraded and corrupted in an irrevocable manner by interference, especially the type of sporadic broad-band interference caused by domestic and industrial equipment.

- 4.6 Strong interfering signals can sometimes be recognized as such and removed from the observation by deleting data for particular periods of time, or for certain frequency ranges, or both. However valuable data are then lost and the efficiency of the telescope operation is reduced. But more importantly key features of the data in the frequency or time domain may be missed.

- 4.7 Analysis of recent pulsar observations show that on average 10.4% of data are completely discarded due to the presence of broad-band (usually impulsive) interference and that this fraction increases to 22% at the lowest elevations when the telescope is pointed more closely towards terrestrial sources of interference. These are only the minority of the more powerful bursts of sporadic interference, each of which is easily visible.

- 4.8 The 10-20% of data that are deleted are only the most extreme examples and it is the much larger number of less powerful (but still above the ITU threshold) instances buried in the data which can have the greater effect. These data will have been corrupted in a way which cannot be corrected.

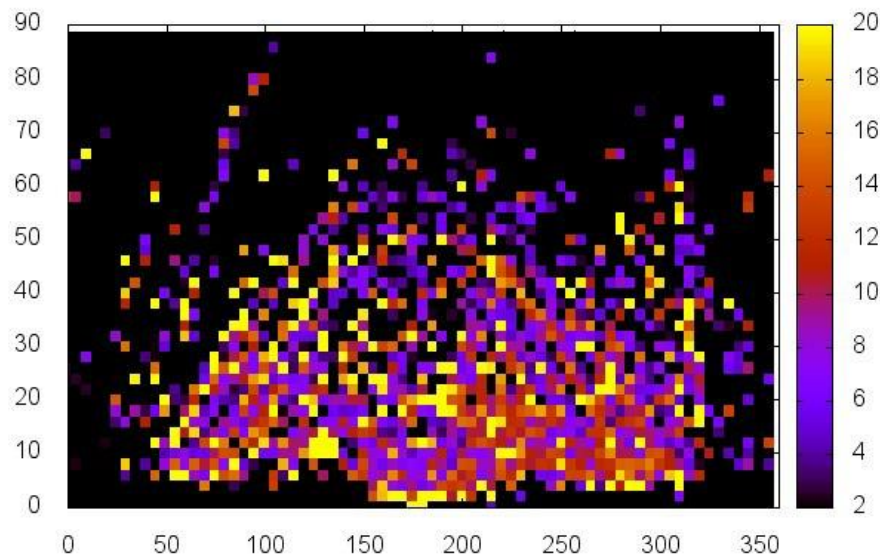


Figure 1 distribution of the fraction of JBO pulsar data completely discarded due to interference in the time domain. Horizontal is azimuth (compass bearing from JBO), vertical is elevation (angle above the horizon), colour scale runs from 0 to 20% deletion. Individual pixels are 5dg (az) x 2 dg (el) and only pixels with more than 100 sub-integrations are plotted. The black areas are mostly where there are no data rather than a low fraction of deletion.

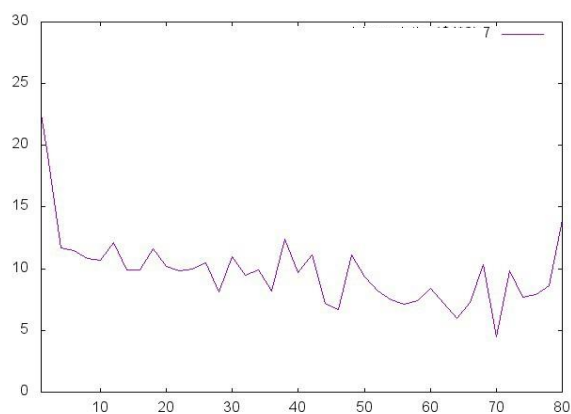


Figure 2: Plot of the percentage of Lovell pulsar data deleted at different telescope elevations

- 4.9 Interference at a level which is not so strong that it is easily recognized but is comparable to the noise is hard to deal with and severely affects the results of an experiment or measurement. Almost all observations and experiments already involve some form of optimal filter designed to maximize the response to the particular objective while minimizing the response to interference and noise. Such optimal filters work best for highly targeted experiments such as timing a particular pulsar and have much less advantage when carrying out a survey or search for new objects or unexpected phenomena. The fact that pulsar searches can no longer and are no longer carried out at Jodrell Bank, is an example of where particular projects become completely unfeasible because of interference. The loss of such capability is a significant impact on the efficient operation of the telescope.
- 4.10 In many cases interference can have similar characteristics to the signals which are being sought, which can be very difficult to deal with. Examples include: all repetitive interference with periods of milliseconds to seconds will mimic pulsars; all narrow-band interference can mimic spectral line emission from different molecules.
- 4.11 Any impulsive interference which is not removed from observations of pulsars will degrade the accuracy with which the pulse arrival times can be measured. All of the pulsar observations with the Lovell Telescope, which account most of the observations made by the telescope when operating as a single dish are aimed at timing measurements. These timing measurements are the basis of one of the most significant research projects carried out by the telescope: the understanding of pulsar timing behaviour is essential to the search for gravitational waves and testing general relativity for example. Although much effort is put into removing the obvious impulsive interference events there are inevitably a large number which are below a recognition threshold but which collectively perturb the accurate determination of the pulse arrival times. Figure 3 shows a typical example of how impulsive interference can affect a pulsar timing observation. Many of the interference bursts are brighter than the pulsar signal but they often lie on top of the pulsar signal and distort the timing measurement; the larger number of fainter bursts further distort the measurement. This impact on the most important research carried out by the telescope is a reduction in the efficiency of the telescope in terms of its ability to receive radio emissions from space with a minimum of interference from electrical equipment.

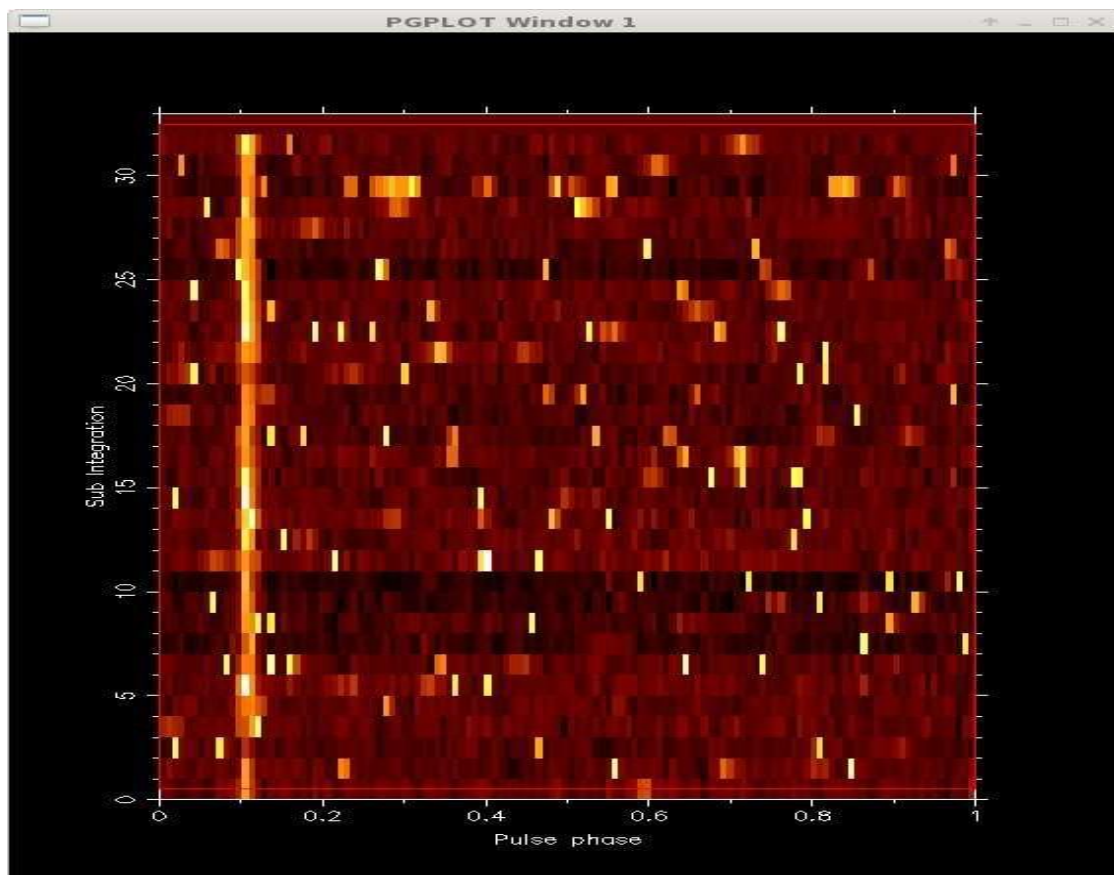


Figure 3 Typical example of sporadic interference in recent JBO pulsar observations. Each row in the plot represents 10 second of data which have been folded at the pulsar period so that the pulsar itself is visible as the faint continuous vertical line from top to bottom. Every 10 sec sub-integration contains sporadic interference at a range of strengths. There will also be many bursts below the level which is easily seen in this plot. Because the data have been folded, individual bursts are in fact reduced in strength in this plot. There are many examples where the bursts lie on top of the pulse itself and hence distort any attempt to measure the pulse arrival time. These data are for the protected band 1400-1427 MHz only and were taken at 20:55 06 May 2016, with the telescope at an elevation of 42 degrees. The pulsar is B1530+27 which has a period of 1.125s and a dispersion measure of 15 pc cm^{-3}

4.12 There are also examples of interference mimicking astronomical signals very closely indeed. There is currently great interest in the phenomena of Fast Radio Bursts (FRBs), single broad-band bursts of radio emission lasting only a few milliseconds. Their confirmation and the demonstration that they originate beyond our Galaxy by Jodrell Bank researcher Dan Thornton is one of the most intriguing discoveries in astronomy over the last decade. The physical origin of these bursts is still unclear and they were a completely unexpected phenomenon after decades of observations which could in principle have detected them. It is now estimated that easily detectable FRBs occur at the rate of 10,000 every day across the entire sky. So far more than a hundred have been detected: they are so hard to find simply because the beam of a large telescope is so narrow (about 0.16 degrees for the Lovell Telescope at 1420 MHz) that it looks at less than one millionth of the area of the whole sky at any one time. These intriguing phenomena have been detectable for decades in principle and such individual bright spikes may well have been removed as likely interference in the past. Since

they are such fleeting events it is very difficult to pin down where they come from, although a few repeating FRBs have now been localised in external galaxies; their true nature remains a mystery. In searching for FRBs a related class of objects was found by the Parkes Telescope in Australia with the characteristic frequency sweep of an FRB. They were eventually traced to a microwave oven near the telescope. The frequency sweep occurs only when the oven door is opened during operation and in the instant of shutting down this causes radio emission which sweeps in frequency through the radio astronomy band. The degree with which they match the FRB signals is remarkable and the story of perytons is a key example of how difficult it can be to distinguish terrestrial and cosmic signals even in cases where the cosmic signals have a very distinctive characteristic, which had been thought unique.

ITU Definition of harmful interference for radio-astronomy

- 5.1 The International Telecommunications Union defines the level of interference which should be considered as detrimental to radio astronomy measurements as 10% of the measurement error of radio power due to system noise (receiver, atmosphere etc.) alone. The basis and calculations for this are set out in the ITU Recommendation ITU- RA.769-2 (which has its basis in the annex of the CCIR Report 224-1 1966).
- 5.2 Recommendation ITU-R RA.769-2 is the only internationally recognized standard for interference thresholds across the spectral bands used for radio astronomy currently in force and is widely used by national administrations when dealing with frequency allocation and protection for radio astronomy. It is referred to by the Radio Regulations, a treaty to which participating administrations are signatories.
- 5.3 In the UK the protection of spectrum for radio astronomy is administered by Ofcom via grants of Recognized Spectrum Access (RSA) to the relevant research council (Science and Technology Facilities Council – STFC) under section 18 of the Wireless Telegraphy Act (2006).
- 5.4 The recognized maximum levels of interference for a number of frequency bands between 150 MHz and 31 GHz is specified in schedules 1 and 2 of the RSA Grant and these maximum allowable levels of interference ('Spectrum quality benchmarks') are taken directly from ITU-R RA.769.
- 5.5 At the European level, RA.769-2 is the basis of the recent ECC Decision (09)02 on interference caused by the Iridium satellite system to radio astronomy.
- 5.6 In practical terms, the ITU threshold can be understood as follows. Over decades

radio astronomers have strived to reduce the intrinsic (thermal) noise in the receivers they use, using cryogenic cooling (typically to -260C) and sophisticated semiconductor technologies (e.g. Indium Phosphide high electron mobility transistors – HEMTs). Each incremental increase in performance is hard won. The ITU recommendation simply says that interference should not contribute an additional component of variation which is more than 10% of this intrinsic thermal noise (including the irreducible noise from the atmosphere etc.). The fiducial example used for the ITU recommendation is a measurement of the brightness of a radio source: such measurements are still done to monitor the variability of quasars on a regular basis. The receiver noise introduces a scatter in these measurements. If the receiver system and telescope are well understood and accurately characterized, it would be possible to say with some confidence whether the observed scatter were greater than that expected due to intrinsic noise. The ITU threshold is such that interference should not increase this observed scatter by more than 10% of its intrinsic amount.

Demonstration that the proposed development will lead to harmful levels of interference to the Jodrell Bank radio telescope

6.1 Methodology

6.2 Below is set out the methodology to assess the extent to which a proposed development would lead to harmful interference when measured against the ITU threshold described above. This method is the same as that accepted by the Secretary of State and the Inspector in the recent appeal by Gladman Developments APP/R0660/W/15/312954) and by the Inspectors in the appeals by Henderson Homes (APP/R0660/W/16/3166025) and Mr N Barrett (APP/R0660/W/18/3197429) all of which were dismissed.

6.3 Having established the likely radio emission from domestic appliances and electronic equipment from the CISPR standards and the level of harmful interference for radio telescopes from ITU-R RA.769-2 it is possible to calculate a value for the coupling loss (between the equipment and the telescope) below which one or more pieces of equipment will cause harmful interference and hence impair the efficient operation of the telescope. This method is similar to that described by Jessner in the context of interference by industrial equipment (using the CISPR 11 standard) and is the basis of interference evaluation for the Square Kilometre Array.

6.4 Analysis

6.5 The following paragraphs first set out the attenuation required to avoid harmful interference for a single piece of domestic equipment (considering both narrow and broad band emission). This is known as the minimum coupling loss (MCL).

Secondly, it is necessary to consider attenuation required taking into account the aggregated emission from all the appliances in a single dwelling or group of dwellings. This is supported by an independent estimate based on published values of ambient man-made radio noise. Thirdly, the expected attenuation or loss between the equipment and the Lovell Telescope estimated using the ITU recommended model, with appropriate allowances made for additional attenuation by the walls of the dwelling and local 'clutter' (trees, other buildings) in a village environment. Fourthly and finally, this estimated path loss, taking all these into account is compared to the minimum loss required to avoid harmful interference, to provide an estimate of the extent to which the ITU threshold is breached. These steps are set out in detail below but in summary it is found that the proposed development would itself cause radio interference at or above the level of the ITU threshold and hence cause harmful interference to the Jodrell Bank radio telescopes.

6.6 Estimate of Minimum Coupling Loss for a single appliance

6.7 The table below shows the minimum coupling loss (MCL) for a single appliance or device radiating at the CISPR14 or CISPR 22 level for the case of broad band and narrow band emission. In the broad band case it is assumed that the emission is constant across the 1400-1427 MHz radio astronomy band and the continuum threshold from RA.769-2 is used. In the narrow band case, the emission is confined to the 20 kHz line width specified in RA.769-2 and the appropriate spectral line threshold is used. In general domestic appliances including washing machines, cookers, fridges, hairdryers etc. under CISPR 14 are more likely to be broad band emitters while IT equipment including tablets, games machines, digital entertainment equipment etc. are more likely to be narrow band emitters (related to processor clock signals). Hence a reasonable value of the MCL per device in both cases is -145 dB.

6.8 Table 1: Field strength values in CISPR 14 and 22 and derived minimum coupling loss to meet RA.769-2 limit of harmful interference to radio astronomy observations.

| | Field strength dBuV/m | Bandwidth MHz | EIRP (dBW) | RA.769 threshold (dBW) | MCL (dB) |
|----------|--------------------------|------------------|---------------|------------------------------|-------------|
| CISPR 14 | 42 | 27 | -60 | -205 | -145 |
| CISPR 14 | 42 | 0.02 | -83 | -220 | -138 |
| CISPR 22 | 50 | 27 | -61 | -205 | -144 |
| CISPR 22 | 50 | 0.02 | -75 | -220 | -145 |

6.9 Estimate of MCL for aggregated emission

6.10 There are likely to be many appliances of both types in each house and potentially more than a hundred appliances in a development of 6 houses. A typical house inventory might include 10-30 domestic appliances/tools (CISPR 14) and 5-10 IT devices. To estimate an overall aggregation factor is difficult and depends on the usage of each device and appliance. Some appliances are in continual use but their motors/heaters may only operate intermittently with a duty cycle of approx. 20-50% (e.g. fridges); others are used for anything between 1% and 20% of the time (TV, cooking appliances, dishwashers etc.). An approximate estimate can be made from the typical UK domestic electricity consumption (2014) of 0.45 kW in the following categories²:

6.11 Table 2: Breakdown of domestic energy use by appliance category and estimate of average usage of appliances

| Category | Percentage | kW | Typical kW/device | Equivalent number in continuous |
|-----------------------|------------|------|-------------------|---------------------------------|
| Computing/electronics | 34% | 0.15 | 0.05 | 3 |
| Cooking | 17% | 0.08 | 2 | 0.04 |
| Light | 14% | 0.06 | 0.015 | 4 |
| Cold | 16% | 0.07 | 0.2 | 0.4 |
| Washing | 19% | 0.08 | 0.75 | 0.1 |

6.12 In the analysis below, an average broadband transmission power of -60 dBW inside each house is assumed, equivalent to a single IT/entertainment appliance (CISPR22), recognizing that this may be made up of multiple lower power devices or a single more powerful device for a fraction of the time. This may well be a conservative estimate: even the appellant's technical expert (Dr Roberto Trotta) at the Gladman inquiry for 119 houses in Goostrey gave a range of aggregation factors of between 3 and 15 continuous devices at this power level, with 10 being the 'typical' value.

6.13 An entirely independent estimate of the per capita transmission power can be made using published data on ambient man-made radio noise (e.g. ITU-R P.372;

² The total and category consumption data are from the Department of Energy & Climate Change report 'Energy Consumption in the UK (2015)'

Ofcom Study AY4113). Using a Monte Carlo analysis, the per capita interference power for residential areas at a population density⁴ of 320/sq km is -75 dBW at 1413 MHz in a 27 MHz band. Taking into account attenuation by buildings (see below) this is consistent with the value derived in 5.5. Estimate of expected path loss between proposed development and the Lovell Telescope at Jodrell Bank

6.14 The expected coupling loss between equipment at the location of the proposed development can be estimated using a propagation model together with some additional allowances. The appropriate model is the ITU recommendation ITU-R P.452 'Prediction procedure for the evaluation of interference between stations on the surface of the Earth at frequencies above about 0.1 GHz'. This is the internationally accepted propagation model for the purpose of interference assessment used in the communications sector. This method includes a complementary set of propagation models which ensure that the predictions embrace all the significant interference propagation mechanisms that can arise. It incorporates a calculation of diffraction along the specified terrain profile between the transmitter and receiver as well as statistical treatments of effects for longer paths (>100km) including tropospheric scattering and anomalous propagation including surface ducting, elevated layer reflection and refraction. Specifications for typical local clutter in different environments and the associated height-gain variations are included. The basic input parameters used in this case were as follows:

6.15 Table 3: Parameters used in ITU-R P.452 propagation model

| Parameter | Value | Comments (see also comments in text) |
|------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Frequency (f) | 1.42 GHz | Key protected band for radio astronomy and most common observing frequency for Lovell Telescope |
| Required time percentage (p) | 50% | Applies to statistical estimates for anomalous propagation. Specifies the probability that the loss is less than the estimated value. Typically this is <10% for protection against interference. |
| Station positions | | Specified through terrain profiles |

³ Wagstaff A and Merricks, N (2005) IEE Proc.-Commun.,152, 371 / Work done in conjunction with Dr A Jessner (MPIfR Bonn, Germany)

⁴ The average population density for Cheshire East, which we take to be a representative rural area is 3.21/ha using data from the 2011 Census.

| | | |
|--------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------|
| Antenna gains | 0,0 dBi | Assume omnidirectional antenna patterns for both transmitter and receiver. This is the default for ITU-R 769 |
| Transmitter height | 3m | Average between 1st and 2nd floor. |
| Receiver height | 63m | Representative Lovell Telescope focus height |
| Average year/worst month | Average year | The propagation models predict the annual distribution of basic transmission loss. |
| Refractive index lapse rate (ΔN) | 45 units/km | N- Estimated for UK from ITU P-452-14 fig 11 |
| Surface refractivity N0 | 328 units | N- Estimated for UK from ITU P-452-14 fig 11 |

6.16 An additional allowance must be made for propagation loss through the walls of the houses (for indoor equipment). A recent Ofcom report on 'Building Materials and Propagation' (Ofcom 2014) presents results from a significant measurement campaign on representative small modern houses including those with metalised windows and foil-backed- plasterboard which are reasonable low-cost radio frequency shielding techniques. The typical wall attenuation values with these measured are 15-20 dB at 1.4 GHz.

6.17 Estimate of interference from the proposed development compared to the ITU threshold

6.18 The expected strength of the total interference signal from the proposed development compared to the accepted ITU definition of harmful interference can now be estimated based on the following assumptions:

6.19 The existence of dozens of individual appliances of different types with different usage patterns equivalent to one CISPR 22 device per household in continuous use; A total path loss from the appliances of 106 +20 (building) + 15 (clutter) = 141 dB; A minimum coupling loss of 145 dB in order to meet RA.769-2 for a single appliance or device in either the broad or narrow band case;

6.20 No effective directivity (gain) in either the source of interference or from the

radio telescope and its receiver.

6.21 With the assumptions made above, the total interference signal from the proposed development received at the telescope would exceed the RA.769- 2 threshold for harmful interference by 4 dB i.e. a factor of 2.5 for a single dwelling. Following the comments at the end of 5.5 this is likely to be a conservative estimate and there is every chance that the ITU benchmark could be regularly exceeded, not just by the use of multiple devices but also by the use of outdoor devices, or those which exceed the CISPR levels. This constitutes impairment of the efficient operation of the Jodrell Bank radio telescope, which is highly relevant even before the cumulative impact of existing development around JBO is taken into account.

Conclusion

7.1 The University of Manchester concludes that the proposed development would impair the efficient operation of the Jodrell Bank radio telescope for the following reasons:

7.2 the proposed development in itself is predicted to produce levels of interference exceeding the ITU threshold for harmful interference to radio astronomy;

7.3 the consequent interference would cause an unwanted perturbation of sensitive radio astronomy measurements, including additional measurement error, irrecoverable loss of some data, potentially at key times and at key frequencies, and a requirement to extend or repeat observations in an attempt to make up for lost data.

7.4 Modeling the interference contributions from the wider area. The conclusions above are based on the contributions from the proposed development alone. In this section, the contribution from the proposed development is assessed in the context of the likely emission from all properties in the Jodrell Bank Consultation Zone, and then all buildings in an area extending to 40km radius from JBO.

7.5 Sky maps of the expected interference received by the Lovell Telescope were produced using the antenna sensitivity pattern specified in ITU-R SA.509 and including individual residential buildings across the Jodrell Bank Consultation Zone together with the high resolution loss map. Each building was assigned an emission power as above. The sky map is shown in Figure 6.

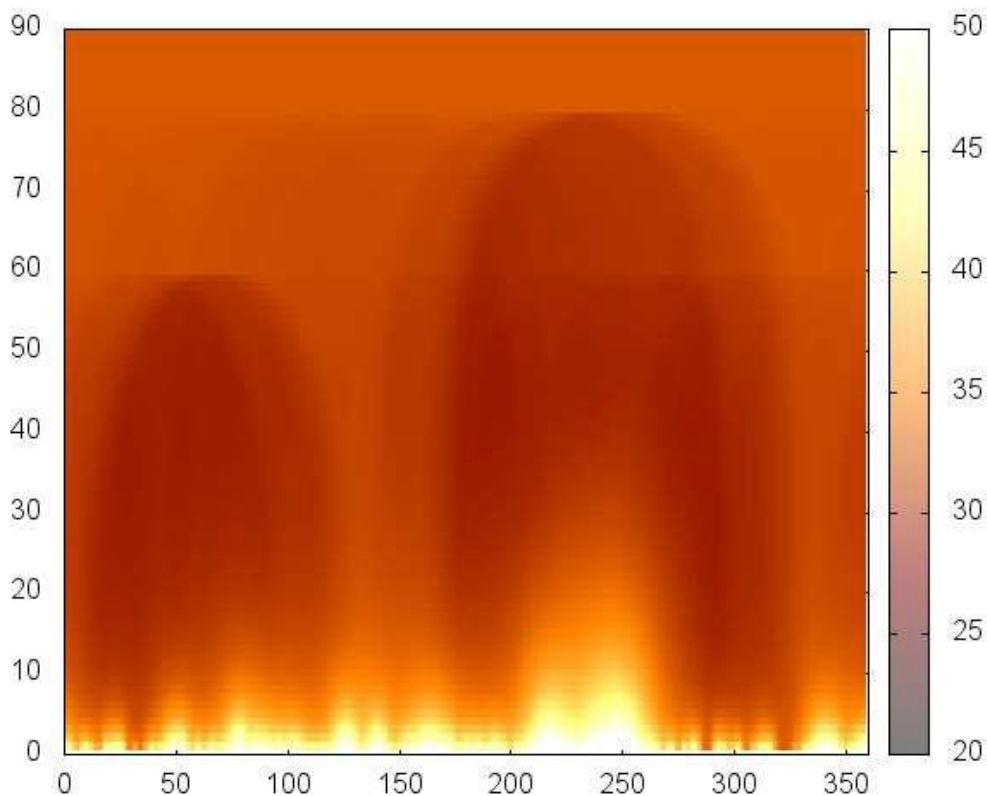


Figure 6 sky map of predicted interference from all residential properties within the JB Consultation zone

- 7.6 The analysis shows that local developments such as Goostrey and Holmes Chapel (azimuth range 215-255 degrees) are evident features when houses within the consultation zone are included in the model.
- 7.7 The analysis of the 100x100km area around JBO also shows that even when much larger areas are considered, local settlements of Holmes Chapel and Goostrey remain a major contribution due to their proximity.
- 7.8 The conclusion that the dominant contributions are expected to come from nearby relatively small settlements rather than larger more distant conurbations does not substantially change whether the contributions to interference are calculated based on building area or on detailed population density information obtained from the 2011 Census.
- 7.9 Both these analyses show that in the direction of the proposed development the existing residential development is likely to produce interference which already exceeds the ITU threshold by a large factor (>1000). The University of Manchester does not dispute this – it is why observations at JBO are already significantly challenged. The University also accepts that the fractional increase in interference due to this individual proposed development will also be relatively

small (because of the large existing level). However, the fact remains that the proposed development will contribute a significant amount of interference, exceeding the accepted ITU definition of harmful interference to radio astronomy. It is also important to place it in its proper context, which is that it is a further degradation relative to existing levels of interference which are already impairing the efficiency of the telescope and affecting the work carried out at Jodrell Bank. Allowing this scheme would create an ever-worsening baseline of interference against which it would be difficult to control future development which also breached the international threshold.

Interference Mitigation

- 8.1 Mitigation measures to reduce the impact of interference to radio astronomy are possible and may be useful in certain cases. These measures include control of activities likely to cause interference; installation of shielding to reduce the level of signals emitted; and techniques used in observing and processing radio astronomy data.
- 8.2 Control measures in place at Jodrell Bank Observatory include restrictions on the use of radio transmitters, mobile phones and Wi-Fi; testing of radio frequency emission from electronic and electrical equipment. Enhanced restrictions for particular observations have been implemented including complete curfews on the use of all electrical and electronic equipment, except for items in highly shielded 'Faraday cages' for certain periods. None of these control measures would be feasible in a residential setting.
- 8.3 Staff and visitors at JBO understand the requirement for keeping 'radio quiet' and can be relied upon to comply if any further restrictions are required or if a particular piece of equipment is found to be a source of interference. Such compliance cannot be guaranteed or even expected from the general public within their own homes.
- 8.4 Shielding measures in place at JBO include the construction of highly shielded rooms made of steel plates riveted to a steel frame with metal gasketting and copper tape over all joints. Such rooms which have no windows and a submarine-type radio quiet door provide up to 80 dB additional attenuation for particular equipment. In other rooms, shielded racks provide typically 50 dB attenuation for computing servers. None of these shielding measures would be feasible, appropriate, or enforceable in a residential setting.
- 8.5 Simple shielding measures which are appropriate and recommended by JBO for residential buildings include the use of foil backed plasterboard and metallised window glass, both of which are generally required to meet thermal insulation requirements in modern buildings. These mitigation effects of these measures

have already been described and taken in to account in the calculations above. Significant enhancement to this type of shielding is impossible to achieve without covering all wall and roof openings and is difficult to maintain over any long period since there is no realistic enforcement mechanism.

8.6

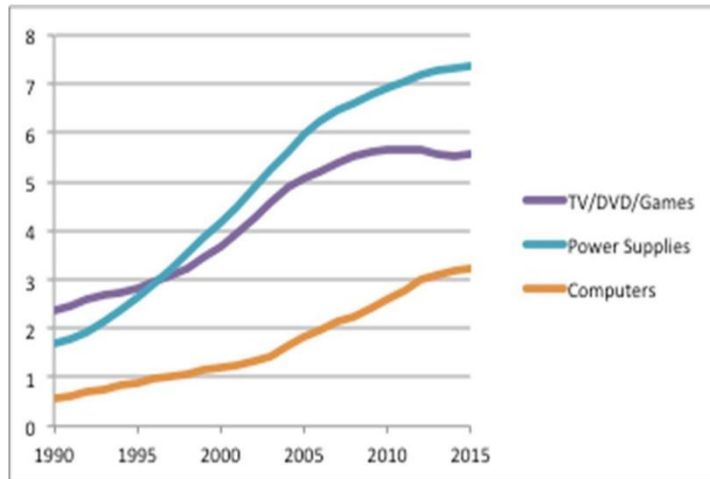


Figure 7 the numbers of consumer electronics items per household, derived from 'Energy Supply in the UK 2016' BEIS.

Residential vs Commercial or Other Use

9.1 General remarks

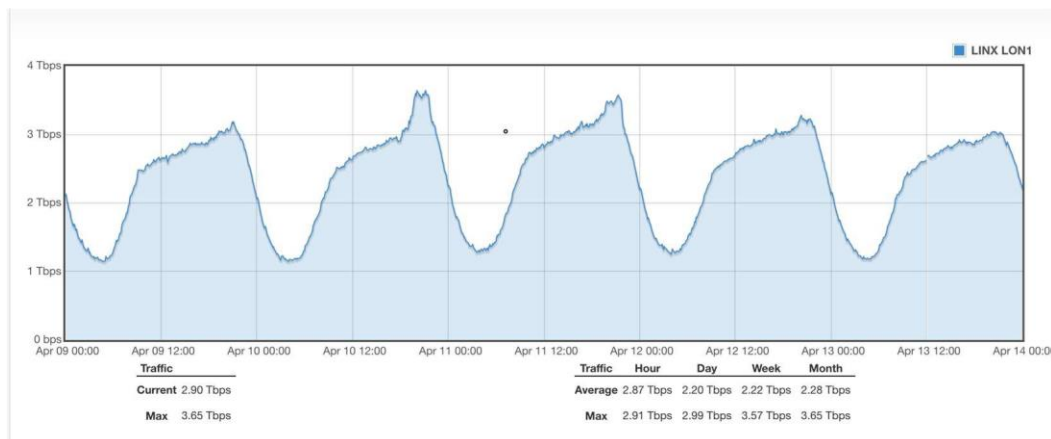
9.2 The analysis has so far concentrated on the expected emission from a new residential development. This quantitative approach has the advantage of not being strongly dependent on the assumptions about the sources of interference or details of attenuation by building walls etc.

9.3 The growing use of consumer electronics at home over the last 30 years is obvious: in 1990 only 20% or so of UK homes owned a desktop PC, or a games console, the internet was in its infancy (the world's first website at CERN was created in December 1990) and domestic access was via a dial-up modem. Today there are more (domestic) computers than homes in the UK, and even a slow residential broadband connection (4 Mb/s) is faster than the total data rate transported across the entire planet in 1990; almost every home has a printer/copier/scanner and 80% of homes have a games console. Add to this the plethora of tablets, smartphones, and all the new internet-enabled devices from lightbulbs to thermostats now flooding the market, and it is clear that today's and moreover tomorrow's home is bristling with active electronic and electrical

equipment all of which is a potential source of radio interference. These devices are ubiquitous because they are very cheap, and mass produced and hence more likely to produce unwanted radio emission. By comparison, the use of electronic and electrical equipment in the workplace has not changed anywhere near as dramatically: a typical workplace contains roughly as many desktop computers and office machines now as it did in 1990, and a small business now has similar internet connectivity to a modern home. Equipment used in businesses is more likely to be higher quality and less likely to causes unexpected interference. A simple look around a modern house compared to a 3-4 person office reveals the obvious difference in the numbers of electrical/electronic appliances. This growth is shown Fig 7 generated from statistics compiled by BEIS⁵. The numbers of large domestic appliances (white goods, laundry, cooking etc.) has remained roughly constant over the same period.

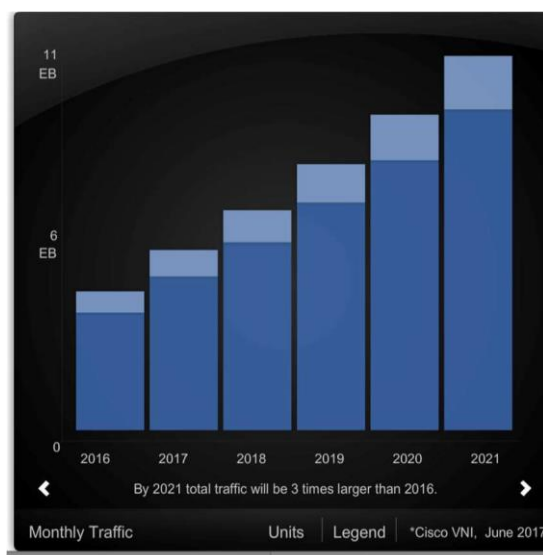
9.4 Although industrial activity has the potential to cause significant radio interference, it is significantly easier to control through discussion and negotiation with commercial operators compared to private residents. The workplace is an inherently more regulated environment than the home, and what is reasonable to restrict and regulate at a workplace would almost certainly be intolerable intrusion in a dwelling house. JBO has experience over many years of locating sources of industrial interference and tackling this via discussions with operators. Remedial actions might include fitting of local screening or modification to industrial equipment, restrictions on use etc. It is feasible to obtain an ongoing undertaking from commercial operators to keep radio emission below a certain level, which cannot reasonably done for the individual or collective emission from a residential development. This approach is being followed in the case of the Keuper Gas Storage Plant where the promoter accepted the need for harmful interference to be avoided. The promoter has committed to the submission and approval of a Control of Radio Frequency Emissions Plan which must include a scheme to ensure that the authorised development operates at all times so the total radiated power emitted from development does not exceed the limits set out in ITU-R RA.769. The scheme must also allow for regular monitoring of activity to ensure that the limits are consistently met “which has recently been proposed. In that case the proposer will make an undertaking to ensure that radio frequency emissions are kept within prescribed limits with regular on-site monitoring to ensure that this is the case. Any such approach for residential developments has been consistently ruled out in discussions with developers and the Planning Authority.

⁵ Energy Use in the UK, Department for Business, Energy & Industrial Strategy



9.5

Figure 8: Internet data rates logged by main LINX internet exchange in London, representing a large fraction of total UK internet traffic, between 00:00 on Monday 09 April 2017 and 00:00 on Saturday 14 April. The peak use is always after the end of the working day, typically around 9 pm.



9.6

Figure 9 UK Data traffic predictions for the period 2016-2021 using the CISCO VNI tool (www.cisco.com) showing residential use in dark blue and business use in light blue. Over the period the ratio of residential to commercial use is 5.9:1

9.7 It is now a feature of modern life that in general the intensity of use of electronic equipment is greater in our leisure time at home than it is at work. This can be substantiated as follows: UK internet traffic peaks in the evening (LINX traffic stats – see Fig 8) , well after the close of the business day, clearly demonstrating that the leisure use of mobile phones, tablets and internet-TV exceeds business use; CISCO forecasts for UK in the period 2016-2021 show that total domestic use consistently exceeds total business use by a factor of 6 (Cisco VNI; see also Fig 9); the internet data use of an adult at home exceeds business traffic per employee by a factor of 3 (Cisco; quoted in [25]); a detailed regression study of working time and internet use time series shows that UK internet use (measured by bandwidth) is 2.2 times greater during our free time than when working or

studying²⁵; and the average UK broadband use (2017) is 190 GB/month⁶ i.e. 0.49 Mb/s compared to a typical office worker use of 0.1 Mb/s¹². Much of the use of electronic and electrical equipment is by children: recent studies show that time online by children has doubled over the last 10 years, and that children spend at home 15 hrs/week online, 10 hours/week electronic gaming and 14 hours/week watching TV⁷. Indeed, many children (and their parents) seem to be more than capable of doing at least two of these simultaneously.

- 9.8 In general the use of a building as a holiday let is likely to have less impact than a domestic dwelling in terms of the generation of intentional or unintentional radio emission: there are likely to be fewer electronic devices installed and it will not be occupied full time.

9.9 Conclusions

- 9.10 Interference received at the Jodrell Bank radio telescope from electrical and electronics equipment associated with the proposed development is likely to exceed the internationally agreed definition for harmful interference as set out by the ITU. The methodology used to reach this conclusion has been accepted by the Secretary of State and the Planning Inspector in the recent appeal by Gladman Developments (APP/R0660/W/15/312954) and by the inspector in the appeal by Henderson Homes (APP/R0660/W/16/3166025), both of which were dismissed.

- 9.11 Although this is a smaller scheme, the additional interference will further worsen the current situation in which interference from local population centres are the dominant contributions to interference received at the telescope.

- 9.12 The cumulative effect of continued development around the Jodrell Bank site has caused the continued degradation of the radio frequency environment of the radio telescope. This continued degradation, if allowed to continue as a result of developments which themselves may only generate smaller incremental impacts on interference, will ultimately reduce the international competitiveness of the research carried out by the Jodrell Bank telescopes and may have wider impacts, including the way in which the UK is viewed as a partner in billion-pound scale international projects such as the SKA, as noted by the chief executive of the UK Science and Technology Facilities Council (the funding body for astronomy and particle physics) and the Director General of the Square Kilometre Array

⁶ Connected Nations 2017, Ofcom

⁷ Children and Parents: Media Use and Attitudes Report, Ofcom, November 2017

Organisation.

9.13 As demonstrated above the resulting interference from the proposed development will impair the efficiency of the Jodrell Bank Radio Telescopes contrary to Policies PS10/GC14 and SE14.

9.14 Finally, it was agreed by the Secretary of State and the Inspector in the Goostrey planning appeal that reasonable protection of JBO is a matter of global significance and furthermore that JBO is a facility of international importance such that its protection from the identified harm of local housing developments transcends current housing land supply circumstances in Cheshire East.

14. Glossary

| | |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Development | Defined by the Town and Country Planning Act 1990 as “the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change of use of any building or other land.” Most forms of development require planning permission, unless expressly granted planning permission via a development order. |
| Development Plan | This includes adopted Local Plans and Neighbourhood Plans and is defined in Section 38 of the Planning and Compulsory Planning Act 2004 |
| Design and Access Statement | A short report accompanying and supporting a planning application. They provide a framework for applicants to explain how a proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users An explanation of |
| Habitats Regulations Assessment | The process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest. |
| Heritage Impact Assessment | An assessment of a proposal on heritage matters |
| Jodrell Bank Consultation Zone | The area around Jodrell Bank Observatory within which Policy SE14 of the CELPS applies |
| Landscape Value Impact Assessment | An assessment of the landscape value of an area and determination of a proposals impact on that landscape |
| Local Plan | The plan for the development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004. |

Current core strategies or other planning policies, which under the regulations would be considered to be Development Plan Documents, form part of the Local Plan. This term includes old policies which have been saved under the 2004 Act.

| | |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local Plan Strategy | Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area, having regard to the Community Strategy. |
| Local Planning Authority | The local authority or council that is empowered by law to exercise planning functions. In the case of this SPD, the Local Planning Authority is Cheshire East Council. |
| Neighbourhood Plan | A plan prepared by a parish council or neighbourhood forum for a particular neighbourhood area (made under the Planning & Compulsory Purchase Act 2004). |
| Radio Interference Assessment | Technical assessment of the impact of a proposals electrical devices on the efficiency of JBO telescopes |
| Site Allocations and Development Policies Document | Part of the Local Plan which will contain land allocations and detailed policies and proposals to deliver and guide the future use of that land. |
| Supplementary Planning Document | A Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' Development Plan Documents. |
| Sustainability Appraisal | An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development. |
| Strategic Environmental Appraisal | SEA is a process and a tool for evaluating the effects of proposed policies, plans and programmes on natural resources, social, cultural and economic conditions and the institutional environment in which decisions are made. |
| Viability Study | A report, including a financial appraisal, to establish the profit or loss arising from a proposed development. It will usually provide an analysis of both the figures inputted and output results together |

with other matters of relevance. An assessment will normally provide a judgement as to the profitability, or loss, of a development.

Draft Jodrell Bank Supplementary Planning Document

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Introduction and Purpose

1. Cheshire East Council has produced a draft Jodrell Bank Supplementary Planning Document ("SPD"). The purpose of the SPD is to provide guidance on development with World Heritage Site, adding further detail and guidance to policies contained within the Development Plan.
2. The Development Plan for Cheshire East consists of the Local Plan Strategy ("LPS") and 'saved' policies in the Crewe and Nantwich, Congleton and Macclesfield Local Plans. In addition, made Neighbourhood Plans also form part of the Development Plan.
3. The policy framework for the SPD is contained mostly in the LPS, with a particular focus on Policy SE14 Jodrell Bank.
4. The Council is also in the process of preparing the second part of its Local Plan, called the Site Allocations and Development Policies Document ("SADPD"). The Revised Publication Draft SADPD (consulted on between 26 October and 23 December 2020) contains a number of emerging policies on matters including Policy HER9 'World Heritage Site'. The draft Jodrell Bank SPD is being prepared in conformity with the LPS and the emerging SADPD.
5. This screening report is designed to determine whether or not the contents of the draft Jodrell Bank SPD require a Strategic Environmental Assessment ("SEA") in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also addresses whether the draft Jodrell Bank SPD has a significant adverse effect upon any internationally designated site(s) of nature conservation importance and thereby subject to the requirements of the Habitats Regulations. The report contains separate sections that set out the findings of the screening assessment for these two issues.
6. This statement, alongside the draft Jodrell Bank SPD, will be the subject of consultation in accordance with the relevant regulations and the Council's Statement of Community Involvement from the XXXX to XXXX. This will include consultation with the relevant

statutory bodies (Natural England, Environment Agency and Historic England), and Manchester University. Comments received during the consultation on the draft Jodrell Bank SPD and this statement will be reflected in future updates to this document.

Strategic Environmental Assessment Screening

Legislative Background

7. The objective of SEA is to provide for a high level of protection of the environment with a view to promoting the achievement of sustainable development. It is a requirement of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (also known as the SEA Directive). The Directive was transposed in UK law by the Environmental Assessment of Plans and Programmes Regulations 2004, often known as the SEA Regulations.
8. Article 3(3) and 3(4) of the regulations make clear that SEA is only required for plans and programmes when they have significant environmental effects. The 2008 Planning Act removed the requirement to undertake a full Sustainability Appraisal for a SPD although consideration remains as to whether the SPD requires SEA, in exceptional circumstances, when likely to have a significant environmental effect(s) that has not already been assessed during the preparation of a Local Plan. In addition, planning practice guidance (PPG – ref Paragraph: 008 Reference ID: 11-008-20140306) states that a SEA is unlikely to be required where an SPD deals only with a small area at local level, unless it is considered that there are likely to be significant environmental effects.

Overview of draft Jodrell Bank SPD

9. The purpose of the draft Jodrell Bank SPD is to provide further guidance on the implementation of LPS policy SE 14 (“Jodrell Bank”).
10. It is important to note that policies in the LPS were the subject of Sustainability Appraisal, which incorporated the requirements of the SEA regulations (as part of an Integrated Sustainability Appraisal). The likely significant environmental effects have already been identified and addressed – the SPD merely provides guidance on existing policies. The LPS Integrated Sustainability Appraisal has informed this SPD screening assessment.
11. SEA has been undertaken for policy SE14 (“Jodrell Bank”) as part of the Integrated Sustainability Appraisal that supported the LPS. For the purposes of compliance with

the UK SEA Regulations and the EU SEA directive, the following reports comprised the SA “Environmental Report”:

- SD 003 – LPS Submission Sustainability (Integrated) Appraisal (May 2014);
- PS E042 – LPS Sustainability (Integrated) Appraisal of Planning for Growth Suggested Revisions (August 2015);
- RE B006 – LPS Sustainability (Integrated) Appraisal Suggested Revisions to LPS Chapters 9-14 (September 2015);
- RE F004 – Sustainability (Integrated) Appraisal – Proposed Changes (March 2016);
- PC B029 – Sustainability (Integrated) Appraisal - Proposed Changes to Strategic and Development Management Policies (July 2016);
- PC B030 – Sustainability (Integrated) Appraisal - Proposed Changes to Sites and Strategic Locations (July 2016);
- MM 002 - Sustainability (Integrated) Appraisal - Main Modifications Further Addendum Report.

12. In addition, an SA adoption statement was prepared in July 2017 to support the adoption of the LPS. It should also be noted that the emerging SADPD and the policies contained in it have also been supported by a Sustainability Appraisal (incorporating the requirements for the SEA directive).

SEA Screening Process

13. The council is required to undertake a SEA screening to assess whether the draft Jodrell Bank SPD is likely to have significant environmental effects. If the draft Jodrell Bank SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that SEA is not necessary. This is considered in Table 1 below:-

Table 1: Establishing the need for a SEA

| Stage | | Decision | Rationale |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------------------------------------|
| 1. | Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared through a legislative procedure by Parliament or Government? (Art. 2 (a)). | Yes | The SPD will be prepared and adopted by Cheshire East Borough Council. |

| | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | Is the SPD required by legislation, regulatory or administrative provisions? (Article. 2 (a)). | No | The Council's Local Development Scheme (2020 – 2022) does not specifically identify the need to produce a draft Jodrell Bank SPD. |
| 3. | Is the SPD prepared for agricultural, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2 (a)). | No | The SPD is being prepared for town and country planning use. It does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Article 3.2 (a)). Whilst some developments to which the guidance in the SPD applies would fall within Annex II of the EIA Directive at a local level, the SPD does not specifically plan for or allow it. |
| 4. | Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? Art 3.2 (b)). | No | A Habitats Regulations Assessment has been undertaken for the LPS and emerging SADPD. The SPD does not introduce new policy or allocate sites for development. Therefore, it is not considered necessary to undertake a HRA assessment for the SPD. This conclusion has been supported by an HRA screening assessment as documented through this report. |
| 5 | Does the SPD determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art 3.3) | No | The SPD will not determine the use of small areas at a local level. The SPD provides guidance on the how applicants should demonstrate the delivery of Jodrell Bank, but it does not specifically determine the use of small areas at a local level. The SPD will be a material consideration in decision taking. |
| 6. | Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4) | No | The LPS and emerging SADPD provide the framework for the future consent of projects. The SPD elaborates upon approved and emerging policies and does not introduce new policy or allocate sites for development. |

14. The SPD is considered to not have a significant effect on the environment and therefore SEA is not required. However, for completeness, Table 2 assesses whether the draft SPD will have any significant environmental effects using the criteria set out in Annex II of SEA Directive 2001/42/EC¹ and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004².

Table 2: assessment of likely significance of effects on the environment

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

² http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1.Characteristics of the SPD having particular regard to: | | |
| (a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources. | <p>Guidance is supplementary to policies contained in the LPS and emerging SADPD, both of which have been the subject of SA / SEA. The policies provide an overarching framework for development in Cheshire East.</p> <p>The draft Jodrell Bank SPD provides further clarity and certainty to form the basis for the submission and determination of planning applications, consistent with policies in the LPS.</p> <p>Final decisions will be determined through the development management process.</p> <p>No resources are allocated.</p> | No |
| (b) The degree to which the SPD influences other plans and programmes including those in a hierarchy. | The draft SPD is in general conformity with the LPS, which has been subject to a full Sustainability Appraisal (incorporating SEA). It is adding more detail to the adopted LPS and other policies in the Development Plan including the emerging SADPD, which has itself been the subject of Sustainability Appraisal. Therefore, it is not considered to have an influence on any other plans and programmes. | No |
| (c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development. | The draft SPD promotes sustainable development, in accordance with the NPPF (2019) and LPS policies. The LPS has been the subject of a full Sustainability Appraisal (incorporating SEA). The draft SPD has relevance for the integration of environmental considerations and promotes sustainable development by providing guidance on the delivery of Jodrell Bank in the borough. | No |
| (d) Environmental problems relevant to the SPD. | There are no significant environmental problems relevant to the SPD. | No |
| (e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection). | The draft SPD will not impact on the implementation of community legislation on the environment. | No |
| 2.Characteristics of the effects and area likely to be affected having particular regard to: | | |

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| (a)The probability, duration, frequency and reversibility of the effects. | The draft SPD adds detail to adopted LPS policy; itself the subject of SA. | No |
| (b)The cumulative nature of the effects of the SPD. | The draft SPD adds detail to adopted LPS policy, itself the subject of SA. The SA associated with the LPS and emerging SADPD have considered relevant plans and programmes. No other plans or programmes have emerged that alter this position. | No |
| (c)The trans-boundary nature of the effects of the SPD. | Trans-boundary effects will not be significant. The draft SPD will not lead to any transboundary effects as it just providing additional detail regarding the implementation of policy SE14 in the LPS and does not, in itself, influence the location of development. | No |
| (d)The risks to human health or the environment (e.g. due to accident). | The draft SPD will not cause risks to human health or the environment as it is adding detail to environmental policies in the Local Plan. | No |
| (e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD. | The draft SPD covers the Cheshire East administrative area. The draft SPD will assist those making planning applications in the borough. | No |
| (f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics of cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use. | The draft SPD will not lead to significant effects on the value or vulnerability of the area. It is adding detail regarding the implementation of environmental policy SE14 in the LPS, and does not, in itself, influence the location of development. | No |
| (g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status. | The SPD does not influence the location of development, so will not cause effects on protected landscape sites. | No |

Conclusion and SEA screening outcome

15. The SPD is not setting new policy; it is supplementing and providing further guidance on an existing LPS policy. Therefore, it is considered that an SEA is not required on the draft Jodrell Bank SPD. This conclusion will be revisited following consideration of the views of the three statutory consultees (the Environment Agency, Historic England and Natural England) and if there are significant changes to the SPD following public consultation.

Habitats Regulations Assessment Statement

16. The Council has considered whether its planning documents would have a significant adverse effect upon the integrity of internationally designated sites of nature conservation importance. European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) provides legal protection to habitats and species of European importance. The principal aim of this directive is to maintain at, and where necessary restore to, favourable conservation status of flora, fauna and habitats found at these designated sites.
17. The Directive is transposed into English legislation through the Conservation of Habitats and Species Regulations 2017 (a consolidation of the amended Conservation of Habitats and Species Regulations, 2010) published in November 2017.
18. European sites provide important habitats for rare, endangered or vulnerable natural habitats and species of exceptional importance in the European Union. These sites consist of Special Areas of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)), and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)). Government policy requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
19. Spatial planning documents may be required to undergo Habitats Regulations Screening if they are not directly connected with or necessary to the management of a European site. As the draft Jodrell Bank SPD is not connected with, or necessary to, the management of European sites, the HRA implications of the SPD have been considered.
20. A judgement, published on the 13 April 2018 (People Over Wind and Sweetman v Coillte Teoranta (C-323/17) clarified that measures intended to avoid or reduce the harmful effects of a proposed project on a European site may no longer be taken into account by competent authorities at the Habitat Regulations Assessment “screening stage” when judging whether a proposed plan or project is likely to have a significant effect on the integrity of a European designated site.
21. Both the LPS and emerging SADPD have been subject to HRA.

22. The draft Jodrell Bank SPD does not introduce new policy; it provides further detail to those policies contained within the LPS. The HRA concluded that policies s SE 14 “Jodrell Bank” could not have a likely significant effect on a European Site. The same applies to the draft Jodrell Bank SPD. The draft Jodrell Bank SPD in itself, does not allocate sites and is a material consideration in decision taking, once adopted.
23. The draft Jodrell Bank SPD either alone or in combination with other plans and programmes, is not likely to have a significant effect on any European site. Therefore, a full Appropriate Assessment under the requirements of the Habitats Regulations is not required.

Conclusion and HRA screening outcome

24. Subject to views of the three statutory consultees (the Environment Agency, Historic England and Natural England), this screening report indicates that an Appropriate Assessment under the Habitats Regulations is not required.

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EQUALITY IMPACT ASSESSMENT

TITLE: Draft Jodrell Bank Supplementary Planning Document (“SPD”)

VERSION CONTROL

| Date | Version | Author | Description of Changes |
|------------|---------|--------------|------------------------|
| 24.05.2021 | 1 | Tom Evans | Initial Draft |
| - | - | Sarah Walker | EDI sign off |
| | | | |
| | | | |
| | | | |

EQUALITY IMPACT ASSESSMENT

CHESHIRE EAST COUNCIL - EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

| | | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------|---------------|---------------------------------------|----------------|
| Department | Strategic Planning | | Lead officer responsible for assessment | | Tom Evans, Neighbourhood Plan Manager | |
| Service | Environmental and Neighbourhood Services | | Other members of team undertaking assessment | | Tom Evans, Neighbourhood Plan Manager | |
| Date | 24/05/2021 | | Version 1 | | | |
| Type of document (mark as appropriate) | Strategy YES | Plan | Function | Policy | Procedure | Service |
| Is this a new/ existing/ revision of an existing document (please mark as appropriate) | New YES | | Existing | | Revision | |
| Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation) Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service | Draft Jodrell Bank Supplementary Planning Document (“SPD”) <u>Background</u> Supplementary Planning Documents (“SPDs”) provide further detail to the policies contained in the development plan. They can be used to provide guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. They must be consistent with national planning policy, must undergo consultation and must be in conformity with policies contained within the Local Plan. The council has prepared a draft Jodrell Bank SPD for consultation. The draft SPD provides additional guidance on the implementation of policy SE14 (“Jodrell Bank”), in the council’s Local Plan Strategy, adopted in July 2017. The SPD, once adopted, should assist applicants when making planning applications, and the council in determining them. The SPD provides further guidance on existing policies, rather than setting a new policy approach in relation to biodiversity and habitats. The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the National Planning Policy Framework and National Planning Practice Guidance. | | | | | |

EQUALITY IMPACT ASSESSMENT

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| | <p>The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended by the Local Planning, Development Management Procedure, Listed Buildings etc (England) (Coronavirus) (Amendment) Regulations 2020), the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>An Equalities Impact Assessment was prepared alongside the integrated Sustainability Appraisal work which supported the Local Plan Strategy. An Equalities Impact Assessment has also been prepared to support the emerging Site Allocations and Development Policies Document. The assessment found that the LPS policies (including policies particularly relevant to the SPD) and emerging SADPD are unlikely to have negative effects on protected characteristics or persons identified under the Equality Act 2010.</p> |
| Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents) | Public consultation will take place on the draft SPD for four weeks in accordance with the Town and Country Planning ((Local Planning) (England) Regulations 2012) and the council's adopted Statement of Community Involvement. This will include the general public, town and parish councils, statutory consultees, elected members, consultees who have registered on the strategic planning database. |
| What consultation method(s) did you use? | <p>The council prepares a Statement of Community Involvement which provides detail on how it will consult on Local Plan documents and SPDs. This includes the availability of documents, how residents and stakeholders will be notified etc. The council's Local Plan consultation database, which will be notified of the consultation, also includes a number of organisations who work alongside groups with protected characteristics in the borough.</p> <p>Once consultation has taken place on the draft SPD, all comments received will be reviewed before consideration is given to any amendments required. A report of consultation will be prepared alongside the final version of the SPD and this will also be subject to further consultation. This EIA will be kept updated as the draft SPD progresses.</p> |

Stage 2 Initial Screening

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| Who is affected and what evidence have you considered to arrive at this analysis? (This may or may not include the stakeholders listed above) | Ward councillors. Those living and working in the borough, property owners, landowners and developers, clinical commissioning group, special interest groups. |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|

EQUALITY IMPACT ASSESSMENT

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----------------------------------------|---|---|------------------------------|---|---|
| Who is intended to benefit and how? | JBO has been identified as a world heritage site which means it demonstrates characteristics which are of outstanding universal value to the human race. Whilst the operators of JBO itself will benefit from additional planning guidance which supports management of development here, the continued operation of the site, and its successful management is beneficial to all of humanity. The SPD will provide additional guidance on the implementation of existing planning policies related to the assessment of planning applications on matters relating to development within the identified boundaries of the World Heritage Site. The control of development in this area is essential to the continued functional operation of JBO which research, jobs and the visitor economy in Cheshire East. | | | | | | | |
| Could there be a different impact or outcome for some groups? | No, the SPD builds upon existing planning policy guidance and provides further information about how the council will consider planning applications. The provision of guidance on how development will be treated within the World Heritage Site of Jodrell Bank will assist in clarifying when development could harm the outstanding universal value of the site and its continued operation. The SPD, in applying additional guidance to assist in the interpretation of planning policies should be beneficial to a wide variety of groups including communities, landowners and developers within the identified boundary of the World heritage Site. | | | | | | | |
| Does it include making decisions based on individual characteristics, needs or circumstances? | No, the introduction of the SPD is not based on individual characteristics, needs or circumstances. The SPD includes information on the management of development within the World Heritage Site. The content of the SPD does not relate directly to the characteristics of human populations. | | | | | | | |
| Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?) | No, the SPD is not intended to affect different groups or communities in this way. | | | | | | | |
| Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)? | No, the SPD is not intended to target any group and will be consulted upon in line with the council's Statement of Community Involvement. | | | | | | | |
| Is there an actual or potential negative impact on these specific characteristics? (Please tick) | | | | | | | | |
| Age | Y | N | Marriage & civil partnership | Y | N | Religion & belief | Y | N |
| Disability | Y | N | Pregnancy & maternity | Y | N | Sex | Y | N |
| Gender reassignment | Y | N | Race | Y | N | Sexual orientation | Y | N |

EQUALITY IMPACT ASSESSMENT

| What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts | | | Consultation/ involvement carried out | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------|------------------------------|
| | | | Yes | No |
| Age | <p>The SPD may have an impact those living and working in the borough.</p> <p>The draft Jodrell Bank SPD provides further guidance on the implementation of LPS policy SE14 “Jodrell Bank” to support the management of the World Heritage Site. The SPD also provides guidance on policy requirements and methods that applicants can use to minimise impact on the World Heritage Site.</p> <p>The guidance in the SPD may be beneficial as it will assist in supporting the long term success of JBO that can support the economy, recreation and leisure opportunities for human populations.</p> <p>The SPD provides further guidance on the policy approach set out in the Local Plan Strategy.</p> <p>No negative impacts are identified at this stage in relation to any of the specific characteristics however public consultation will be undertaken and this may raise issues officers are not currently aware of.</p> <p>The EIA will be reviewed (and updated) once the initial consultation has taken place.</p> | | | X (to be carried out) |
| Disability | | | | |
| Gender reassignment | | | | |
| Marriage & civil partnership | | | | |
| Pregnancy & maternity | | | | |
| Race | | | | |
| Religion & belief | | | | |
| Sex | | | | |
| Sexual orientation | | | | |
| | | | | |
| Proceed to full impact assessment? (Please tick) | Yes | No | Date: 24/05/2021 | |
| | | | | |
| Lead officer sign off | | Date | | |
| Head of service sign off | | Date | | |

EQUALITY IMPACT ASSESSMENT

If yes, please proceed to Stage 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

DRAFT

EQUALITY IMPACT ASSESSMENT

Stage 3 Identifying impacts and evidence


This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

| Protected characteristics | <p>Is the policy (function etc....) likely to have an adverse impact on any of the groups?</p> <p>Please include evidence (qualitative & quantitative) and consultations</p> <p>List what negative impacts were recorded in Stage 1 (Initial Assessment).</p> | <p>Are there any positive impacts of the policy (function etc....) on any of the groups?</p> <p>Please include evidence (qualitative & quantitative) and consultations</p> <p>List what positive impacts were recorded in Stage 1 (Initial Assessment).</p> | <p>Please rate the impact taking into account any measures already in place to reduce the impacts identified</p> <p>High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation</p> <p>Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures</p> <p>Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect</p> | <p>Further action (only an outline needs to be included here. A full action plan can be included at Section 4)</p> <p>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</p> |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Age | | | | |
| Disability | | | | |
| Gender reassignment | | | | |
| Marriage & civil partnership | | | | |

EQUALITY IMPACT ASSESSMENT

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Pregnancy and maternity | | | | |
| Race | | | | |
| Religion & belief | | | | |
| Sex | | | | |
| Sexual orientation | | | | |
| Is this change due to be carried out wholly or partly by other providers? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures) | | | | |

Stage 4 Review and Conclusion
ASSESSMENT

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|---------------------------------|--------------------|
| Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed | | | |
| Specific actions to be taken to reduce, justify or remove any adverse impacts | How will this be monitored? | Officer responsible | Target date |
| | | | |
| | | | |
| Please provide details and link to full action plan for actions | | | |
| When will this assessment be reviewed? | | | |
| Are there any additional assessments that need to be undertaken in relation to this assessment? | | | |
| | | | |
| Lead officer sign off |  Tom Evans | Date: 23/03/21 | |
| Head of service sign off | | Date: | |

Please publish this completed EIA form on the relevant section of the Cheshire East website

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Working for a brighter future together

Strategic Planning Board Committee Report

| | |
|--------------------------|-----------------------------------------------------------------|
| Date of Meeting: | 17 th November 2021 |
| Report Title: | Crewe Hub Area Action Plan Update |
| Report of: | Paul Bayley, Director of Environment and Neighbourhood Services |
| Ward(s) Affected: | All Wards |

1. Executive Summary

- 1.1.** This report is to brief the Strategic Planning Board (SPB) on the withdrawal of the Crewe Hub Area Action plan and it's replacement with an alternative planning framework.
- 1.2.** On 4th November 2021 a decision was taken by the Corporate Policy Committee to formally withdraw the Crewe Hub Area Action Plan (CHAAP) and the route of the Southern Link Road Bridge, proposed to cross the rail lines south of Crewe station linking Gresty Road and Weston Road. Therefore, no decision is required by SPB, however it remains important to brief the committee on this matter.
- 1.3.** An Area Action Plan (AAP) is a planning tool to enable additional statutory planning policies to be introduced, in a defined geography, that respond to significant change in a local area. They are a 'bolt-on' to policies held in a local plan.
- 1.4.** To enable growth and manage new development associated with the arrival of HS2 to Crewe work on the Crewe Hub Area Action Plan (CHAAP) began in the winter of 2018, involving multiple stages of public consultation and culminating in a final draft of the plan, which in March 2020 Cabinet took a decision to consult on.
- 1.5.** Shortly after this decision was taken, the first national lockdown was introduced in response to the Covid-19 pandemic which, amongst other measures taken, closed access to public buildings and therefore prevented the council from complying with the legal requirements in place at that time related to planning consultation (that the council must enable documents to

be physically accessed at its offices and libraries). Therefore, the opening of consultation was paused.

- 1.6. Since that point, travel behaviours and working circumstances continue to be disrupted. This has significantly impacted the commercial development market which was a key feature of the CHAAP.
- 1.7. In addition, Government funding priorities have changed over this period, which means no funding opportunities are currently available to fund key interventions needed to support the CHAAP.
- 1.8. Consequently, the impact of the pandemic on these key assumptions have changed to such a degree that the approach originally set out in the CHAAP no longer represents the optimum route to support the Council's ambitions for Crewe in the plan period.
- 1.9. On that basis, Corporate Policy Committee resolved on 4th November 2021 to revoke the decision to consult on the CHAAP and formally withdraw the document, including the proposed route for the Southern Link Road Bridge (SLRB).
- 1.10. Following the withdrawal of the CHAAP it is important that the Council sets out a refreshed strategy for the area that supports planning decision making to manage development, and to support the Council's wider regeneration programme. It is proposed to achieve this through the preparation of a Supplementary Planning Document for Central Crewe, accurately reflecting current circumstances, and supporting investment in the town via emerging Government funding opportunities. A supplementary planning document of this nature will be include in the Council's Local Development Scheme in the new year, for consideration by the Environment and Communities Committee.

2. Recommendations:

2.1. That the Strategi Planning Board:

- 2.1.1. Note the decision of the Corporate Policy Committee on 4th November 2021 to withdraw the CHAAP and the Crewe SLRB preferred route;
- 2.1.2. Note the proposal to prepare a Supplementary Planning Document for Central Crewe.

3. Reasons for Recommendations

- 3.1. The Council recognises the impacts of the coronavirus pandemic to working patterns and travel behaviours right across the UK and that these impacts are likely to continue, to some degree, at least in the mid-term future.
- 3.2. Consequently, the commercial development market is likely to be constrained, in both delivery and value, for some time to come. This means that economic growth plans associated with HS2 are likely to take longer to realise.

- 3.3. In addition, the rail works at Crewe to facilitate the arrival of HS2 to Crewe have been delayed from the timetable as understood in 2018, and the final timing of the arrival of HS2 services to Crewe awaits the Government's Integrated Rail Plan, which is thought to be published imminently. Again, this could impact the timing of the HS2 opportunities.
- 3.4. Because of these changes, the proposals outlined in the CHAAP no longer reflect current circumstances and are now unlikely to deliver the levels of commercial gains originally anticipated within the plan period (to 2030).
- 3.5. It is therefore necessary to embark upon an alternative approach that reflects current circumstances, provides a suitable planning framework that supports sound decision making, and supports continued success in securing and delivering investment in Crewe building on the Future High Streets Fund and Towns Fund programmes.
- 3.6. Producing a Supplementary Planning Document (SPD) for Central Crewe enables the Council to refresh the planning framework for Crewe incorporating key elements of the CHAAP but responding to recent changes. An SPD would be directly linked to the strategy already established in the Council's Local Plan and can be produced relatively quickly.
- 3.7. Whilst an SPD does not offer the opportunity to establish new planning policy or offer the same legal status as policies in an AAP or Local Plan, it does provide guidance on how the approach already set out in the Local Plan should be applied to development proposals. The guidance provided in an SPD is a material consideration in planning decisions and, in this instance, would be used to inform the application of existing policies in the Local Plan (LPS1: Central Crewe).
- 3.8. The Council's Local Plan is sound for managing the current proposed regeneration programmes. It will be subject to review and updating prior to 2025 (from 2022 onwards). Therefore, an SPD could be a shorter-term tool to re-engage the local community, re-develop a suitable planning framework that incorporates current developments/investment, and publicly sets out the Council's ambitions for Crewe, with recognition that such a document could form the basis of an approach to be incorporated in Local Plan review in the future.
- 3.9. A review of the CHAAP and preparation of a SPD will establish an up to date strategy and evidence base to support short-term funding and investment opportunities; it will support the continued, co-ordinated regeneration of the town by setting out a clear strategy; and will also strengthen the planning policy framework to accurately reflect current circumstances and opportunities.

4. Other Options Considered

- 4.1. The Council could continue to progress the CHAAP and the Crewe hub proposals as previously planned. This would require the Council to

commence the consultation as presented to Cabinet in March 2020. This consultation would be the 'representations' stage, prior to submission to the Planning Inspectorate for examination.

- 4.2.** However, the CHAAP, in its current form, no longer reflects current circumstances and without available Government funding opportunities to support delivery of key infrastructure, its proposals could not be considered deliverable (one of the key tests for the plan). Therefore, if the current version of the CHAAP were submitted, it would likely fail its examination by the Planning Inspectorate. This could result in significant abortive costs to the Council without any improved planning policy for the area.
- 4.3.** The Council could seek to amend the CHAAP to account for the changes arising from the coronavirus pandemic and any changes to the Government's HS2 programme. This will necessitate a review of the evidence base and infrastructure plan and may impact the conclusions related to expected levels of growth in the plan period. It offers an opportunity to re-engage with the new Crewe Town Board and create new policy that reflects the ambitions for Crewe from the current perspective, with different voices informing the outcome.
- 4.4.** Given the changes in circumstances, the AAP process would need to be started afresh. This would require recommissioning evidence, and importantly, ensuring the developments proposed are deliverable. This means securing assurance that the key infrastructure (station and highways interventions) is costed and financed. If the policy commitments in an AAP are not demonstrably deliverable there is a risk that the plan will fail at examination.
- 4.5.** This option has been considered but is not proposed to be pursued for two reasons:
 - 4.5.1.** The scale of the work to amend the existing CHAAP would be extensive, time consuming and costly. In addition, the prevailing uncertainties about the long-term commercial outlook would not necessarily provide more certainty that a revised CHAAP would be successful at examination.
 - 4.5.2.** Potential delays to the HS2 timetable could mean that the arrival of HS2 services to Crewe may not materialise until the end of the plan period. Therefore a 'significant change' that would be necessary to justify the production of an AAP appears unlikely to arise within the plan period.
- 4.6.** The Council could incorporate a review of the CHAAP within the wider Local Plan review from 2022 onwards. Local Plan review provides an opportunity to introduce new and detailed policy within an established process. However, this is a lengthy process and can take years to complete. Proposed reform to the planning system will mean local plans are likely to look very different in the future and the approach taken to Crewe may be prescribed. Based on current proposals it is reasonable to assume that some form of design code would likely be the approach that would fit best within a new local plan.

- 4.7. The council could produce a non-planning document that sets out the strategic and investment plan for the area. This would offer some benefit to clearly articulate the Council's ambitions and strategy for Crewe but would incur significant cost and offer no ability to inform planning decisions in the area.
- 4.8. The options outlined above all have limitations and therefore are not proposed to be pursued. There is no perfect solution or 'correct' answer to address this issue but preparing an SPD offers the opportunity to:
 - 4.8.1. strengthen the Council's planning policy framework for the area;
 - 4.8.2. set out a vision that responds both to current circumstances, and the opportunities presented by the arrival of HS2;
 - 4.8.3. meaningfully re-engage with residents and key stakeholders including Crewe Town Board;
 - 4.8.4. be completed within a relatively short time scale;
 - 4.8.5. form the basis of a new policy approach to be integrated as part of the Council's local plan review process.
- 4.9. Pursuing an SPD offers a cost and time effective means to set out the Council's refreshed approach to Central Crewe. The process to produce and SPD does not require submission to the Planning Inspectorate, is subject to shorter consultation periods and does not require the extent of supporting planning material that an AAP or Local Plan review would (Habitats Regulations Assessment, Strategic Environmental Assessment, Sustainability Appraisal etc).
- 4.10. An SPD offers the same benefits as other options in terms of re-engaging with the public to develop and / or refine the approach to Central Crewe and, through existing policy LPS1, can exert material weight in planning decisions. In this way an SPD is a co-ordinating plan that sets out and communicates goals and objectives, and the means to achieve them but does not act as a stringent blueprint. This approach has been pursued at Middlewich through the Brooks Lane Masterplan which is an SPD that sets out key site objectives, connections, land use and design issues across a complex area subject to multiple landownership and constraints. In this way an SPD can establish a framework to co-ordinate and support development, under the aegis of strategic policies in the local plan.
- 4.11. Preparing an SPD also enables the council to continue to prioritise other elements of Crewe regeneration, pursue new funding and investment opportunities, and allow for future long-term business demands to be explored, with a view to integrating these matters into the wider local plan, through local plan review.

5. Background

- 5.1.** The arrival of HS2 and the creation of a Crewe hub station provides a significant opportunity to deliver social, economic and environmental wellbeing for the residents of Crewe and the Borough. The Council is passionate about enhancing what the town already has to offer and enabling more opportunities to people who live in, work in, or visit Crewe.
- 5.2.** It is anticipated that HS2 will have the largest, and most immediate, impact on the land immediately surrounding Crewe Railway Station as this area will benefit most from the step-change in connectivity that HS2 delivers.
- 5.3.** To enable the opportunities in this area to be realised, development began on a local Area Action Plan, the Crewe Hub Area Action Plan (CHAAP). The CHAAP was designed to provide updated HS2 led planning policy for this area. This new development would in turn make a significant contribution towards the key transport interventions needed across the area.
- 5.4.** The CHAAP covered the area surrounding Crewe railway station, to reflect the immediate area of opportunity. This work acknowledged and complemented existing policies for Crewe, including for the town centre.
- 5.5.** Area Action Plans are a ‘bolt on’ to a local plan to accommodate the needs anticipated by a significant change in an area. They introduce statutory planning policy, in response to a significant change in a defined and specific area and are subject to the same procedural process as Local Plans, including examination in public at the behest of the Planning Inspectorate.
- 5.6.** The Cheshire East Local Plan Strategy (CELPS) was adopted in 2017 and sets out the strategic growth ambitions of the Council up to 2030. During its preparation, the Council was actively working with partners and engaging with government to secure the arrival of HS2 at Crewe. However, at the time the CELPS was being prepared there was no certainty that this scenario would materialise and therefore the planning policy that the Council could put in place on this matter was limited.
- 5.7.** Consequently, the CELPS includes references that would support the delivery of HS2 and its benefits but does not address these matters in detail. Policy LPS1: Central Crewe is the main policy to address these matters in high level terms and, in the supporting text, referencing that the preparation of an Area Action Plan may be desirable to provide further policy support on more detailed matters, should the HS2 project proceed with more certainty before 2030 (within the plan period).
- 5.8.** In the period after 2017, when the CELPS had been adopted, plans around HS2 began to gather pace with the Council working through the Constellation Partnership to submit detailed proposals to government and make the case for the arrival of HS2 to Crewe. Nationally the HS2 project made progress and it became clear that securing a station at Crewe was a realistic ambition.

5.9. In anticipation of this scenario, plans for the necessary supporting infrastructure were worked up and work also began on the Crewe Hub Area Action Plan.

5.10. The CHAAP was based on the following assumptions:

5.10.1. HS2 would arrive to Crewe in 2027 with high-speed services between Crewe and London;

5.10.2. The arrival of Phase 2b in 2033, with Crewe serving 5 HS2 trains per hour south and 7 HS2 trains per hour north, including direct HS2 services to Manchester and Birmingham;

5.10.3. The redevelopment of Crewe railway station, including a new passenger transfer deck and new main entrance on Weston Road, in 2025 in advance of the arrival of HS2; and

5.10.4. Based on delivery of enhanced connectivity, a new commercial hub to the east of the station would be delivered which could deliver in the order of 2-3,000 new homes and 150 hectares of employment (primarily office based) toward the end of the CHAAP period.

5.11. With those assumptions in mind, the CHAAP was prepared for three key reasons:

5.11.1. To put in place detailed planning policy ahead of local plan review that would enable the high level of additional growth (beyond that set out in the Local Plan) to come forward. In doing so the plan would allow the Council to exert greater influence to manage development, and retain key sites for specific uses, toward delivery of a masterplan.

5.11.2. To support compulsory purchase of essential sites for infrastructure, where necessary.

5.11.3. To set out an infrastructure plan, particularly related to highways interventions, that secured essential sites from alternative uses.

5.12. In the winter of 2018 work began on the CHAAP and following multiple rounds of public consultation, a final draft of the plan was completed in March 2020 whereupon a decision to consult on the plan was approved by Cabinet. This consultation would have been the 'representations' stage, prior to submission to the Planning Inspectorate for examination.

What has changed?

Key changes:

5.13. Over the past 18 months, the following changes have impacted the validity of the assumptions outlined at paragraph 5.10:

5.13.1. Dependent on the Government announcements in its Integrated Rail Plan, possible delays in HS2's delivery programme, with the full HS2 service timetable not arriving to Crewe until later in the 2030s;

5.13.2. The economic impacts of the Covid-19 pandemic, as well as the move towards working from home and flexible working, has created uncertainty in the development and investment markets; and

5.13.3. Changes in government investment priorities with a focus on economic recovery and its levelling up agenda.

New Funding

5.14. In addition to these key changes the council has also been successful in securing significant government funding to support a range of projects in Crewe, including within the area around Crewe Station:

5.14.1. Earlier this year, the Council secured £14.1m of Government funding from the Future High Street Fund. This will support the delivery of a number of cultural, community, regeneration and transport projects within the town centre, including:

- Southern Gateway
- Flag Lane link
- Adaptive signals
- In town living projects
- Earle St link
- Christ Church Digital Innovation Centre
- Sustainable Energy Network

5.14.2. Crewe recently also secured a 'Town Deal' and a separate allocation of funding from government of up to £22.9m. This funding, subject to business case approval, is allocated to deliver an additional set of projects to support the ongoing regeneration of the town, including:

- Mill Street Linear Park and Corridor Improvements
- Green corridor and Green open space investments
- New community and sports hubs
- Inner Crewe Warm & Healthy Homes Programme
- Public realm improvements

5.15. The schemes to be funded from the Future High Streets Fund and Towns Fund are partly within the defined boundaries of the CHAAP and represent an opportunity to better connect the station and town centre through investment in key corridors.

Refinement of Station Options

5.16. In addition, the Council are working closely with Network Rail and Cheshire and Warrington LEP to refine proposals for the redevelopment of Crewe hub station and its immediate environs.

- 5.17. These discussions include proposals for new pedestrian/cycle decks alongside Nantwich Road Bridge that will improve links between the station and town centre, support the regeneration of the Mill Street corridor, promote active travel and support the wider HS2 potential.
- 5.18. Proposals will also include phase one ideas for the redevelopment of the Weston Road car park that can capitalise on investment opportunities coming forward in advance of HS2's arrival.
- 5.19. Including these schemes within an SPD can establish how they are deliverable and compliant with the Local Plan, and, as funding opportunities become available, can provide the necessary assurance and flexibility to accelerate their delivery.

Other Government Initiatives / Opportunities

- 5.20. Government is expected to commence further bidding rounds for its Levelling Up Fund in the coming months which could support a package of up to £50m of transport schemes in Crewe through a Local Transport Authority bid by the Council, with schemes to be delivered by 2025. This could include elements of the HS2 programme.
- 5.21. In addition, the Secretary of State for Transport recently announced plans to launch an Expression of Interest bidding round to find a location for an HQ and regional centres, outside of London, for the soon to be established Great British Railways. Given Crewe's strong rail heritage and unrivalled connectivity, this represents a huge opportunity for the town to secure one of these sites and the jobs and homes that can flow from it.
- 5.22. These represent huge shorter-term opportunities for the town that can unlock significant benefits to the town, and the Borough, in advance of HS2. However, both are expected to attract interest from many towns and cities across the UK. Therefore, it is essential that the Council's policies and strategies for Crewe place it in the strongest possible position to support such bids, and accurately reflect current circumstances.

Next steps

- 5.23. The progression of a refreshed planning policy framework for Crewe falls under the terms of reference of the Environment and Communities Committee.
- 5.24. An update on the project will be brought to Environment and Communities Committee as part of the Local Development Scheme in the new year, setting out a programme of work, including local engagement, to support the preparation of a SPD for Central Crewe.

6. Consultation and Engagement

- 6.1.** Multiple stages of public consultation were carried out as part of the preparation of the CHAAP. The feedback taken to date will form an important part of the process toward establishing a refreshed planning framework for the area.
- 6.2.** In preparing an SPD for Central Crewe it is essential to continue to engage with residents, businesses and other local stakeholders including ward members for Crewe, Crewe Town Council and Crewe Town Board. Engagement with these stakeholders will be key to developing a successful approach to manage growth and change in the area.

7. Implications

7.1. Legal

- 7.1.1.** The withdrawal of the Crewe Hub Area Action Plan requires a formal decision. Following this decision, a series of actions must take place:

- 7.1.1.1.** Prepare a statement of withdrawal and make this available on the CEC website; and
 - 7.1.1.2.** Send notification that the CHAAP has been withdrawn to each of the general consultation bodies and specific consultation bodies which were invited to make representations on the preparation of the CHAAP; and
 - 7.1.1.3.** Remove the CHAAP and any documents relating to the CHAAP from the CEC website but leave up the statement of withdrawal.

- 7.1.2.** The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012 provide the statutory Framework governing the preparation and adoption of SPDs. These include the requirements in Section 19 of the 2004 Act and various requirements in the 2012 Regulations including in Regulations 11 to 16 that apply exclusively to producing SPDs.

- 7.1.3.** Amongst other things, the 2012 regulations require that an SPD contain a reasoned justification of the policies within it and for it not to conflict with adopted development plan policies.

- 7.1.4.** The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which SPDs should be prepared.

- 7.1.5.** SPDs provide more detailed guidance on how adopted local plan policies should be applied. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

7.2. Finance

- 7.2.1. The preparation of an SPD, including public consultation on it, is resourced through the existing Spatial Planning budget.
- 7.2.2. By supporting redevelopment of brownfield land, an SPD will set out how growth linked to HS2 can support growth in the Borough's tax base.

7.3. Policy

- 7.3.1. The Local Plan is a key policy document, central to the achievement of sustainable development in Cheshire East. SPDs provide further guidance and clarity on how the policies of the Local Plan should be implemented.

7.4. Equality

- 7.4.1. The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it; foster good relations between persons who share a "relevant protected characteristic" and persons who do not share it.
- 7.4.2. An Equality Impact Assessment will be incorporated into the preparation of an SPD. This will consider how development proposals and planning policies will impact on different groups within the community.

7.5. Human Resources

- 7.5.1. Existing resources are in place and there are no new implications arising from this decision.

7.6. Risk Management

- 7.6.1. SPDs must be completed in accordance with the relevant legal framework and would provide a robust basis for future planning decisions in this plan period.

7.7. Rural Communities

- 7.7.1. Crewe and Crewe station serves a wide area, including several rural communities, within the Borough. It is therefore important that the Transport Strategy recognises the town's strategic importance to these communities.

7.8. Children and Young People/Cared for Children

- 7.8.1. The future growth and prosperity of Crewe on the back of HS2 can provide significant future employment opportunities for young people.

7.9. Public Health

- 7.9.1.** Appropriate Development Plan policies and related guidance can help foster healthier living and working environments. An SPD for central Crewe could set out in detail how public realm, green infrastructure and sustainable travel could be delivered.

7.10. Climate Change

- 7.10.1.** Guidance within an SPD can clarify how policies of the local plan should be applied to help mitigate the impacts of climate change and how new buildings should be designed to reduce their carbon footprint.
- 7.10.2.** An SPD for Central Crewe offers an opportunity to draw attention to relevant policies of the local plan and provide guidance on how applicants should expect to reduce their carbon impact and include measures to mitigate the effect of climate change.

| Access to Information | |
|------------------------------|--------------------------------------------------------------------------------------------|
| Contact Officer: | Tom Evans, Neighbourhood Planning Manager Tom.Evans@cheshireeast.gov.uk 01625 650023 |
| Appendices: | N/A |
| Background Papers: | N/A |



Working for a brighter future together

Strategic Planning Board Committee Report

| | |
|--------------------------|------------------------------------------------------------------|
| Date of Meeting: | 17 November 2021 |
| Report Title: | Final Draft Housing Supplementary Planning Document |
| Report of: | Paul Bayley - Director of Environment and Neighbourhood Services |
| Ward(s) Affected: | All Wards |

1. Executive Summary

- 1.1.** This report seeks approval to publish the final draft Housing Supplementary Planning Document ("SPD") along with its Report of Consultation for public representations for a period of a minimum of four weeks.
- 1.2.** This report is to brief the Strategic Planning Board (SPB) on the forthcoming public consultation on the final draft Housing Supplementary Planning Document ("SPD").
- 1.3.** On 11th November 2021 a decision was taken by the Environment and Communities Committee to consult on the final draft Housing Supplementary Planning Document. Therefore, no decision is required by SPB, however the committee is asked to note the consultation period and requested to provide feedback on the final draft Housing Supplementary Planning Document within this timeframe, should the Board feel it appropriate to do so.
- 1.4.** Ensuring the delivery of affordable homes is a priority within the Corporate Plan 2021-2025 which states "enable access to well designed, affordable and safe homes for all our residents". Providing additional guidance on housing, including affordable housing, contributes to the overall Vision for the Council to be:

Open – the SPD provides additional guidance to support the implementation of existing planning policies.

Fair – the SPD supports existing planning policies on affordable housing, to enable residents to access housing to meet the needs of all residents, including vulnerable and older people.

Green – the SPD, in supporting the delivery of affordable homes should provide appropriate housing options for residents to reside close to employment opportunities.

- 1.5. The initial draft of the Housing SPD was published for consultation between the 26 April 2021 and Monday 07 June 2021. It has been amended in response to comments received during that consultation. The report of consultation summarises the feedback and explains how comments have been addressed (appendix 1).
- 1.6. A screening exercise has been carried out to determine whether the draft Housing SPD gives rise to the need for further Sustainability Appraisal or Appropriate Assessment (under the Habitats Regulations). This screening assessment was consulted upon, alongside the draft Housing SPD and concludes that further assessment is not necessary (Appendix 3).
- 1.7. Once adopted, the SPD will provide additional planning policy guidance on the implementation of LPS policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. The SPD will also be a material consideration in decision making and support the delivery of key policies in the Local Plan Strategy.

2. Recommendations

- 2.1. To note the following documents, their consultation periods, and to provide commentary and feedback where the Board wishes to do so:
 - 2.1.1. The feedback received to the draft Housing SPD public consultation exercise held between the 26 April 2021 and Monday 07 June 2021 and how it has been addressed in the Report of Consultation (appendix 1)
 - 2.1.2. The final draft Housing SPD (appendix 2),
 - 2.1.3. The Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report (“SEA”) (appendix 3).agree to the publication of the final draft Housing SPD (appendix 2) and report of consultation (appendix 1) for public representations for a period of a minimum of four weeks.

3. Reasons for Recommendations

- 3.1. An SPD is not part of the statutory development plan. It is a recognised way of putting in place additional planning guidance and is a material consideration in determining planning applications in the borough.

- 3.2.** The supporting information to policies SC4 (residential mix), SC5 (affordable homes) and SC6 (rural exceptions housing for local needs) in the Local Plan Strategy (“LPS”) anticipate the production of an SPD, to provide additional guidance on the implementation of policies on residential mix, including older persons accommodation and supported housing, alongside the provision of affordable housing in the borough.
- 3.3.** Public consultation on the draft housing SPD took place between the 26 April 2021 and Monday 07 June 2021. A total of 119 comments were received from 29 parties. A Report of Consultation has been prepared summarising the main issues raised and explaining how these issues have been addressed. The next step would be for the Council to publish the final draft of the Housing SPD and Report of Consultation and seek public representations on them for a period of a minimum of four weeks.
- 3.4.** Providing clear guidance up front about policy expectations should enable applicants to better understand policy requirements. The SPD should assist applicants when making relevant planning applications, and the Council in determining them.

4. Other Options Considered

- 4.1.** The Council could choose not to prepare an SPD on these matters. Any relevant planning application would continue to be assessed against existing planning policies. However, this would not allow the Council to provide additional practical guidance on this matter or give clarity to the approach that should be employed by all parties in a consistent way that gives certainty to applicants and decision makers, for example on how financial contributions toward affordable housing are expected to be calculated

5. Background

- 5.1.** The Council’s Corporate Plan (2021-25) sets out three aims. These are to be open, fair and green. In striving to be a fair Council, a key objective is to reduce health inequalities across the borough, addressing issues of poor-quality housing and delivering housing to meet the needs of all residents, including vulnerable and older people. As such, this SPD sets out guidance on policies contained in the LPS that will support delivery of this ambition.
- 5.2.** One of the key strategic priorities of the LPS is for the Plan to support the establishment and maintenance of sustainable communities. The LPS seeks to support the delivery of an appropriate mix of house types, sizes and tenures including affordable housing to meet the borough’s needs. The LPS also seeks to support and enable vulnerable and older people to live independently, and for longer (LPS Strategic Priority 2, points 1 (ii) & (iii)).

- 5.3.** The LPS includes policy SC4 (residential mix) which sets out how residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes. It also includes reference to the housing ‘offer’ appropriately responding to the needs of residents as they grow older. The policy includes additional requirements for accommodation designed specifically for the elderly and people who require supported and specialist accommodation.
- 5.4.** The LPS establishes the overall need for affordable housing in the borough, that is the need for a minimum of 7,100 homes over the plan period up to 2030, which equates to an average of 355 homes per year.
- 5.5.** The LPS contains two policies of relevance to the delivery of affordable homes. Policy SC5 (affordable homes) ensures that new residential development makes an appropriate contribution to the delivery of affordable homes, setting a threshold for when affordable homes are required to be delivered by sites. Policy SC6 (rural exceptions housing for local needs) provides additional guidance on the delivery of rural exception housing sites.
- 5.6.** This SPD aims to give greater clarity to developers, landowners and communities, focused on the issues of residential mix and the provision of affordable housing. The draft Housing SPD provides additional guidance to applicants on how they should respond to the policy requirements in the LPS. It also ‘signposts’ sources of information, including relevant documentation and Council services.
- 5.7.** The draft SPD has been jointly prepared by Strategic Planning and Strategic Housing. There has also been informed by input from Adult Services and Commissioning teams.
- 5.8.** Subject to the approval of the recommendations of this report, the SPD will be consulted on in accordance with the council’s Statement of Community Involvement for a period of a minimum of four weeks.
- 5.9.** The process for preparing an SPD is similar in many respects to that of a local plan document. However, they are not subject to independent examination by the Planning Inspectorate. There are several stages in their production:

| Stages in Producing an SPD | Estimated Timing |
|------------------------------------------------------------------|-------------------------|
| Publish the initial draft SPD for four weeks public consultation | April - June 21 |
| Consider feedback received and make any changes necessary | Summer 21 |

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Publish the final draft SPD, along with a consultation statement setting out who has been consulted in its preparation, the main issues raised in feedback and how those issues been addressed in the final draft SPD | November 21 Current Stage |
| Having considered representations, the SPD may then be adopted: | Spring 21 |

5.10. Public consultation on the initial draft housing SPD took place between the 26 April 2021 and Monday 07 June 2021. A total of 119 comments were received from 29 parties. A summary of all the key issues raised alongside a proposed Council response is attached in Appendix 1. Several key issues raised included: -

- 5.10.1.** Progress on the SPD should be delayed until the emerging Site Allocations and Development Policies document (“SADPD”) has been examined and adopted. Alternatively, all references to policies in the SADPD should be removed from the SPD;
- 5.10.2.** The SPD should consider additional guidance on wildlife, density local character and the historic environment;
- 5.10.3.** The SPD should be less prescriptive and allow for greater flexibility on matters including housing mix which takes account of up to date market demand and data;
- 5.10.4.** The viability implications of the SPD need to be considered;
- 5.10.5.** The SPD needs to be updated to reflect current government guidance on First Homes;
- 5.10.6.** Given the climate emergency, recognised by the Council, the SPD should go further on improving environmental standards and, for example, supporting well-designed 20-minute walkable neighbourhoods;
- 5.10.7.** Ongoing impacts of the Covid-19 pandemic on, for example, homeworking, importance of access to green infrastructure should be reflected in the SPD.

5.11. Several amendments have been made to the document in the light of comments made, including: -

- 5.11.1.** References to policies contained in the emerging SADPD have been removed from the SPD. The SADPD, once adopted, will contain policies on housing mix, specialist housing. It will also include energy efficiency, space standards and accessibility and wheelchair standards. There is no need to duplicate or provide additional guidance on these matters in the housing SPD.

- 5.11.2.** Guidance on First Homes, a specific kind of discounted market sale housing has been included in the SPD. First Homes are considered to meet the definition of affordable housing for planning purposes.
- 5.11.3.** References to the importance of Green Infrastructure and access to nature have been added to the document.
- 5.12.** Once adopted, the effectiveness of this SPD will be monitored as part of the Authority Monitoring Report, using information from planning applications and decisions. The outcome of this ongoing monitoring work will help inform future decisions about the SPD

6. Consultation and Engagement

- 6.1.** It is proposed that the draft SPD will be subject to a minimum of four weeks consultation. Following this, all comments will be considered, and changes made to the SPD, as appropriate, before a final version of the SPD is prepared for approval and further consultation.

7. Implications

7.1. Legal

- 7.1.1.** The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012 provide the statutory Framework governing the preparation and adoption of SPDs. These include the requirements in Section 19 of the 2004 Act and various requirements in the 2012 Regulations including in Regulations 11 to 16 that apply exclusively to producing SPDs.
- 7.1.2.** Amongst other things, the 2012 regulations require that an SPD contain a reasoned justification of the policies within it and for it not to conflict with adopted development plan policies.
- 7.1.3.** The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which SPDs should be prepared.
- 7.1.4.** SPDs provide more detailed guidance on how adopted local plan policies should be applied. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

Strategic Environmental Assessment

- 7.1.5.** Strategic Environmental Assessment involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.

- 7.1.6. The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (“SA”), which is a requirement for development plan documents.
- 7.1.7. There is no legal requirement for SPDs to be accompanied by SA, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008- 20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the local plan.
- 7.1.8. A screening assessment has been undertaken (in Appendix 3) which has determined that a SEA (or an appropriate assessment under the Habitats Regulations) is not required for the SPD.

7.2. Finance

- 7.2.1. There are no significant direct financial costs arising from consultation on the SPD. The costs of printing and the staff time in developing the SPD are covered from existing budgets of the planning service.

7.3. Policy

- 7.3.1. The SPD will expand and amplify existing development plan policies relating to the provision of affordable housing.

7.4. Equality

- 7.4.1. The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a “relevant protected characteristic” and persons who do not share it; foster good relations between persons who share a “relevant protected characteristic” and persons who do not share it.
- 7.4.2. The draft Housing SPD provides further guidance on the provision of affordable homes and additional guidance on policy SC4 ‘residential mix’. The SPD is consistent with the LPS which was itself the subject of an Equalities Impact Assessment (EQiA) as part of an integrated Sustainability Appraisal. The initial draft SPD was supported by an EQiA. An updated version of the draft housing SPD EQiA has been prepared (appendix 4) and will be published alongside the draft SPD for comment.

7.5. Human Resources

- 7.5.1. There are no direct implications for human resources.

7.6. Risk Management

- 7.6.1.** The subject matter of the report does not give rise for any particular risk management measures because the process for the preparation of an SPD is governed by legislative provisions (as set out in the legal section of the report).

7.7. Rural Communities

- 7.7.1.** The draft Housing SPD seeks to provide further guidance on the provision of rural exception sites for local affordable housing needs in the borough.

7.8. Children and Young People/Cared for Children

- 7.8.1.** The draft SPD seeks to provide additional guidance on the provision of affordable housing in the borough. The appropriate provision of affordable housing can help support sustainable communities that offer a wide range of housing types and tenures and are socially inclusive.

7.9. Public Health

- 7.9.1.** The draft SPD highlights the importance of appropriate residential choices to support and enable residents to live independently and match their current and future aspirations and requirements.

7.10. Climate Change

- 7.10.1.** The draft SPD highlights the importance of applicants for / or including homes to reduce their carbon footprint in the design, construction and occupation of homes (including affordable homes), including through following the energy hierarchy set out in the Local Plan Strategy.

| Access to Information | |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contact Officer: | Tom Evans Neighbourhood Planning Manager Tom.Evans@cheshireeast.gov.uk 01625 650023 |
| Appendices: | Appendix 1: Draft Housing Report of Consultation Appendix 2: Draft Housing Supplementary Planning Document Appendix 3: SEA / HRA Screening Report Appendix 4: Draft Equalities Impact Assessment Screening Report |
| Background Papers: | N/A |

Cheshire East Local Plan

Report of Consultation: Draft Housing Supplementary Planning Document

November 2021

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1. Introduction

- 1.1 The final draft Housing Supplementary Planning Document provides additional guidance on existing development plan policies found in the Cheshire East Local Plan Strategy (adopted July 2017), particularly focused on policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exception sites for local needs'.
- 1.2 The initial draft Housing SPD was published for six weeks consultation between the 26 April 2021 and the 07 June 2021. This report of consultation provides further details on the consultation exercise on the initial draft Housing SPD.

2. Consultation documents

- 2.1 Comments were invited on the initial draft Housing SPD. A Strategic Environmental and Habitats Regulations Assessment Screening Assessment was also prepared as an appendix to the SPD and published alongside the consultation document for comment.

3. Document availability

- 3.1 Electronic copies of the consultation documents were made available on the council's consultation portal which could be accessed through the Council's website.
- 3.2 Printed copies of the consultation document were made available for inspection at public libraries in Cheshire East during opening hours.

4. Publicity and engagement

Consultation notifications

- 4.1 Notification of the consultation was sent to all active stakeholders on the council's Local Plan consultation database. This consisted of 458 printed letters and 2,524 e-mails sent on the 27 April 2021. The stakeholders on the consultation database included residents of Cheshire East, landowners and developers, as well as planning consultants, businesses and organisations, including statutory consultees.
- 4.2 Letters and e-mails were also sent to all town and parish councils in Cheshire East, elected members and MPs.
- 4.3 Examples of notification emails and letters are included in Appendix 1.

Other publicity

- 4.4 A number of pages on the Cheshire East Council website provided information and links to the consultation. These pages included:
- The homepage (in the ‘have your say’ section): www.cheshireeast.gov.uk
 - The Cheshire East Supplementary Planning Documents webpage: https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/supplementary_plan_documents.aspx
 - The Council’s Twitter Page: <https://twitter.com/CheshireEast>
- 4.5 Screenshots of webpages and twitter feed can be viewed at Appendix 2.
- 4.6 The Strategic Planning Update (May 2021 edition) also included information on the consultation on the initial draft Housing SPD. The Strategic Planning Update is sent to Town and Parish Council’s in Cheshire East and published on the Council’s website. An extract of the text is included in Appendix 2.
- 4.7 A media statement was issued informing people of the consultation. A copy of the media release is included in Appendix 3.

5. Submitting comments

- 5.1 Comments could be submitted in several ways:
- Using the online consultation portal, linked from the Council’s website: https://cheshireeast-consult.objective.co.uk/portal/planning/spd/draft_housing_spd;
 - By email to planningpolicy@cheshireeast.gov.uk;
 - By post to Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ.
- 5.2 Printed copies of consultation response forms were available for people to take away from public libraries during opening hours. The form could also be downloaded from the Council’s website. A copy of the response form is shown in Appendix 4.
- 5.3 Information on how to submit comments was included on the consultation portal; in the printed and PDF versions of the draft SPD; and on the printed comments form.

6. Representations received

- 6.1 In total, 119 comments were received from 29 parties. This includes a late representation received by the Defence Infrastructure Organisation. These comments can be viewed on the consultation portal at: https://cheshireeast-consult.objective.co.uk/portal/planning/spd/draft_housing_spd
- 6.2 The comments received covered a range of topics and issues. The main issues raised during the consultation included: -
- Progress on the SPD should be delayed until the emerging Site Allocations and Development Policies document (“SADPD”) has been examined and adopted. Alternatively, all references to policies in the SADPD should be removed from the SPD;
 - The SPD should consider additional guidance on incorporating features beneficial to wildlife and provide opportunities to enhance local character and distinctiveness;
 - The SPD should make reference to ‘low density areas’ and include maps to highlight those locations;
 - The SPD should include a reference to site maintenance;
 - The SPD should be less prescriptive and allow for greater flexibility on matters, including housing mix, which takes account of up to date market demand and data;
 - The viability implications of the SPD need to be considered alongside other SPDs in development, such as the Biodiversity Net Gain SPD. The implications of the SPD on the Community Infrastructure Levy also should be considered;
 - The SPD needs to be updated to reflect current government guidance on First Homes;
 - Given the climate emergency declared by the Council, the SPD should go further on improving environmental standards and, for example, supporting well-designed 20-minute walkable neighbourhoods;
 - Ongoing impacts of the Covid-19 pandemic on, for example, homeworking, importance of access to green infrastructure should be reflected in the SPD;
 - The SPD should emphasise the importance of green infrastructure and supporting local character in design;
 - The SPD should refer to the legislative requirements of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Sites) Direction 2002 (brought into effect by DfT/ODPM Circular 1/2003),

particularly in respect of development near to Manchester Airport and also the requirements of the Ministry of Defence.

- Confirmation required in the SPD as to whether valuations should be undertaken by a qualified valuation expert.

6.3 A full summary of the key issues raised alongside the Council's response and how the SPD has been amended as a result is set out in Appendix 5.

Appendix 1: Example notification letters and emails



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To: Town and Parish Councils

Strategic Planning
Westfields, Middlewich Road
Sandbach
CW11 1HZ

Tel: 01270 685893 (please leave a message)

Email: planningpolicy@cheshireeast.gov.uk

DATE: 26/04/2021 OUR REF: SPD

Dear Town or Parish Clerk,

Cheshire East planning policy documents consultation.

Cheshire East Council has published two planning policy-related documents for consultation:

Final Draft Houses in Multiple Occupation Supplementary Planning Document ("HMO SPD")

Consultation took place between 26th October 2020 and 23rd December 2020 on the initial Draft HMO SPD.

The Final Draft HMO SPD has been now been published alongside a Report of Consultation. The Report of Consultation sets out the responses received to the initial Draft HMO SPD and how they have been taken into account in the final version.

The HMO SPD provides guidance for all parties involved in the planning application process, explaining how Cheshire East Council will assess planning applications that involve the change of use (or extension) of buildings to HMOs across the Borough.

Representations are invited to be made about the Final Draft HMO SPD and the Report of Consultation between the 26 April 2021 and 5:00pm on 7 June 2021. Further information is available on the council's consultation portal:

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

Draft Housing Supplementary Planning Document ("Housing SPD")

The Draft Housing SPD has been published for consultation and provides further guidance on the implementation of policies in the Local Plan, including SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs' of the Local Plan Strategy. This is the first stage of consultation on the SPD which, once adopted, will be a material consideration in decision-taking.

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All other enquiries **0300 123 5500**

www.cheshireeast.gov.uk

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The consultation will run from 26 April 2021 to 5:00pm on 7 June 2021. Further information is available on the council's website at:

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

We would be very grateful if your council is able to assist us in publicising these consultations; for example by posting a link on your website; including a short note in any parish newsletter or similar.

Please do not hesitate to contact the Strategic Planning Team using the details at the top of this letter should you require further information on any of these consultations.

Yours sincerley,

A handwritten signature in black ink, appearing to read 'J Owens', with a large initial 'J' and a stylized surname.

Jeremy Owens
Development Planning Manager

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«Given_Name» «Family_Name»
«Address_Line_1»
«Address_Line_2»
«Address_Line_3»
«Post_Town» «County»
«Post_Code»

Strategic Planning
Westfields, Middlewich Road
Sandbach
CW11 1HZ

Tel: 01270 685893 (please leave a message)
Email: planningpolicy@cheshireeast.gov.uk

DATE: 26/04/2021 OUR REF: SPD

Dear, «Given_Name» «Family_Name»

Cheshire East planning policy documents consultation

You have received this letter as you have previously responded to a local plan consultation or you have asked to be kept informed of future local plan consultations. The council has published two planning policy documents for consultation.

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Representations are invited to be made about the Final Draft HMO SPD and the Report of Consultation between the **26 April 2021** and **5:00pm on 7 June 2021**. Further information is available on the council's consultation portal: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

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All other enquiries **0300 123 5500**

www.cheshireeast.gov.uk

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The consultation will run from **26 April 2021** to **5:00pm on 7 June 2021**. Further information is available on the council's website at:

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

Please do not hesitate to contact the Strategic Planning Team using the details at the top of this letter should you require further information on any of these consultations.

Yours sincerley,

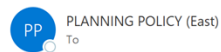
A handwritten signature in black ink, appearing to read 'J Owens', with a stylized flourish at the end.

Jeremy Owens
Development Planning Manager

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[OFFICIAL] Cheshire East planning policy documents consultations



↩ Reply
↩ Reply All
→ Forward

Mon 26/04/2021

To whom it may concern,

You have received this email as you have previously responded to a local plan consultation or you have been asked to be kept informed of future local plan consultations. The council has published two planning policy-related documents for consultation:

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Please do not hesitate to contact the Strategic Planning Team at planningpolicy@cheshireeast.gov.uk or telephone 01270 685893 (please leave a message) should you require further information on any of these consultations.

Yours sincerely,

Jeremy Owens
Development Planning Manager

www.cheshireeast.gov.uk



Appendix 2: Screen shots from the Council website / Twitter page / SP Update

The screenshot displays the Cheshire East Council Consultation Portal. The header includes the council logo, the title 'Consultation Portal', and links for Accessibility, Privacy, Home, and Contact Us. A search bar and navigation links (Login / Register, Who Said What?, Help, Print) are also present.

The main content area is titled 'Draft Housing Supplementary Planning Document' and includes the following sections:

- Consultation Document**: A paragraph explaining the purpose of the document and a link to download the PDF file.
- Submit your views**: A section explaining how to provide feedback, including a link to the 'Read and comment on document' button.
- Further information**: A section providing contact details for the Strategic Planning Team.

The 'Read and comment on document' button is highlighted with a blue border and a plus icon.

Below the button, there is a table with the following information:

| Event information | Supporting Documents | All Comments |
|-------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------|
| Access: Login required | | |
| Status: open (From 26/04/21 09:15 to 07/06/21 17:00) | | |
| Privacy: If you take part, your name may be displayed, your answers may be displayed, your town/city will not be shown | | |
| Description: Submit your representations on the Draft Housing Supplementary Planning Document | | |
| Organisation: Cheshire East Council | | |
| Contact Name: Strategic Planning Team | | |
| Contact Email: planningpolicy@cheshireeast.gov.uk | | |
| Contact Telephone: 01270 685893 (please leave a message) | | |
| Other Contact Information: Strategic Planning (Westfields) c/o Municipal Buildings Earle Street Crewe CW1 2BJ | | |
| Subject: Local development plans, Planning (town and country), Local development, Local Development Framework | | |



[Listen and translate](#)
[A to Z site index](#)


Coronavirus - COVID-19

Supporting you during the COVID-19 outbreak

I want to find...

| | | |
|------------------------------------|---------------------------------------|------------------------------------------|
| Jobs at the Council | Library books to renew or reserve | Care and support for children and adults |
| Payments to the Council | Council Tax | Housing |
| Bins and recycling | Benefits entitlements | Leisure, culture and events |
| Planning and planning applications | Business and Business Rates | Births, marriages and deaths |
| Schools and education | Roads and pavements | Rangers and outdoor recreation |
| Council and democracy | Car parks and parking | Environment |
| | Bus timetables and travel information | |

In Focus



Say 'Hi' to the high street campaign launched
People welcomed back safely to borough's retail offer

News

- 26/04/2021 - Council launches consultations on housing documents
- 26/04/2021 - Cheshire East Council's Annual General Meeting 4 May 2021
- 26/04/2021 - Make sure you are ready to have your say on 6 May
- 26/04/2021 - Cheshire East Council working with the HSE to make sure businesses are Covid-secure
- 21/04/2021 - Council to consult on homelessness strategy

[Public Notices](#) | [Media Hub >>](#)


Have your say

Consultations

- Final Draft Houses In Multiple Occupation Supplementary Planning Document - closes 7 June 2021
- Draft Housing Supplementary Planning Document - closes 7 June 2021
- What Is Important when you contact us? - closes 19 May 2021
- Day opportunities questionnaire - closes 5pm on 31 May 2021
- Cheshire East active travel - have a say on your town Tranche 1 ongoing
- Join the digital influence panel



Live Well Cheshire East offers a range of services so you can find support, care and social activities for yourself or a loved one.



Cheshire East Council

[Home](#)
[Contact us](#)
[A to Z index](#)

Coronavirus - COVID-19

[Supporting you during the COVID-19 outbreak](#)

[Home](#) / [Council and Council.org](#) / [Council Information](#) / [Consultations in Cheshire East](#)

Cheshire East Council Consultations

Welcome to Cheshire East Council's Consultation portal - please browse our current consultation topics:

- [Read about Council accessibility](#)
- [View Equality Impact Assessments for the individual consultations](#)

Current consultations

What is important to you when you contact us?

Here at Cheshire East Council, we strive to provide a suitable and accessible service for all. To help us achieve this, as part of our ongoing improvements and customer experience surveys, we would like to understand what would be most important to you if you were to contact the council, what we need to prioritise, and where we need to improve.

Some of the questions are linked to past experience with contacting the council, but not all of them, you can answer the majority of questions based on what you would like to see if you had been to contact the Council in the future.

- What is important when you contact us?**

Please submit your response by **15 May 2021**.

Cheshire East Day Opportunities Questionnaire

If you, or members of your family or community, you have caring responsibilities for someone day opportunities, looking for activities, maybe on other future events to have from you.

To help us plan and develop services for the future, we want to understand how you feel about current day opportunities, if the service offered meets your current and future expectations and what ideas you might have for some improvements.

- [Cheshire East Day Opportunities questionnaire](#)
- [Long Road House: What do you like about day opportunities?](#)

Please submit your response by **Monday 11 May 2021**.

If you would like further information on the engagement process, contact Day Opportunities at Cheshire East, so to request a paper version please contact: adult.team@cheshireeast.gov.uk or general.enquiries@cheshireeast.gov.uk

Final Draft Houses in Multiple Occupation Supplementary Planning Document

The Final Draft Houses in Multiple Occupation Supplementary Planning Document (HMO SPD) has been published for representations alongside a Report of Consultation. The Final Draft HMO SPD provides guidance for all parties involved in the planning application process, explaining how Cheshire East Council will assess planning applications that involve the change of use for extension of buildings, extensions to multiple occupation across the Borough.

- [View the Final Draft Houses in Multiple Occupation Supplementary Planning Document page for representations](#)

Please submit your views by **Monday 7 June 2021**.

Draft Housing Supplementary Planning Document

The Draft Housing Supplementary Planning Document (Housing SPD) has been published for consultation. The Draft Housing SPD provides guidance on the higher number of policies in the Local Plan, including 'Self-build and modular' and 'Self-build and modular' and 'Self-build and modular' for local residents of the Local Plan Housing. This is the first stage of consultation on the SPD which will be adopted and for a final consultation on the final version.

- [View the Draft Housing Supplementary Planning Document page for representations](#)

Please submit your views by **Monday 7 June 2021**.

Homelessness and Rough Sleeping Strategy Consultation

Cheshire East Council has drafted a Homelessness and Rough Sleeping Strategy, which it is now carrying out a 12 week consultation on.

- [View your views on the Homelessness and Rough Sleeping Strategy](#)

Please submit your response by **15 July 2021**.

On-going consultations

Cheshire East active travel - have a say on your town!

We are looking to make the town in Cheshire East more accessible by improving walking and cycling facilities. These improvements are taking place in two locations for plans.

The consultation on the Town 2 proposals will be open from Monday 15 June to Monday 15 July. The consultation on the Town 2 proposals will be open from Monday 15 June to Monday 15 July. The consultation on the Town 2 proposals will be open from Monday 15 June to Monday 15 July.

- [View more about the project and how you can help](#)
- [View the Consultation Plan PDF](#)
- [View the Consultation Plan PDF](#)
- [View the Consultation Plan PDF](#)

Countryside parks and rangers service

If you have recently attended one of the Ranger Service events or visited one of the sites we manage, we really want to hear from you. Please help us to improve our services and events by completing our feedback survey.

- [Take the Countryside Ranger Service events questionnaire](#)
- [Take the Countryside Ranger Service events questionnaire](#)

Planning

Section 1: Individual planning applications to make your comments

Licensing


Submit on future applications for sale of alcohol, entertainment, gambling premises, and street trading and others.

Public notices

How can we improve our public notice consultation to its changes.

[Accessibility](#)

[Privacy policy and cookies](#)



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[A to Z site index](#)

Coronavirus - COVID-19

Supporting you during the COVID-19 outbreak

[Home](#) / [Planning](#) / [Spatial planning](#) / [Cheshire East Local Plan](#) / [Supplementary Planning Documents](#)

Supplementary planning documents

Supplementary planning documents add further detail to policies in the development plan and provide further guidance on specific topics or locations.

Draft supplementary planning documents

The following SPDs are currently being prepared:

- Houses in Multiple Occupation SPD** : representations are invited on the Final Draft Houses in Multiple Occupation SPD between Monday 26 April 2021 and 5pm on Monday 7 June 2021.
- Housing SPD** : representations are invited on the Draft Housing SPD between Monday 26 April 2021 and 5pm on Monday 7 June 2021.

To submit your views and find out more information please visit our [consultation portal](#).

Adopted supplementary planning documents

The following SPDs have been adopted. These are not part of the statutory development plan but may be material considerations when making planning decisions. Please note that those SPDs adopted by one of the former councils are relevant only to the area previously covered by the council that adopted them. The [map of former districts](#) shows the areas covered by each former council.

| Supplementary planning document | Adopted | Adopting council |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------|
| Brooks Lane (Middlewich) Development Framework (PDF, 8.0MB) plus supporting documents: BLDF report of consultation (PDF, 1.2MB) and BLDF adoption statement (PDF, 209KB) | September 2020 | Cheshire East Council |
| The Garden Village at Handforth (PDF, 73.1MB) and supporting documents | December 2018 | Cheshire East Council |
| Cheshire East Borough Design Guide | May 2017 | Cheshire East Council |
| Over Peover SPD (PDF, 1.8MB) | July 2011 | Cheshire East Council |
| Prestbury SPD (PDF, 7.8MB) | July 2011 | Cheshire East Council |
| Alsager Town Centre Strategy (PDF, 5.2MB) | October 2010 | Cheshire East Council |
| Local List of Historic Buildings (PDF, 5.7MB) | October 2010 | Cheshire East Council |
| Smallwood Village Design Statement (PDF, 1.1MB) | October 2010 | Cheshire East Council |
| Congleton Princess Street Area Development Brief (PDF, 1.6MB) | March 2009 | Former Congleton Borough Council |

In this section

[Design guide supplementary planning document](#)

[Supplementary Planning Document for Bollington](#)

[Supplementary Planning Documents](#)

Contact us

Local Plan matters only

[Email Local Plan Team](#)

01270 685893

All other planning enquiries (including planning application queries)

[Email Planning Department](#)

0300 123 5014

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We value your feedback. How do you rate this information?

+

=

-

Good

OK

Poor



Cheshire East

@CheshireEast · 26 Apr

We're inviting comments on two housing documents that would provide further guidance to developers and property owners and support us in deciding planning applications. Find out more - including how to have your say - here: crowd.in/fDjybT





Strategic Planning Update

May 2021

Housing

A first draft Housing Supplementary Planning Document is currently also being consulted on. Further details, including how to comment on it, can be [viewed here](#).

The SPD will apply across the whole borough and provides additional planning guidance on a range of housing matters for developers, applicants, and other stakeholders. The guidance describes how the Council will expect policies in the Local Plan to be applied, for example giving more information on how financial contributions to affordable housing should be calculated and how specialist housing provision will be considered.

The consultation runs until 5pm on Monday 7 June for receipt of views. Once feedback has been considered, the document will be updated and published for final representations later in the year.

Appendix 3: Press release

[Home](#) / [Council and Democracy](#) / [Council Information](#) / [Media Hub](#) / [Media releases](#) / 26/04/2021 - Council launches consultations on housing documents



Council launches consultations on housing documents

26 April 2021

Cheshire East Council is inviting comments on two housing documents that would provide further guidance to developers and property owners and support the authority in deciding planning applications.

Firstly, a draft Housing Supplementary Planning Document (SPD) has been published for consultation.

If adopted, it will provide additional guidance on three policies within the [Local Plan Strategy](#), which sets out the overall vision and planning strategy for development in the borough.

The policies refer to the 'residential mix' of developments, including making sure that supported housing and accommodation for the elderly is available, and the provision of affordable homes, including in rural areas.

Frank Jordan, Cheshire East Council's executive director for place, said: "An SPD is not part of our statutory development plan but it is a recognised way of putting in place additional planning guidance and should be taken into account in deciding a planning application or on an appeal against a planning decision."

Secondly, the final draft of the council's Houses In Multiple Occupation Supplementary Planning Document (HMO SPD) has also been published for representations, marking the next step towards the adoption of this document.

The document provides more detailed policy guidance and, if adopted, will be used to assess planning applications for HMOs.

It includes guidance on when planning permission is required and what information needs to be provided by applicants.

The final draft HMO SPD is accompanied by a report summarising the responses received during an earlier consultation and explains how they have been taken into account in preparing the final version.

Mr Jordan added: "Providing clear guidance up front about policy expectations should support developers and property owners when they are making relevant planning applications, as well as support the council in determining them."

"If adopted, these documents would be a key component of ensuring that local needs are met, and the right type of housing is delivered in the right place."

[Comments on both documents](#) are invited between 26 April 2021 and 5pm on 7 June 2021.

Feedback can also be posted to: Strategic planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ.



Appendix 4: Consultation response forms



Cheshire East Local Plan Draft Housing Supplementary Planning Document - Comments Form

A draft Supplementary Planning Document ('SPD') has been prepared to provide further guidance on the implementation of policies in the Local Plan, including policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs' of the Local Plan Strategy ('LPS'). The SPD, once adopted, will be a material consideration in decision-taking. Views are now invited on the draft Housing SPD and accompanying documents between the **26 April 2021** and **5:00pm on 7 June 2021**.

Consultation documents

The consultation documents can be viewed online at <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/>

A screening exercise has been carried out to determine whether the draft document gives rise to the need for Strategic Environmental Appraisal or Appropriate Assessment (under the Habitats Regulations). This screening concludes that further such assessment is not necessary. The screening report is also available for consultation and this is included at Appendix 3 of the Draft Housing SPD.

For the duration of the consultation, the document can also be viewed at public libraries in Cheshire East during opening hours. Opening hours may be restricted due to Covid-19 and you are advised to check the current libraries opening times on the council's website or telephone the 24-hour library information service on 0300 123 7739. If you are unable to inspect copies of the documents during the representations period, please contact us using the details below to make alternative arrangements to inspect the documents.

Submit your views

The council's online consultation portal is our preferred method of submitting responses which can be accessed via <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/> but you can also submit responses or return this form by email or post to:

By e-mail: planningpolicy@cheshireeast.gov.uk

By post: Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please make sure that your comments reach us by **5pm Monday 7 June 2021**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Spatial Planning Privacy Notice, which is available on the council's website.

For further assistance in making comments, you can contact the Strategic Planning Team at planningpolicy@cheshireeast.gov.uk or by leaving a message on 01270 685893 and we will respond as soon as possible.

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Cheshire East Local Plan

Draft Housing Supplementary Planning Document - Comments Form

Please return to: Strategic Planning, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ or by email to planningpolicy@cheshireeast.gov.uk

Please return by: Monday 7 June 2021

This comment form has two parts:

- Part A – Personal details.
- Part B – Your representation(s).

Comments Form Part A: Personal Details

| | Personal Details* | Agent's Details (if applicable) |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| | <i>* If an agent is appointed, please complete only the Title, Name and Organisation in column 1 but complete the full contact details of the agent in column 2.</i> | |
| Title | <input type="text"/> | <input type="text"/> |
| First Name | <input type="text"/> | <input type="text"/> |
| Last Name | <input type="text"/> | <input type="text"/> |
| Job Title (where relevant) | <input type="text"/> | <input type="text"/> |
| Organisation (where relevant) | <input type="text"/> | <input type="text"/> |
| Address Line 1 | <input type="text"/> | <input type="text"/> |
| Address Line 2 | <input type="text"/> | <input type="text"/> |
| Address Line 3 | <input type="text"/> | <input type="text"/> |
| Address Line 4 | <input type="text"/> | <input type="text"/> |
| Postcode | <input type="text"/> | <input type="text"/> |
| Telephone Number | <input type="text"/> | <input type="text"/> |
| Email Address (where relevant) | <input type="text"/> | <input type="text"/> |
| Your Reference No. (if known) | <input type="text"/> | <input type="text"/> |

Please complete a separate Part B form for each comment that you would like to make. This response form provides enough space for four comments but please copy and attach further part B forms if required.

Comment Form Part B: Draft Housing SPD Comment FormName and
Organisation:

Office Use Only:

PID:

RID:

Q1. Which section of the document are you commenting on?

Page / Chapter / Paragraph / Figure

(please delete as appropriate and state which): _____

Q2. What is your overall view on this section? (please tick one box)☐ Support☐ Object☐ Comment only**Q3. Please set out your comments or views on this section:**

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Appendix 5: Summary of key issues and response

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DHSPD – 1 (Mr Guy Lingford) | General | <p>Developers should fund the cost of re-decoration of existing properties to reflect impact of their work.</p> <p>A mediation service should also be funded for residents who may see changes happen to their property but have little way of establishing the root cause of these without involving experts.</p> | This is beyond the scope of this Supplementary Planning Document (“SPD”). The SPD seeks to provide additional guidance focused primarily on existing planning policies in the Local Plan Strategy, policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. |
| DHSPD – 25 (Jones Homes NW Ltd) | General | <p>Planning Practice Guidance (“PPG”) makes clear that SPDs do not form part of the development plan. They are however a material consideration in decision making. The timing of the Draft SPD is questionable given that the Council has recently submitted its Site Allocations and Development Policies Document (“SADPD”) for examination. The SADPD is the more appropriate juncture for the Council to introduce a number of measures as they can be properly tested and scrutinised as part of the examination process. SADPD policies could well change through the examination process so delaying the SPD would remove the risk of any future conflict.</p> | The SADPD has been submitted for public examination on the 29 April 2021, to assess whether the SADPD has been prepared in accordance with the legal and procedural requirements and is ‘sound’. Specific policy references to the SADPD, outside of the policy background section, have been removed from the SPD. The SADPD, once adopted, will provide policy guidance on a number of matters including housing mix, density and environmental standards, amongst other policy areas. The Housing SPD seeks to provide additional guidance on Local Plan Strategy policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. |
| DHSPD – 17 (Historic England) | General | Encourage the Council to consider including guidance on the historic environment in the Housing SPD. | The Housing SPD seeks to provide additional guidance focused on Local Plan Strategy policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|---------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DHSPD – 22 (Natural England) | General | <p><u>Biodiversity enhancement</u> The SPD could consider guidance on incorporating features which are beneficial to wildlife within development (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework (“NPPF”, 2019)).</p> <p><u>Landscape enhancement</u> The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature.</p> <p><u>Protected species</u> Natural England has produced Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.</p> <p><u>Strategic Environmental Assessment (SEA) /Habitats Regulations Assessment (HRA)</u> A SPD requires a SEA only in exceptional circumstances as set out in the PPG. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a SEA or HRA, you are required to</p> | <p><u>Biodiversity Enhancement</u> Comment noted. An additional paragraph has been added to section 5 of the final draft SPD (¶5.8).</p> <p><u>Landscape enhancement</u> Comment noted. An additional paragraph has been added to section 5 of the final draft SPD (¶5.2).</p> <p><u>Protected species:</u> Comment noted.</p> <p><u>Strategic Environmental Assessment / Habitats Regulations (SEA / HRA) Assessment</u> Comment noted. A screening exercise was undertaken on the initial draft of the SPD. The screening exercise concluded that a full Strategic Environmental Assessment or Habitats Regulations Assessment was not required. The screening exercise was consulted on, alongside the initial draft of the Housing SPD. The final</p> |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|-------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | consult Natural England at certain stages as set out in the PPG. | draft of the SPD is also supported by a SEA / HRA screening assessment. |
| DHSPD – 38 (Macclesfield Town Council) | General | Detail on the following is welcomed: Reference to existing Planning Policies, inclusion of key worker housing, meeting the needs of older persons, detail on affordable housing including 'pepper potting' and integration, meeting accessibility and wheelchair standards. | Specific policy references to the SADPD have been removed from the SPD. The SPD seeks to provide additional guidance on Local Plan Strategy policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. |
| DHSPD – 41 (The Environment Agency) | General | No comment to make. | Noted. |
| DHSPD – 54 (CPRE) | General | The SPD should adhere to planning and environmental legislation (including the Environment Bill, working its way through Parliament) and the NPPF and PPG. | Noted. The SPD has been prepared to be consistent with the NPPF and PPG. |
| DHSPD – 18 (Prestbury Parish Council) | General | The SPD should make reference to 'low density areas' and include maps to highlight those locations. Follow the policy approach on low density areas as set out in the Macclesfield Local Plan. | The SPD seeks to provide additional guidance focused primarily on existing planning policies in the Local Plan Strategy, policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on matters including housing density (HOU 12). The content and approach of the SADPD policy will be considered during the SADPD examination. |
| DHSPD – 53 (CPRE) | General | Local communities should steer the design of new homes through neighbourhood plans. | Neighbourhood Plans form part of the Development Plan and can establish non-strategic policies in relation to design and other matters. The Council provides support to groups that decide to prepare a |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|-------------------------------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | Neighbourhood Plan. Further information can be accessed on the Council's website - Neighbourhood Planning (cheshireeast.gov.uk) . |
| DHSPD – 49 (CPRE) | General | Covid has re-emphasised the importance of local green space for biodiversity and health / well-being. | Additional text has been added to (section 6:- design and layout of schemes, involving affordable homes section (paragraph 6.41)), to further emphasise the importance of access to local green space. |
| DHSPD – 68 (Gladman Developments Ltd) | General | SPDs are not subject to the same degree of consultation and examination as policies contained in Local Plans. SPDs cannot be used as a fast-track mechanism to set policies. | References to specific policies contained in the emerging SADPD have been removed from the SPD. The focus of the housing SPD is on providing additional guidance on the implementation of policies SC4 'residential mix', SC5 'affordable homes' & SC6 'rural exceptions housing for local needs' of the LPS. |
| DHSPD – 66 (Holmes Chapel Parish Council) | General | The SPD makes no mention of site maintenance, especially for play areas and green spaces. It should provide guidance on the minimum responsibilities of a maintenance company, including how local residents can be involved through a joint site committee. | An additional paragraph has been added to section 5 (paragraph 5.11) of the SPD to management and maintenance of services and facilities. |
| DHSPD – 83 (Barton Willmore on behalf of Anwyl Homes) | General | The SPD should be less prescriptive and should instead allow for greater flexibility which takes account of local and up to date market data and demand. | The SPD seeks to provide additional guidance on the implementation of policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. |
| DHSPD – 102 (South Knutsford Residents Group) | General | Premature to issue this guidance without the SADPD being adopted. Guidance needed on density in the SPD, what constitutes 'low density' and clarification of where precisely these 'low density' areas are. | The SPD seeks to provide additional guidance focused primarily on existing planning policies in the Local Plan Strategy, policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. The emerging SADPD contains a policy on housing density (HOU 12) which is intended to provide |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|---------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | additional non-strategic guidance. The approach set out in the emerging SADPD policy HOU 12 ('housing density') will be considered during the examination on the SADPD. |
| DHSPD – 102 (South Knutsford Residents Group) | General | Having accepted the need to reverse climate change trends, it is not good enough to accept the minimum requirements for heating and lighting. Sustainability is not just walking and cycling distances or public transport availability. | Section 4 (environmental impacts of housing) emphasises relevant LPS policies that seek to improve the overall sustainability of development in the borough. |
| DHSPD – 123 (Defence Infrastructure Organisation) | General | The Defence Infrastructure Organisation safeguarding area of interest are BAE Radway Green and impacts on RAF Tern Hill. The MOD would wish to be consulted, in line with paragraph 95 of the NPPF, statutory provisions (Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and safeguarding maps on any proposed development within the Cheshire East Draft Housing Supplementary Planning Document which consists of structures or buildings within the Statutory Safeguarding Zone surrounding BAE Radway Green or any development which includes schemes that might result in the creation of attractive environments for large and flocking bird species hazardous to aviation. | The SPD does not propose sites for development in itself. It seeks to provide additional guidance on existing planing policies. Additional wording has been added to the section that refers to SUDs (paragraph 5.10). |
| DHSPD – 124 (E Etherton) | General | Affordable housing should be first. No houses / flats should be built without solar panels. There should be more attention to building safety and inspectors. The environment should be protected too. | The SPD is providing additional guidance on the provision of affordable homes in the borough. Section 5 of the SPD includes references to the environmental impacts of housing. |
| DHSPD – 84 (Aylward) | Paragraph 1.1 | SPDs should only provide detail and clarity to existing adopted development plan documents. The draft SPD | The SPD seeks to provide additional guidance on the implementation of policies SC4 'residential mix', SC5 |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|-------------------------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning on behalf of Cashtal Properties) | | aligns with the SADPD which has not yet been examined. The SPD should be postponed until the adoption of the SADPD, or at the earliest to follow the completion of the hearing sessions. | ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. References to policies in the emerging SADPD have been removed. The emerging SADPD has now been submitted for public examination and the content of the SADPD will be considered through that process. |
| DHSPD – 101 (Poynton Town Council) | Paragraph 1.1 | Support for the retention of Green Belt. Support for the SPD approach to housing mix, affordable housing (paragraph 9.33). The town council could not support any exception sites in the Green Belt within the Poynton area. Development for the various types of housing development discussed in the draft SPD should either be on brownfield sites or allocated housing sites as set out in the Cheshire East Local Plan and the Poynton Neighbourhood Plan. | The support for the retention of the Green Belt is noted. The SPD provides additional guidance on the circumstances where rural exception housing for local needs may be justified in the borough. The role of the SPD is not to allocate sites. The SPD seeks to build on policies in the LPS to provide additional guidance on the implementation of policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. |
| DHSPD – 117 (RPS on behalf of IM Land) | Paragraph 2.2 | SPDs must not seek to introduce new policy, add to or change in any way existing criteria or wording within an adopted policy, or seek to provide guidance that relates to emerging policies (as these do not yet form part of the development plan). The related wording should be removed from the SPD until the SADPD forms part of the development plan (following public examination). | The SPD seeks to build on policies in the LPS to provide additional guidance on the implementation of policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. References to policies in the emerging SADPD have been removed. The SADPD has now been submitted for public examination and its content will be considered through that process. |
| DHSPD – 44 (CPRE) | Paragraph 2.5 | LPS Policy PG3: Green Belt seeks to avoid inappropriate development in protected areas. Reference in the representation made to the five purposes of Green Belt. | Noted. |
| DHSPD – 45 (CPRE) | Paragraph 2.5 | The Council should avoid over-planning for housing as failure against the Housing Delivery Test results in more greenfield land (even in Green Belt areas) being lost. The | SPDs add further detail to the policies in the Local Plan. They are capable of being a material consideration in planning decisions but are not part of |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
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| | | overall quantum of housing identified should therefore be reasonable. It is recommended best practice that up-to-date population data from the Office of National Statistics be relied upon to achieve more accurate household projections. | the development plan. Matters such as the overall quantum of housing to be delivered is an matter for the Local Plan as a whole to consider. Policy PG1 (overall development strategy) in the adopted Local Plan Strategy sets the overall housing requirement in Cheshire East as 36,000 homes between 2010-2030. |
| DHSPD – 105 (South Knutsford Residents Group) | Paragraph 2.5 | The LPS overestimated the housing need and, as a result too much Green Belt has been safeguarded for future development. When a CELPS review is undertaken, the Authority should reinstate areas which are no longer required in relation to housing need. The SPD requires strengthening to restrict piecemeal developments in otherwise open countryside, Green Belt or not. | SPDs are not part of the development plan and do not set policies. Matters such as the quantum of safeguarded land are for the Local Plan and are beyond the scope of this SPD. |
| DHSPD – 106 (South Knutsford Residents Group) | Paragraph 2.8 | Neighbourhood Plans (“NPs”) are generally given sufficient weight in deciding strategic site applications, they receive less consideration when evaluating smaller applications, such as backland and tandem development, or NP requirements in materials or design of replacement or extensions to properties. | Neighbourhood Plans form part of the development plan and are used by decision takers in determining planning applications. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004). The Council provides support to groups that decide to prepare a Neighbourhood Plan. Further information can be accessed on the Council’s website - Neighbourhood Planning (cheshireeast.gov.uk) . |
| DHSPD – 85 (Aylward Planning on behalf of Cashtal | Paragraph 2.10 & Paragraph 2.17 | The broader adoption of "First Homes" alongside other documents, including the draft SPD on Biodiversity Net Gain (“BNG”) need to be considered. This is particularly important in the context of viability, as the "policy on" implications of BNG need to be "baked in" to the | Additional text has been added to the draft Housing SPD on First Homes (section 6.24 – 6.33). The draft Housing SPD makes reference to the SPD pages on the Council’s website, which include a list of adopted SPDs. The draft Housing SPD should not refer |

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| Properties Ltd) | | consideration of the extent of affordable housing. The timing of this consultation is poorly judged and should follow the adoption of the SADPD and be underpinned by robust viability analysis. | to SPDs, in draft form, until such time that they are adopted by the Council. Criterion 7 of LPS policy SC5 'affordable homes' notes that in exceptional circumstances, where scheme viability may be affected, developers are expected to provide viability assessments to demonstrate alternative affordable housing provision. |
| DHSPD – 113 (Pearce Planning on behalf of Cognatum Developments Ltd) | Paragraph 2.11 | The next iteration of the housing SPD should only be published after the SADPD examination to ensure all matters arising from the examination process can be considered. Several of the policies referenced may well be subject to challenge and change. | Specific policy references to the emerging SADPD have been removed from the SPD. The SPD seeks to provide additional guidance on Local Plan Strategy policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. |
| DHSPD – 118 (RPS on behalf of IM Land) | Paragraph 2.11 | Until the SADPD is adopted, any proposed standards or other guidance relating to the SADPD should be deleted from the SPD. The detailed guidance set out in the Housing SPD should only relate to the policies of the adopted development plan. | Specific policy references to the emerging SADPD have been removed from the SPD. The SPD seeks to provide additional guidance on Local Plan Strategy policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. |
| DHSPD - 93 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 2.13 | The SPD should not be adopted or used for development management purposes in advance of the adoption of the SADPD. | Specific policy references to the emerging SADPD have been removed from the SPD. The SPD seeks to provide additional guidance on Local Plan Strategy policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. |
| DHSPD – 19 (Prestbury Parish Council) | Paragraph 2.16 | The draft housing SPD needs to be updated to reflect proposals on First Homes and developer contributions. | Text has been included in the draft Housing SPD on the Council's position on First Homes (section 6.24 – 6.33). |

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| DHSPD – 26 / 27 (Jones Homes NW Ltd) | Paragraph 4.1 & 5.1 | Section 4 simply refers to other guidance which is unnecessary. It should be deleted. | Section 4 (CIL) and the guidance on CIL has been amended to 'signpost' the reader to the CIL pages on the Council's website. Guidance on CIL has been moved to section 3 (applying for planning permission). |
| DHSPD – 87 (Aylward Planning on behalf of Cashtal Properties Ltd) | Paragraph 4.1 | The policy direction from the emerging SPDs (Housing and Biodiversity Net Gain) as well as the First Homes agenda are inconsistent with the adopted LPS and the viability evidence which underpinned the previous Community Infrastructure Levy Examination process. It may be prudent to consider the need to review the CIL Charging Schedule in the light of these new policy objectives. | CIL came into effect in the borough from the 01 March 2019. CIL is separate to the purpose and scope of this SPD. Criterion 7 of LPS policy SC5 'affordable homes' notes that in exceptional circumstances, where scheme viability may be affected, developers are expected to provide viability assessments to demonstrate alternative affordable housing provision. |
| DHSPD – 67 (Holmes Chapel Parish Council) | Paragraph 4.1 | Further guidance would be useful as a reference to where CIL and S106 may apply for new developments. | Detailed information and guidance is available on the Council's website relating to CIL including the relevant forms and associated matters. Website links to this guidance is included in the SPD. Guidance on CIL has been moved to Section 3 (applying for planning permission). |
| DHSPD – 108 (South Knutsford Residents Group) | Paragraph 4.1 | What qualifies for CIL and what for S106 should be set out clearly in one place. | |
| DHSPD – 94 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 5.1 | In terms of housing design, this is already set out in the Residential Design Guide SPD. This section of the draft SPD should therefore be removed. | The section on housing design has been removed from the SPD following a review of comments received to the initial draft of the document. The SPD is focused on providing additional guidance, focused on LPS policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. |

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| DHSPD – 20 (Prestbury Parish Council) | Paragraph 5.1 & 5.4 | There should be a commitment in the SPD that CEC will start work without delay on a detailed design code in concert with Town and Parish Councils, neighbourhood plan groups, Civic and Amenity Societies and heritage groups. There should also be a commitment in the SPD to review and update extant Village Design Statements without communities having to start them again from scratch. | The section on housing design has been removed from the SPD following a review of comments received to the initial draft of the document. The SPD is focused on LPS policies SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exceptions housing for local needs’. The LPS, when read alongside the residential design guide and policies contained in the SADPD, (once adopted) provide for additional guidance on design related matters. |
| DHSPD – 20 (Prestbury Parish Council) | Paragraph 5.1 & 5.4 | Density, mass and spaces between buildings are critical design features and should be referenced in the design principles policy in the SADPD (GEN 1). | This is a comment that relates to the SADPD which has been submitted for public examination on the 29 April 2021. A similar comment has been made to the SADPD. The SADPD, alongside representations made on the document will be considered during the examination hearing sessions, in due course. |
| DHSPD – 51 (CPRE) | Paragraph 5.1 | New houses should be served by reliable public transport to drive down car dependency. Footpaths and cycleways should be designed into new housing developments to promote good health and well-being. The Housing SPD should support well designed 20-minute walkable neighbourhoods. | New text has been added (in paragraph 5.5) of the document regarding access to transport and the concept of the 20 minute neighbourhood. |
| DHSPD – 51 (CPRE) | Paragraph 5.1 | Rural landscapes are enriching and have endured through good town and country planning principles. New housing, where appropriate, should respect the receiving environment and be sensitively designed. | Noted. |

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| DHSPD – 51 (CPRE) | Paragraph 5.1 | Tranquillity is an important rural characteristic and quiet spaces should be ensured in all new developments. Lighting schemes should avoid night-time light pollution. | Reference to lighting schemes avoiding night-time light pollution has been added to Paragraph 5.8 of the SPD. |
| DHSPD – 47 (CPRE) | Paragraph 5.1 | Higher density should be encouraged in town centres and at transport hubs to make more effective use of land as set out section 11 of the NPPF. Density should suit the receiving environment and not adversely impact on the local heritage and landscape character. | Noted. The SPD is focused on LPS policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. The emerging SADPD contains a policy on housing density (HOU 12) which is intended to provide additional non-strategic guidance. The approach set out in the emerging SADPD policy HOU 12 ('housing density') will be considered during its public examination. |
| DHSPD – 51 (CPRE) | Paragraph 5.1 | Green Infrastructure - new development should ensure that adequate landscape and ecological mitigation is incorporated with Tree Preservation Order (TPO) Trees and important hedgerows retained. | Noted. A reference has been added to paragraph 5.2 of the SPD. |
| DHSPD – 63 (Holmes Chapel Parish Council) | Paragraph 5.1 | The SPD should include references to local Design Guides that reflect local character and not assume that the 'one- size-fits-all approach is acceptable. | The SPD makes appropriate references to design related guidance including the Residential Design Guide and the Building for Life design framework, as examples. |
| DHSPD – 109 (South Knutsford Residents Group) | Paragraph 5.1 | Support for the strengthening of the Borough Design Guide by a more detailed Design Code as an additional SPD, especially for heritage buildings and assets like conservation areas. These SPDs are commonplace in many other authorities with heritage assets to protect. This SPD needs to say more about rural landscapes. The | The focus and scope of this SPD is on providing additional guidance on LPS policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'. The LPS, when read alongside the residential design guide and policies contained in the SADPD, (once adopted) provide for additional guidance on design related matters. |

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| | | SPD should have firmer statements about the protection of urban as well as rural hedges. | |
| DHSPD – 50 (CPRE) | Paragraph 5.2 | Pleased to see that in new development 'Building for Life' standards are expected. The government published the National Design Guide in October 2019 emphasising characteristics of good design and in January 2021 a checklist of design principles, both are useful to achieving good design. | Noted. |
| DHSPD – 64 (Holmes Chapel Parish Council) | Paragraph 6.1 | The reference to “an appropriate range and mix of housing” should be caveated with a statement that this must relate to the local areas needs and not the Borough as a whole. There should be more guidance on housing suitable for older persons to avoid an area becoming predominately of this type of housing so that local infrastructure and facilities can be sustainable. | The SPD is considered to be reflective of the policy intentions of the Local Plan Strategy on Housing Mix. Section 8 of the SPD considers additional guidance on Specialist, supported living and older person housing. |
| DHSPD – 46 (CPRE) | Paragraph 6.1 | The mix / type of housing developed should reflect the ageing population. 12.3% more one-person households are anticipated. - 8.5% reduction in the number of homes with dependent children. | |
| DHSPD – 2 (Alan Murdoch) | Paragraph 6.1 | Frustrating to see planning granted on sites based on housing need then developed with mainly large detached houses rather than the first or second hand buyer houses which are required - a policy to specify the proportion of each house type is most welcome. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD includes a policy on housing mix and has now been submitted for public examination and its policies will be considered through that process. |
| DHSPD – 122 (Savills on behalf of Housing | Paragraph 6.1 | Disparity between what developers are delivering when led by market demand without a prescriptive housing mix policy. Any reference to a prescriptive housing mix should therefore be removed from the SPD and policy. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD includes a policy on housing mix and |

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| Consortium including Taylor Wimpey, Barratt David Wilson, Redrow Homes, Bloor Homes, Bellway Homes, Miller Homes, Story Homes, Jones, Homes, Castle Green Homes) | | <p>SPD should be suitably flexible to allow for actual market demand evidence, the variation in housing demand across the borough, and any future changes to market demand that may occur over the plan period.</p> <p>The Cheshire East Residential Mix Assessment (2019) proposes a market housing mix dominated by 2 and 3 bed homes. There are a number of shortcomings with this data:</p> <ul style="list-style-type: none"> • The mix for the market homes is poorly evidenced with a focus on affordable homes. • The housing mix is based on the ORS Housing (Mix) Model, which cannot be tested or verified. • Evidence base focused on data from the 2011 Census which is now 10 years old. • The demographics considered are based on age and projections and do not consider the property preferences of different groups. • Affordability of ownership is not such an issue in Cheshire East as it is elsewhere. The proposed housing mix results in less site coverage, which does not serve to optimise site density and delivery. The SPD is attempting to impose a housing mix that creates additional financial burden associated with development, which contravenes the requirements of an SPD. <p>“Housing developments should not be dominated by large dwellings (four or five bedrooms) which are unlikely to meet the borough’s housing needs”, should be removed from paragraph 6.1. The appropriateness of the housing mix should be assessed on a case by case basis</p> | <p>has now been submitted for public examination and its policies will be considered through that process.</p> <p>Additional wording has been added to the SPD on housing mix to make clear that schemes are considered on a case by case basis but it is unlikely that development proposals will be supported when dominated by large dwellings.</p> |

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| DHSPD – 28 (Jones Homes NW Ltd) | Paragraph 6.1 | Section 6 deals with housing mix and appears to be introducing policy which is being brought forward through the SADPD. This should be delayed until it can be properly examined through the SADPD process. | References to policies included in the emerging SADPD have been removed from the SPD. |
| DHSPD – 110 (South Knutsford Residents Group) | Paragraph 6.1 | The Housing Mix as defined in the SPD is not sufficiently fine-grained as to reflect the differing needs of parts of the Borough. | The SPD provides additional guidance on the existing policy context in LPS policy SC4 'residential mix'. |
| DHSPD – 69 (Gladman Developments Ltd) | Paragraph 6.1 | Requirements relating to housing mix should support a flexible approach, which recognises that needs and demands will vary in different locations across the borough and may also change throughout the course of the plan period. It is imperative that development proposals can respond to local circumstances with regards to the latest evidence of need rather than having to deliver a rigid housing mix set out in policy. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD includes a policy on housing mix and has now been submitted for public examination and its policies will be considered through that process. |
| DHSPD – 77 (Barton Willmore on behalf of Anwyl Homes) | Paragraph 6.1 | The Council should be seeking to deliver an appropriate range and mix of housing for its residents. However, it should not be up to the Council to restrict or prohibit larger dwellings (four or five bedrooms) if this is what the market demand for the local area requires. | Additional wording has been added to the SPD on housing mix to make clear that schemes are considered on a case by case basis but it is unlikely that development proposals will be supported when dominated by large dwellings. |
| DHSPD – 116 (Hollins Strategic Land) | Paragraph 6.1 | Market conditions are an important consideration when determining a housing mix. The draft Housing SPD fails to acknowledge this. Lancaster City Council Local Plan and its Inspector acknowledged the importance of market conditions and included the following text “there will be other important site-specific factors such as area specific needs, market conditions etc.” Having this within the SPD | References to policies included in the emerging SADPD have been removed from the SPD. |

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| | | guarantees that such factors are taken into account when formalising the mix of a development. | |
| DHSPD – 4 (Alan Murdoch) | Table 6.1 – indicative house type and sizes | Support. | Noted. |
| DHSPD – 121 (Savills on behalf of Housing Consortium including Taylor Wimpey, Barratt David Wilson, Redrow Homes, Bloor Homes, Bellway Homes, Miller Homes, Story Homes, Jones, Homes, Castle Green Homes) | Table 6.1 – indicative house type and sizes | Table 6.1 of the Draft Housing SPD should be deleted as there is a clear intention for this to form policy and not guidance. The adoption of a restrictive housing mix which represents a financial burden, is not appropriate. If Table 6.1 is to be retained within the Draft SPD, it should be updated to reflect accurate housing demand. Given that the housing mix within the SPD is identical to the housing mix consulted upon as part of the 2019 Publication Draft SADPD, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the adoption statement should refer to comments received during that consultation in addition to the ongoing consultation, and how such comments were addressed. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |

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| DHSPD – 95 (Emery Planning on behalf of Bloor Homes Ltd) | Table 6.1 – indicative house type and sizes | <p>Table 6.1 refers to the emerging SADPD and policy HOU 1 'Housing Mix'. Comments provided to the SADPD relating to policy HOU 1 are provided below:-</p> <p>-Draft Policy HOU1 is informed by the Cheshire East Residential Mix Study 2019. This study does not assess housing required in particular locations or settlements. It does not detail how the proposed mix in relation to market housing has been arrived at.</p> <p>-There is no evidence to suggest that the data accurately reflects the needs of the current or future population (factoring in demand and habits). The COVID-19 pandemic has forced people to homework which often results in the need for an additional bedroom to be utilised as a home office space.</p> <p>-The demographic-based projections produced by the Residential Mix Study fail to consider the full picture and do not accurately reflect market demand. We recommend a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures the scheme is viable; and provides an appropriate mix for the location.</p> | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |
| DHSPD – 3 (Alan Murdoch) | Paragraph 6.3 | Support for this paragraph. | Noted. |
| DHSPD – 88 (Aylward Planning on behalf of Cashtal) | Paragraph 6.4 | The draft Housing SPD is seeking to align with the emerging SADPD rather than the adopted Local Plan Strategy. The SADPD has not yet been under Examination. The consultation is poorly judged and should either be "stayed" until the SADPD is adopted or | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the |

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| Properties Ltd) | | fundamentally changed in tone to align with the adopted LPS. | SADPD policy will be considered during the SADPD examination. |
| DHSPD – 119 (RPS on behalf of IM Land) | Paragraph 6.4 | The SPD suggests that applicants should ‘make reference’ to SADPD policy HOU1. It is unclear whether Policy HOU1 will remain intact following the SADPD examination process. Concerns with Policy HOU 1 include overly prescriptive and provides no flexibility. Important that policy HOU 1 is workable and flexible. The collection of evidence required by this policy is onerous, and will be very time-consuming and require specialists to be employed. Developers are best placed to ensure that the most effective mix is proposed on a site by site basis, having regard to its location, the market it serves and the need to maximise viability to try and meet other requirements such as affordable housing. The evidence required to support the housing mix should therefore be proportionate. Consequently, until such time as Policy HOU.1 has been adopted, any guidance in the SPD relating to it should be deleted. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |
| DHSPD – 78 (Barton Willmore on behalf of Anwyl Homes) | Paragraph 6.4 | 1. Reflection of market in local area - the imposition of a generic mix raises the danger of developments that both do not fit with the local character, density, the demands of the local market. 2. Not appropriately evidenced - the Council’s indicative housing mix is based upon the Cheshire East Residential Mix Assessment (2019). This document is heavily focussed on affordable housing need. The source of this information is from the ‘ORS Housing Model’ and its methodology and findings are not clearly evidenced. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |

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| | | <p>Covid-19 has meant that people are seeking larger homes to accommodate for more home working.</p> <p>3. Impact on delivery of new homes - a market facing mix will ultimately assist in the delivery of homes</p> <p>4. Impact on development finance and planning obligations - not clear whether the housing mix has been subject to viability testing.</p> <p>5. Design and accordance with character - the imposition of a mix that result in a more sparse or denser layout than represented in the wider character. Policy SC4 (Residential Mix) of the LPS is in accordance with the NPPF precisely because it makes no reference to a predetermined mix.</p> <p>The Housing SPD and HOU1 of the SADPD should be more aligned with Policy SC4 of the adopted Local Plan Strategy which does not seek to prescribe a pre-determined housing mix.</p> | |
| DHSPD – 120 (RPS on behalf of IM Land) | Paragraph 7.1 | <p>The SPD makes reference to emerging draft SADPD Policy HOU.6 ‘accessibility and wheelchair standards’. It is unclear whether the Policy will remain intact following the SADPD examination process. Consequently, until such time as Policy HOU.6 has been adopted, any guidance in the SPD relating to it should also be deleted. Concerns with Policy HOU 6 - CEC need to have very strong evidence to justify why major developments provide at least 30% of housing at M4(2) standards, and 6% at M4(3) standards. The Council’s evidence to support Policy HOU.6 ‘accessibility and wheelchair standards’ can be found within the Housing Option Technical Standards Paper. This does little to support the</p> | <p>References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination.</p> |

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| | | need for the additional optional standards; nor does it cover all the requirements set out within the PPG, such as the accessibility and adaptability of the existing stock, the size, location, type and quality of dwellings and the viability of the requirements. The evidence does not justify specific policy standards as set out in Policy HOU 6. | |
| DHSPD – 96 (Emery Planning on behalf of Bloor Homes Ltd) | Table 7.1 | The draft SPD cross refers to draft policy HOU6 of the SADPD. In respect of policy HOU 6, the evidence in the Residential Mix Assessment does not support 30% of all new dwellings to meet M4(2) standard. The draft policy HOU6 is also inconsistent with the NPPG, which is clear that the requirement for wheelchair accessible homes (i.e. M4(3) standard) should only be applied to dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. The proposed approach is inconsistent with the application of CIL in Cheshire East. The SADPD evidence base includes a report entitled 'Nationally Described Space Standards' 'NDSS'. However, the report does not identify a need, and it provides no local justification for applying the NDSS in Cheshire East. The SPD should not proceed until these given outstanding objections to draft policy HOU6 have been considered and addressed through the examination of the SADPD. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |
| DHSPD – 80 (Barton Willmore on behalf of | Paragraph 7.1 | The Council's evidence as set out in the Cheshire East Housing Development Study 2015 does not identify a need to use the optional technical standards and object to this requirement. The standards are not fully justified | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing |

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| Anwyl Homes) | | nor consistent with national policy and should be modified to recognise market demand and site-specific circumstances. As such, Policy HOU6 and the Housing SPD should be modified so that accessibility and wheelchair standards for major housing developments and specialist housing for older people should be agreed on a case by case basis with up to date market evidence provided by applicants to determine if the needs is viable and justified. | related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |
| DHSPD – 29 (Jones Homes NW Ltd) | Paragraph 7.1 | Section 7 seeks to introduce measures in respect of Housing Standards and Environmental Impacts of Housing. Whilst such measures should be encouraged, they should be introduced through the SADPD where they can be properly scrutinised. | References to policies included in the emerging SADPD have been removed from the SPD. The emerging SADPD, once adopted, will provide additional non-strategic policy guidance on a number of housing related matters. The content and approach of the SADPD policy will be considered during the SADPD examination. |
| DHSPD – 39 (Macclesfield Town Council) | Table 8.1 | CEC recognises that there is a climate emergency. All applicants should have a duty to meet energy and renewable standards or offset elsewhere in the local area. | Noted. Section 5 (Environmental Impacts of Housing) in the SPD appropriately refers to the policy context on renewable and low carbon energy from the LPS. |
| DHSPD – 42 (CPRE) | Paragraph 8.1 & Table 8.1 | <p>Pleased to note reference to the declared climate emergency and related aim to be Carbon Neutral by 2025. Recommend that it is part of the introduction.</p> <p>Applicants are rightly encouraged to reduce their carbon footprint where possible, but it is the spatial location that</p> | <p>Table 8.1 has been removed from the SPD as it relates to an emerging policy in the SADPD. References to policies included in the emerging SADPD have been removed from the SPD.</p> <p>References to national carbon reduction targets have been added to section 5 of the SPD for additional context.</p> |

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| | | <p>has the significant impact, and then issues such as the design, construction and occupation of homes.</p> <p>We support the use of the energy hierarchy set out in LPS policy SE9 (energy efficient development). The Government has recently toughened its carbon reduction targets (to reduce carbon emissions by 78% based on 1990 levels by 2035) and its intention to introduce the new targets into law in June 2021. We welcome the purpose of Table 8.1 Draft Energy and Renewable Standards, but considering the toughened targets, ask if more ambition should be applied to quicken the pace of carbon zero housing development delivery.</p> | |
| DHSPD – 21 (Prestbury Parish Council) | Paragraph 8.1 | <p>This section should make reference to the UK government's toughening of its carbon reduction targets (to reduce carbon emissions by 78% based on 1990 levels by 2035) and its intention to introduce the new targets into law in June 2021. Pointing out that home heating accounts for 15% of all carbon emissions, the government lauds the use of air and ground heat pumps which are not mentioned in the SPD. There should be references to the new national commitment and to heat pumps. Also, we would suggest that the word 'decentralised' is dropped from bullet no. 2 in this paragraph. District heating networks can be ideal solutions in urban areas. They need to be recognised.</p> | <p>Text has been added to the SPD (in ¶ 5.1) to reflect the current position re carbon emission targets in the UK.</p> <p>References have inserted into the SPD to the Council's Environment Strategy (2020 – 2024) which notes that 20% of greenhouse gas emissions is generated from homes. Reference has also been made to heat pumps.</p> <p>The reference to 'decentralised' in the SPD is considered to appropriately reflect the opportunities provided for by heat sources, particularly in urban areas.</p> |
| DHSPD – 89 (Aylward | Paragraph 8.1 | <p>This section introduces the Climate Emergency which is another material change from the policy framework from</p> | <p>References to policies included in the emerging SADPD have been removed from the SPD. However,</p> |

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| Planning on behalf of Cashtal Properties Ltd) | | the adopted LPS and would be more closely aligned with the emerging SADPD. The objectives and strategy outlined in Section 8 is clearly important and needs to be evidenced as part of the forthcoming Examination for the SADPD. Only take forward a new housing SPD once the emerging policy position in the SADPD has been tested and adopted. Could otherwise have unintended consequences upon delivery of new homes. | the Council has declared a climate emergency and policies contained within the LPS, as emphasised in the draft Housing SPD can assist in the aim of reducing the environmental impact of housing in the borough. |
| DHSPD – 30 (Jones Homes NW Ltd) | Paragraph 8.1 | Section 8 seeks to introduce measures in respect of Housing Standards and environmental impacts of Housing. Whilst such measures should be encouraged, it is considered that they should be introduced through the SADPD where they can be properly scrutinised. | References to policies included in the emerging SADPD have been removed from the SPD. The content and approach of policies contained in the SADPD will be considered during the SADPD examination. |
| DHSPD – 111 (South Knutsford Residents Group) | Paragraph 8.1 | Having accepted the need to reverse climate change trends, it is not good enough to accept the minimum requirements for heating and lighting. Sustainability is not just walking and cycling distances or public transport availability. | Policies contained within the LPS, as emphasised in the draft Housing SPD can assist in the aim of reducing the environmental impact of housing in the borough. |
| DHSPD – 18 (Prestbury Parish Council) | Paragraph 8.1 & 8.2 | Applicants are merely "encouraged" to reduce their carbon footprint (para. 8.1) and they are merely "expected to consider" sustainable development principles (para. 8.2). The wording needs to be strengthened. | The SPD seeks to provide additional guidance on existing and adopted planning policies. The SPD, in itself, cannot create new planning policies. |
| DHSPD – 57 (Manchester | Paragraph 8.4 | Under the terms of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Sites) Direction 2002 (brought into effect by DfT/ODPM | Text has been added to paragraph 8.4 (now paragraph 5.10) to reflect the wording proposed by the consultee. |

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| Airport Group) | | <p>Circular 1/2003) Manchester Airport Group (MAG) is the statutory Aerodrome Safeguarding Authority (ASA) for Manchester Airport (the airport). Development within specific zones or of specific type will be referred to the Safeguarding Authority through the usual planning application consultation process. It should be noted that under the terms of the above Direction and Circular, failure of the Local Planning Authority to take account of the views of the Safeguarding Authority in reaching its decision will result in a referral to the Secretary of State.</p> <p>Paragraph 8.4 refers to the deployment of SUDS to mitigate surface water drainage issues. It should be noted that the ASA and the Local Planning Authority are obligated under the terms of the Direction / Circular to avoid increasing the risk of bird-strike hazard within a 13km zone around the airport and the provision of increased surface water features has the potential to increase the risk of bird-strike hazard in the vicinity of the airport. Any such SUDS provision should therefore be subject to consultation with the ASA and their recommendations taken on board. The paragraph should therefore add in a proviso at the end of the final sentence “subject to the views of the Aerodrome Safeguarding Authority being sought if the SUDS provision is within the 13km bird-strike hazard consultation zone for Manchester Airport.”</p> | |
| DHSPD – 99 (Emery | Paragraph 8.5 | Paragraph 8.5 refers to draft SADPD Policy ENV7 ‘climate change’. Representations made to policy ENV7 | References to policies included in the emerging SADPD have been removed from the SPD |

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| Planning on behalf of Bloor Homes Ltd) | | of the SADPD, noting that the requirements of the policy are inconsistent with national planning policy and guidance (Paragraph: 012 Reference ID: 6-012-20190315)). Requiring developers to comply with additional technical standards will inevitably have a negative viability impact. Furthermore, CIL was introduced based on the costs of policy requirements established through the CELPS. The SADPD and SPD seek to introduce additional requirements at significant cost. It is fundamentally flawed to introduce additional standards which have a negative impact upon viability, but not revisit CIL. Therefore, the requirements currently set out under policy ENV7 in respect of climate change mitigation and adaptation should be set out within the SPD as optional measures which developers are encouraged to deliver to assist the council in meeting its climate change objectives. | |
| DHSPD – 57 (Manchester Airport Group) | Paragraph 8.5 | There is potential for radar flicker being created by wind-turbines and for glint and glare issues to arise from solar photo-voltaic. Both therefore have the potential to affect aviation safety. In respect of wind-turbines the Direction / Circular sets out that the Aerodrome Safeguarding Authority should be consulted on any proposals within a 30km radius of the airport. Assessment of solar arrays are much more on a case by case basis and will depend on the location / orientation of any array in relation to the approach or departure paths of aircraft using the airport. It would be useful to add a qualifier to the paragraph within the table stating that “The views of the Aerodrome | Text has been added to paragraph 8.5 (now paragraph 5.3) to reflect the wording proposed by the consultee. |

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| | | Safeguarding Authority should be sought in respect of wind-turbine or solar photo-voltaic installations.” | |
| DHSPD – 40 (Macclesfield Town Council) | Paragraph 8.5 | A new paragraph should be added with a cross reference to draft SADPD policy INF3 ‘Highway Safety and Access’ and electric charging infrastructure for new dwellings. | A paragraph has been added to the SPD on electric charging infrastructure for new dwellings. The reference is consistent with LPS policy CO2 ‘Enabling business growth through transport infrastructure’, point 2 (vi) |
| DHSPD – 112 (South Knutsford Residents Group) | Paragraph 9.1 | Support the First Homes Policy and any means to ensure that affordable homes are available for successive generations. A due proportion of affordable homes should be allocated within redevelopment schemes in towns to ensure that such householders and their families can benefit from the facilities and services in a town centre. | The Council’s position on First Homes has been included in the SPD (paragraphs 6.24 – 6.33). |
| DHSPD – 65 (Holmes Chapel Parish Council) | Paragraph 9.1 | There should be greater guidance if a developer wanted to build more affordable homes in an area which is not justified or sustainable. | The purpose and scope of the Housing SPD is provide additional guidance on existing planning policies, SC4 ‘residential mix’, SC5 ‘affordable homes’ and SC6 ‘rural exception housing for local needs’. |
| DHSPD – 100 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 9.1 | The LPAs policy in respect of affordable housing should be reviewed through the SADPD to reflect national policy and the requirement for First Homes. The draft SPD should be updated to reflect the Ministerial Statement published on 24th May 2021 and the guidance provided within the NPPG. The Ministerial Statement is clear that where local plans do not benefit from specific transitional arrangements, LPAs should make clear how existing policies should be interpreted in the light of the First Homes requirements and should form part of the SPD. | The Council’s position on First Homes has been included in the SPD (paragraphs 6.24 – 6.33). |

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| DHSPD – 70 (Gladman Developments Ltd) | Paragraph 9.1 | Requirements relating to affordable housing tenure mix should be sufficiently flexible and be able to respond to the latest evidence on affordable housing tenure. Welcome to commitment to further guidance on proposals for First Homes prior to the adoption of the SPD. The introduction of First Homes offers a significant opportunity to boost affordable home ownership within the borough. | The Council's position on First Homes has been included in the SPD (paragraphs 6.24 – 6.33). |
| DHSPD – 5 (Alan Murdoch) | Paragraph 9.4 | Agree but why a higher threshold in Key Service Centres. A standard threshold for all areas would be more appropriate. | The affordable housing thresholds are established in policy SC5 'affordable homes'. The 30% threshold applies to Key Service Centres but also to the Principal Towns of Crewe and Macclesfield. |
| DHSPD – 31 & 33 (Jones Homes NW Ltd) | Paragraph 9.7 & 9.12 | Rounding up to the nearest whole number? Above 0.5 round up, below 0.5 round down should be applied. In paragraph 9.12, Council will round up or down to the nearest whole number. This needs to apply to paragraph 9.7 also. | The rounding up to the nearest whole number in relation to affordable housing requirements is to ensure that the full 30% requirement is met in line with the thresholds set out in policy LPS SC5 'affordable homes'. |
| DHSPD – 90 (Aylward Planning on behalf of Cashtal Properties Ltd) | Paragraph 9.7 | This paragraph suggests that where the affordable requirement would not result in an integer number, that it should be rounded up. That approach is entirely inconsistent with the Government's published position (notably through the August 2020 consultation on "Changes to the Current Planning System") which is that it should be rounded to the nearest whole number. | The rounding up to the nearest whole number in relation to affordable housing requirements is to ensure that the full 30% requirement is met in line with the thresholds set out in policy LPS SC5 'affordable homes'. |
| DHSPD – 81 (Barton Willmore on behalf of Anwyl Homes) | Paragraph 9.9 | The Council currently seeks a split of 65% affordable/social rented housing and 35% intermediate affordable housing. Our client considers that prescribing this tenure split is too rigid, however welcomes the flexibility in Paragraph 9.10 of the Housing SPD which says the Council will seek the balance of housing which | Noted. |

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| | | best meets local needs and site characteristics and applicants should provide justification if they seek a different tenure split. We recommend a more flexible approach should be adopted by the Council whereby developers should provide a tenure mix to meet local needs based on up to date evidence. | |
| DHSPD – 32 (Jones Homes NW Ltd) | Paragraph 9.10 | More Intermediate units needed, particularly if sold to Registered Providers (RP). RP's allow a purchaser to buy from 25% up to 75% of a property's value and to pay rent on the remaining proportion, allowing young couples and families to get a foot on the housing ladder where it would not be possible for an open market unit. Low deposit and very favourable rent terms are appealing to a wide range of people. | Noted. |
| DHSPD – 58 (Peaks and Plains Housing Trust) | Paragraph 9.10 | As a Registered Provider, we support the Council's preferred mix of 65% affordable (or social) rent housing and 35% intermediate affordable housing. We consider this currently provides an appropriate balance that generally meets local needs. | Noted. |
| DHSPD – 6 (Alan Murdoch) | Paragraph 9.11 | Support | Noted. |
| DHSPD – 98 (Homes England) | Paragraph 9.17 | Homes England is the government's housing accelerator. It is noted that the Draft Housing SPD refers in places (Section 9.16 and 9.17) to Homes England Rents. For the avoidance of doubt, the rents are set by the Regulator of Social Housing and you may wish to clarify this in the final draft. Beyond the above clarification, Homes England does not wish to make any further representations. | Noted. The text has been amended in the document (now 6.17 and 6.18). |

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| DHSPD – 59 (Peaks and Plains Housing Trust) | Paragraph 9.17 | Support the Council's desire to ensure that rented affordable dwellings are let at rent levels that are affordable. As a result, we understand why the Council have an ambition to support rent levels which do not exceed the Local Housing Allowance (LHA) for the area. This will help to achieve the stated desire of ensuring that rented accommodation remains affordable across the borough. Accordingly, we further support the requirement for a clear viability justification to be provided where an applicant seeks to demonstrate that LHA rates are not deliverable for a scheme, but it is deliverable at 80% of market rent. Important that this is correctly supervised to ensure rented affordable dwellings are let in accordance with this policy. It is suggested that the Section 106 agreement requires rents to be set at this level and approved by the Council. Furthermore, this policy will ensure Registered Providers bidding for affordable dwellings under a Section 106 agreement are doing so on the same basis i.e. it removes the situation where one RP may have a policy of capping rents at LHA whereas another RP may not do so and base their bid on 80% of market rent. | Noted. |
| DHSPD – 34 (Jones Homes NW Ltd) | Paragraph 9.17 | CEC are pushing towards social rent (SR) rather than affordable rent (AR) and unless it can be demonstrated that Local Housing Allowance (LHA) rates are not deliverable for a scheme then SR will be stipulated in the S106. The NPPF definition and referred to in 9.15 allows the options of Social Rent and Affordable Rent and therefore both should be included in the S106. | The purpose of the change to LHA or target rental rates is to ensure that rented accommodation remains truly affordable, across the borough, for those in housing need. A clear viability justification will be required where applicants seek to demonstrate that LHA rates are not deliverable for a scheme, but it is deliverable at 80% of market rent. |

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| DHSPD – 7 (Alan Murdoch) | Paragraph 9.20 | Not clear if the £250k figure reflects the pre or post discount figure. This should be clarified. | The £250k figure is the post discount figure. This has been clarified in the SPD (paragraph 6.26). |
| DHSPD – 60 (Peaks and Plains Housing Trust) | Paragraph 9.26 | The definition of the valuation of a Shared Ownership dwelling provided by Homes England in the Capital Funding Guide is "Initial sales must be based on the full market value of the property which shall be assessed as the price the leasehold interest in the property would fetch if sold on the open market by a willing seller, upon the terms and conditions contained in the shared ownership lease and on the assumption that the leaseholder would acquire a 100% interest in the lease". This is to be assessed by a Royal Institution of Chartered Surveyors qualified independent valuer. We consider the wording of this paragraph should be amended to reflect this wording as opposed to referring to "less a discount off open market value". | The paragraph has been amended (now paragraph 6.37) to reflect the consultation response. |
| DHSPD – 100 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 9.32 | Paragraph 9.32 suggests that clusters of affordable housing "should consist of a maximum of between 6 and 10 dwellings". We consider this to be prescriptive, as larger clusters can be successfully integrated within a scheme, particularly where affordable housing is to be delivered via smaller units such as apartments. The document needs to be clear that it will be applied flexibly on a case by case basis. In terms of phasing, the draft SPD correctly confirms that on larger schemes the actual percentage of affordable homes for each phase will be decided on a site by site basis. This flexibility is important and whilst the draft SPD sets out the norm, the SPD | The SPD refers to clusters of between 6 and 10 but then goes on to note that this should not be to the detriment of ensuring the scheme has a wider mix of tenures throughout the site. |

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| | | should not prescribe the phasing of affordable housing. This should be left to the development management process | |
| DHSPD – 8 (Alan Murdoch) | Paragraph 9.37 | Please then use the funds that are made available. | Noted. |
| DHSPD – 61 (Peaks and Plains Housing Trust) | Paragraph 9.38 | Due to a lack of estate regeneration funding, we would be keen to see this extended to cover other parts of Cheshire East, so financial contributions in-lieu of direct affordable housing provision can be utilised to fund improvements of existing stock in urban areas across Cheshire East. | The approach set out in the SPD (now paragraph 6.49) is consistent with paragraph 12.51 of the LPS. |
| DHSPD – 38 (Jones Homes NW Ltd) | Paragraph 9.38 | Divert funding for affordable housing into the improvement of existing stock – why does this only apply to Crewe? There is stock in Macclesfield/Wilmslow that could be improved in lieu of building new properties. | The approach set out in the SPD (now paragraph 6.49) is consistent with paragraph 12.51 of the LPS. |
| DHSPD – 91 (Aylward Planning on behalf of Cashtal Properties Ltd) | Paragraph 9.40 | Offers provided by RPs varies very widely, both by location and by scale of development. Typically, offers are suppressed where the affordable product being delivered is of smaller quantum and outside the main urban centres. The contribution which would be needed to secure on-site delivery for smaller schemes in smaller settlements is far greater and we would invite the Council to consider these scenarios when they evaluate affordable housing requirements that will be brought forward through the emerging Development Plan whilst ensuring that these objectives would not impede the realisation of schemes that are otherwise acceptable in planning terms. A failure to adopt a more granular and well-considered approach to viability analysis would have | Noted. |

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| | | more substantive implications for smaller developments (say 50 homes or less) where the Government's own evidence is that the development of these smaller sites must be supported. | |
| DHSPD – 37 (Jones Homes NW Ltd) | Paragraph 9.40 & 9.41 | There can be big differences in offers received from Registered Providers depending on a number of factors so would the calculation be based on an average of all the offers received rather than the highest. In order to establish Open Market Values, will a RICS valuation be required? | Noted. Text has been added to paragraph 6.51 (previously 9.41) to reflect the comment received. |
| DHSPD – 9 (Alan Murdoch) | Paragraph 9.43 & 9.51 | Agree that viability should be tested by an independent valuer chosen and appointed by the Council but paid for by the developer. | Noted. |
| DHSPD – 92 (Aylward Planning on behalf of Cashtal Properties Ltd) | Paragraph 9.48 | It is clearly the case that the statement in paragraph 9.48 re the "up to date" nature of the underpinning viability analysis is ill-judged. That analysis did not have regard to many of the emerging policy objectives (such as the published Climate Emergency, First Homes or the commuted sum for Biodiversity Net Gain) and therefore does not provide a robust "policy on" basis to take forward a new policy agenda. The viability framework must be updated to provide that robust basis to move forward. | The guidance in the SPD seeks to provide additional guidance on how the Council will consider matters on viability for affordable housing schemes. It is not seeking to introduce new policy. |
| DHSPD – 10 (Alan Murdoch) | Paragraph 9.50 | Agree, land acquisition price should reflect the known constraints and costs and the purchase price should not be a reason to reduce the requirements. | Noted. |
| DHSPD – 12 (Alan Murdoch) | Paragraph 9.53 | Known constraints and requirements should determine the land value. Land cost should not be a reason to reduce the requirements. | Noted. |

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| DHSPD – 103 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 9.54 | Section 9 provides guidance on viability assessments, with specific mention of what level of developer profit is considered to be acceptable (paragraph 9.54). The SPD comprises guidance and not planning policy, and therefore it should not set out policy or guidance on how various inputs within a viability appraisal should be calculated. | The guidance contained in the SPD on the level of developer profit is considered to be consistent with the PPG. It also provides a number of factors that may be relevant to the consideration of the appropriate profit level including scale, complexity and risk of the development. |
| DHSPD – 23 & 24 (Cllr A Farrall) | Paragraph 9.54 & 9.55 | PPG paragraph: 018 Reference ID: 10-018-20190509 says that although there's an assumption of 15-20% Gross Development Value (GDV), it's for the developer to mitigate the costs to meet policy requirements and not the local authority to mitigate their policy to meet the developer's GDV. A lower % of GDV is appropriate to meet affordable housing policy. | Noted. Additional text has been added to paragraph 6.64 to further emphasise this point. |
| DHSPD – 13 (Alan Murdoch) | Paragraph 9.57 | If the applicant is able to justify a reduced requirement on viability this should be reviewed in the light of the actual sales prices and abnormal costs and the requirements adjusted to reflect any improved return. | The mechanism for any review of an overage agreement would be clearly stipulated through a Section 106 agreement. |
| DHSPD – 43 (CPRE) | Paragraph 9.60 | We note the use of Vacant Building Credit to support the reuse of brownfield land in 9.60. We also note the question 10 in Appendix 2 Example of Rural Housing Needs Survey 2021. | Noted. |
| DHSPD – 14 (Alan Murdoch) | Paragraph 9.63 | The Council should take a robust view on abandonment and not take the line of least resistance resulting in massively reduced affordable and other contributions | Noted. |
| DHSPD – 55 (PWA Planning) | Paragraph 9.65 | Paragraph 73 of the NPPF asserts a need to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against a housing requirement set out in adopted strategic policies." Therefore, even if the Local Planning | The Council publishes its annual housing monitoring on its website. The council's most recent Housing Monitoring Update (base date 31 March 2020) was published on the 11th March 2021. The published report confirms a deliverable five-year housing land |

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| | | <p>Authority has a five-year housing land supply, this should be treated as a minimum, not as a target to prohibit further development, which can help to meet local demands, even within countryside locations that are well-located. Overall, limited growth within proximity to, or adjacent to the defined settlement boundaries is likely to not cause any significant harm to the open countryside, given the proximity to services, facilities, and built development. For this reason, it is believed that an appropriate amount of development in such areas be supported.</p> | <p>supply of 6.4 years. The focus of this SPD is on providing additional guidance on LPS policies SC4 'residential mix', SC5 'affordable homes' and SC6 'rural exceptions housing for local needs'.</p> |
| DHSPD – 48 (CPRE) | Paragraph 9.67 | <p>Do not accept the Government's definition of affordable housing as being 80% of market value. Parts of Cheshire are very affluent, completely out of reach at 80% for poorer households. Want rural exception sites to be offer affordable housing in perpetuity, not only at the first point of sale. We think Right to Buy in rural places erodes the supply of affordable homes. We advocate the development of social housing with a mix of tenures that provide cheaper housing options in the long term, we are therefore pleased to read in the draft Housing SPD the 'Other affordable routes to home ownership'.</p> | <p>Noted.</p> |
| DHSPD – 72 (Gawsworth Parish Council) | Paragraph 9.67 | <p>Housing needs survey – Gawsworth Parish Council believes that a standard of engagement with Parish Councils should be included in this SPD. The Parish Council believes that the definition of 'in conjunction with' should specifically state: A) involvement in the design of the survey, B) the opportunity to independently scrutinise raw data, C) involvement in determining the conclusion of the survey. The Parish Council believes this should be</p> | <p>A copy of the model survey is included in Appendix 2 of the SPD. Additional wording has been added to the paragraph (now paragraph 6.77) to emphasises the importance of engagement with Parish Council's in undertaking the survey.</p> |

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| | | enshrined in this SPD to ensure consistency in approach and to ensure that parish councils have a sense of ownership of the data and conclusions. | |
| DHSPD – 104 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 10.1 | We agree that support should be given towards schemes that deliver self and custom build homes as per part 1 of draft policy HOU3 of the SADPD. However, part 2 of that policy requires all developments of 30 or more homes to provide a proportion of serviced plots of land, consistent with the latest available evidence of unmet demand. We objected to that aspect of draft policy HOU3 in the SADPD because there is insufficient evidence to justify such a requirement. We consider that the appropriate approach is to firstly identify the scale of demand for such units, and then allocate suitable sites which are specifically put forward for such a use through a call-for-sites exercise. Smaller sites are much better placed to meet the demand for self-build development, which is likely to be for bespoke units in rural or semi-rural locations, rather than serviced plots within large scale housing developments. | The section on self and custom build in the SPD does not make refernece to draft policy HOU 3 of the SADPD. |
| DHSPD – 82 (Barton Willmore on behalf of Anwyl Homes) | Paragraph 10.1 | Self and custom build housing is not always viable, practicable or even desirable in certain areas. Policy HOU3 and the Housing SPD should be adjusted to set out that flexibility will be allowed in considering whether the provision of self and custom build housing is appropriate for all schemes over 30 dwellings. There is no locational evidence to determine where demand lies in the Borough, and the Council does not appear to provide any evidence to suggest that there is a desire to develop vacant plots on existing residential land. The delivery of | The section on self and custom build in the SPD does not make refernece to draft policy HOU 3 of the SADPD. |

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| | | self and custom build plots can cause significant issues in the delivery of new homes and it is not feasible to have parts of a completed residential scheme that are still awaiting construction. Furthermore, if those self and custom build plots fail to come forward then it is impracticable for developers to return to a completed site to re-commence construction on the unfinished plots of land. | |
| DHSPD – 71 (Gladman Development s Ltd) | Paragraph 10.1 | It is essential that the final version of the SPD does not seek to introduce policy requirements rather it should clearly highlight the relevant adopted and emerging policy requirements in relation to self-build and custom build housing | Noted. |
| DHSPD – 56 (PWA Planning) | Paragraph 10.1 | Self-build homes are of great need within not only within Cheshire East, but throughout the UK. Self-build homes, within established residential areas, or with good access to local services are ideal, to reduce settlement sprawl and reduce emissions; this is also in line with Cheshire East's goals to be Carbon Neutral by 2025. Self-build homes are bespoke and are of the highest level of design. The majority of self-build homes are built by local citizens, who understand and respect the area and the surrounding landscape, creating unique homes which are fitting of their surrounds. Smaller-scale schemes can help to meet a significant portion of localised housing need. A proportion of small-scale self-build schemes could come forward in more rural locations, given that access to services is somewhat limited in many areas across the Cheshire East. Such self and custom build schemes in rural locations could | The SPD seeks to provide additional guidance on the existing policy references on self build contained within LPS policy SC4 'residential mix'. To provide additional clarity on the approach to self build and affordable housing. Additional text has been added (para 7.7) to the SPD. |

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| | | <p>help to meet identified local needs (reference to para 68 of the NPPF). Well-connected small-scale sites, including self and custom build homes within existing settlements or in proximity to existing settlements, should be supported through planning policies and decision-making. The Council's own self-build register indicates that the majority of people want to live within a rural or semi-rural location. Cheshire East Council has a responsibility to provide the right type of growth within the right areas, which includes small-scale development in the open countryside, to meet the identified local needs.</p> | |
| DHSPD – 62 (Avison Young on behalf of Cinnamon Retirement Living Ltd) | Section 11 | <p>Representations made to the SADPD are considered to be relevant to the draft Housing SPD. Evidence to support the SADPD indicate an ageing population profile. Concerns regarding the lack of allocations for older person housing in the SADPD. Concern over to approach to requesting affordable housing in C2 accommodation. The Council's current approach will create a "bare minimum" approach to the provision of care facilities, the impact of which will be a significant reduction in the amount of amenity space for residents to enjoy on sites and the exclusion of any ancillary facilities. We appreciate that the Council has undertaken to test each scheme against policy on a site by site basis, through viability assessments to see what affordable housing could be delivered. However, this would be a failure of strategy and a waste of the local authority's time and money when compared with simply removing the requirement to test viability or allocating sites for C2 use only.</p> | <p>References to policies included in the emerging SADPD have been removed from the SPD. The wording in the SPD clearly sets out the Council's position in respect of the affordable housing policy applying to residential developments and this reference can include C2/C3 accommodation. Reference is also then made to the viability issues which arise from the distinction and how the Council would respond to such issues, should they arise.</p> |

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| DHSPD – 107 (Emery Planning on behalf of Bloor Homes Ltd) | Paragraph 11.1 | There is a need to provide a choice of accommodation to suit changing needs as people get older. The draft SPD should not prescribe a proportion of homes to be bungalows. | References to policies included in the emerging SADPD have been removed from the SPD. The SPD does not prescribe a proportion of homes as bungalows. |
| DHSPD – 114 (Pearce Planning on behalf of Cognatum Developments Ltd) | Paragraph 11.1 | <p>Our previous SADPD representations raised objections to paragraph 12.1, HOU1 (mix) and HOU2 (specialist housing), specifically part 3 and the new requirement for C2 development to contribute to affordable housing provision. The paragraph 11.12 statement that LPS policy SC5 (affordable homes) refers to affordable housing requirements applying to ‘residential developments’, which it is inferred can include class C2 (residential institutions) and class C3 (dwelling houses) uses, is understood to be made on the basis of the court case cited in the footnotes (Rectory Homes V SSHCLG and South Oxfordshire District Council, 2020). Notwithstanding this, there is no commentary offered as to whether this is an appropriate approach for the delivery of affordable housing across Cheshire East, nor any definition offered as to how affordable housing would be comprised and delivered across the ‘older person accommodation’ typologies listed in Table 11.1. It is our view that this change would not support the Council’s stated objective of encouraging and supporting the provision of older persons accommodation. Instead, it will likely result in the delivery of less accommodation. It is not appropriate for a use class C2 proposal to contribute to affordable housing as it is a very different</p> | References to policies included in the emerging SADPD have been removed from the SPD. The wording in the SPD clearly sets out the Council’s position in respect of the affordable housing policy applying to residential developments and this reference can include C2/C3 accommodation. Reference is also then made to the viability issues which arise from the distinction and how the Council would respond to such issues, should they arise. |

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| | | use with other costs to bear. Up-front costs often relate to the cost of building communal facilities before sales have been achieved, as well as relating to the demographic, who are more risk adverse compared to first time buyers and are more reluctant to purchase off plan, thus often waiting until the development is completed and can be visited. An affordable requirement would result in further risk at the point of land acquisition for specialist retirement developers, with potential cost and uncertainty in the planning process. This in turn has the potential to disincentives the delivery of specialist retirement accommodation. | |
| DHSPD – 15 & 16 (Alan Murdoch) | Paragraph 11.19 | Retirement apartments - the age limit of 55 is too low - it should reflect the expected age of the residents and the assumptions made in the design of the development to ensure that there is consistency- e.g. having a limited number of parking spaces on the grounds that most occupiers are over age 80 is not consistent with an age limit 55. | The definition of age-restricted general market housing is taken from the PPG. |
| DHSPD – 115 (Pearce Planning on behalf of Cognatum Developments Ltd) | Paragraph 11.21 | Object to the wording included referring to the need for registration with the Care Quality Commission (“CQC”). This is not required in Local Plan policy and as such is not justified or effective. Developments are not required to be registered but the agencies that provide such services are required to be CQC registered. | Table 1 of the SPD (types of older person accommodation) makes reference to registration with the Care Quality Commission. It is taken from the definition reflected in the PPG. |
| DHSPD – 100 (Emery Planning on behalf of) | Glossary | The Glossary should also be updated in respect of the definition of affordable housing to include First Homes. | The glossary has been updated to reflect the definition of First Homes. |

| Consultee Ref | Document Section | Summary of key issues | Response to issues raised including any changes proposed |
|----------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bloor Homes Ltd) | | | |
| DHSPD – 52 (CPRE) | Paragraph 16.1 | Appendix 3 sets out the SEA /HRA Screening Report. This will be important when considering the SADPD. It is important that the harm arising from housing development is properly understood and that biodiversity is best supported through Biodiversity Net Gain. | Appendix 3 (SEA/HRA) screening report considers the implications of the initial draft Housing SPD. The emerging SADPD is supported by a sustainability appraisal / habitats regulations assessment and will be considered through the examination of the SADPD. The SADPD was submitted for public examination on the 29 April 2021. |

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Cheshire East Local Plan

Housing Supplementary Planning Document

Consultation Draft



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Housing Supplementary Planning Document (“SPD”) Consultation

Your views are invited on the content of this final draft Housing Supplementary Planning Document (“SPD”) and accompanying report of consultation, which details comments received during the consultation on the initial draft Housing SPD and any subsequent changes made to the document. Consultation is taking place between 22nd November and 20th December 2021. Comments must be received by the council **no later than midnight on 20th December 2021**.

The consultation documents can be viewed online at www.cheshireeast.gov.uk/localplan

There is no legal requirement for SPDs to be accompanied by Sustainability Appraisal, and this is reinforced in national planning guidance. However, “in exceptional circumstances” there may be a requirement for SPDs to be subject to Strategic Environmental Assessment (SEA) where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the LPS. A screening assessment has been undertaken and concludes that further assessment is not necessary.

A screening exercise has been also carried out to determine whether the document gives rise to the need for Appropriate Assessment (under the Habitats Regulations). This similarly concludes that further assessment is not necessary.

An Equality Impacts Assessment Screening Exercise has been undertaken on the content of this SPD. It concludes that the SPD provides further guidance on the policy approach set out in the Local Plan Strategy. No negative impacts are identified following consultation on the initial draft SPD.

These screening assessments have been published and are available to read alongside the final draft Housing SPD and you can give your views on their findings too.

Submitting your views

The council’s online consultation portal is our preferred method for submitted responses, but you can also respond by e-mail or by post, details below; -

- **Online:** Respond via the consultation portal at www.cheshireeast.gov.uk/localplan
- **By e-mail:** To localplan@cheshireeast.gov.uk
- **By post:** Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ.

Please make sure that your comments reach us by 20th December 2021. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Strategic Planning Privacy Notice (www.cheshireeast.gov.uk/localplan). Your name and

comments will be published and made available to view on the council's online consultation portal.

What happens after the consultation?

Following consultation, the council will carefully consider all comments received to the final draft SPD and accompanying consultation report before deciding whether any further amendments to the SPD are needed before the SPD is considered for adoption. Once adopted, the SPD will be formal planning guidance and will be considered as a material consideration in decision taking.

1. Introduction

- 1.1 Policies in the Local Plan guide development and provide a framework to determine planning applications in the borough. Supplementary Planning Documents (“SPDs”) add further detail to planning policies contained within the development plan and are used to provide detailed guidance on particular issues. SPDs do not form part of the adopted development plan but once adopted, they are a material planning consideration in decision taking.
- 1.2 The Local Plan Strategy (“LPS”) was adopted in 2017. It sets out a vision and strategic priorities for the development of the area along with planning policies and proposals. A key priority of the LPS, is to create and maintain sustainable communities by supporting the delivery of an appropriate mix of house types, sizes and tenures including affordable housing to meet the borough’s needs. It also seeks to support vulnerable and older people to live independently, and for longer (LPS Strategic Priority 2, point 1 (ii & iii)).
- 1.3 The Council’s Corporate Plan (2021-25) sets out three aims. These are to be open, fair and green. In striving to be a fair Council, a key objective is to reduce health inequalities across the borough, addressing issues of poor-quality housing and delivering housing to meet the needs of all residents, including vulnerable and older people. This SPD sets out guidance on policies contained in the Local Plan Strategy (“LPS”) that will support delivery of this ambition.
- 1.4 The LPS anticipates the production of an SPD¹ to provide additional policy guidance, focused on LPS policies SC4 (residential mix), SC5 (affordable homes) and SC6 (rural exceptions housing for local needs). This SPD aims to give greater clarity to developers, landowners and communities, focused primarily on affordable housing and specialist accommodation, including older persons accommodation.

2. Policy Background

- 2.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise². Material planning considerations can include national planning policy and adopted supplementary planning guidance, where relevant.

¹ LPS ¶12.32, ¶12.53 & ¶12.61

² Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

National planning policy

- 2.2 The **National Planning Policy Framework (“NPPF”)**³ sets out the Government’s planning policies for England and how these should be applied. The NPPF provides the national policy context for affordable housing and other housing matters.
- 2.3 **National Planning Practice Guidance (“PPG”)**⁴ provides guidance on several housing related issues and includes a section relevant to affordable housing and housing for older and disabled people. There is also a section in the PPG on planning obligations (setting out further details on the approach to contributions and other topics such as Vacant Building Credit), First Homes and on viability, amongst other policy areas.

Local planning policy

- 2.4 Planning policies are set out in the development plan for the area. The development plan for Cheshire East currently comprises the LPS and ‘saved’ policies within previous local plans which remain in effect until such time as they are replaced. Neighbourhood Development Plans which have been made (adopted) also form part of the statutory development plan.

Cheshire East Local Plan Strategy

- 2.5 The LPS is the strategic plan for the borough. The LPS contains policies of relevance to this draft SPD, including: -
- **Policy PG1: Overall Development Strategy** – sets out the overall development requirements in the borough. The LPS seeks to accommodate a minimum of 36,000 homes between 2010-2030 (at an average of 1,800 per year). The objectively assessed need for affordable housing is for a minimum of 7,100 homes over the Plan period (at an average of 355 dwellings per year).
 - **Policy PG3: Green Belt** – sets out the policy approach to Green Belt. The policy includes several listed exceptions to where the construction of new buildings is inappropriate to the Green Belt, the list includes limited affordable housing for local community needs under policies set out in the Local Plan.
 - **Policy PG6: Open Countryside** – defines the open countryside and seeks to restrict development to that which is essential for uses appropriate to a rural area. The policy makes several exceptions to this general restriction, including rural exceptions housing for local needs (as

³<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁴<https://www.gov.uk/government/collections/planning-practice-guidance>

set out in policy SC6 (rural exceptions housing for local needs) of the LPS).

- **Policy PG7: Spatial Distribution** – The policy provides an indicative distribution of development by settlement and tier of the settlement hierarchy of centres set out in the LPS.
- **Policy SD2: Sustainable Development Principles** – the policy sets out several principles, on matters including design, energy efficiency and other matters that development in the borough is expected to deliver.
- **Policy IN2: Developer Contributions** – the supporting text to the policy makes clear that the provision of affordable housing or other financial contributions will be secured through S106 agreements.
- **Policy SE 2 Efficient Use of Land** – the policy encourages the appropriate redevelopment / re-use of previously developed land and buildings. It also lists several factors that windfall development proposals should consider including landscape / townscape impacts.

2.6 There is a raft of other policies in the LPS that are also relevant to housing proposals. The focus of this SPD will be on providing additional guidance on the following LPS policies: -

- **Policy SC4: Residential Mix** – the policy seeks to provide for an appropriate mix of housing tenures, types and sizes in residential developments. It also includes policy requirements relating to specialist and older person housing.
- **Policy SC5: Affordable Homes** – includes the relevant thresholds and policy requirements for affordable housing provision in the borough.
- **Policy SC6: Rural Exceptions Housing for Local Needs** – the policy sets out the circumstances where rural exceptions affordable housing will be permitted as an exception to other policies concerning the open countryside.

‘Saved’ policies from previous Local Plans

2.7 There are a few ‘saved’ policies that remain part of the development plan from the Crewe and Nantwich, Congleton and Macclesfield Local Plan. The primary policy position on affordable housing and rural exception sites for affordable housing is now included in the LPS. However, ‘saved’ policies contained within previous local plans in relation to matters such as design, amenity etc will still be of relevance.

Neighbourhood Development Plans

2.8 Cheshire East is one of the most active neighbourhood planning areas in the country. There are several Neighbourhood Development Plans (NDPs) in the

borough. NDPs form part of the development plan and may contain local and non-strategic policies and therefore, it is important that these are considered alongside the policies of the LPS and the content of this SPD. Further information on neighbourhood plans in Cheshire East can be found on the council's website at:

<https://www.cheshireeast.gov.uk/planning/neighbourhood-plans/neighbourhood-planning.aspx>

Supplementary Planning Documents

- 2.9 The council has adopted several SPDs to provide additional guidance on the implementation of planning policies in the borough. Further details on this SPD and others can be found on the council's website at: https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/supplementary_plan_documents.aspx

Emerging plans

- 2.10 The council is currently preparing Local Plan documents which, once adopted, will form part of the adopted development plan. These include the Site Allocations and Development Policies ("SADPD"), the Minerals and Waste Development Plan Document and the Crewe Hub Area Action Plan.

Cheshire East Site Allocations and Development Policies Document

- 2.11 The SADPD will form the second part of the Local Plan. It will set non-strategic and detailed planning policies to guide planning decisions and allocate additional sites for development to assist in meeting the overall development requirements set out in the LPS.
- 2.12 The SADPD, once adopted, will contain detailed non-strategic planning policies on matters including housing mix and specialist housing for older people to complement policies contained in the LPS.

Cheshire East Minerals and Waste Development Plan Document

- 2.13 The Minerals and Waste Development Plan Document is currently in preparation. It will set out the council's planning policies on minerals and waste.

Crewe Hub Area Action Plan

- 2.14 The Crewe Hub Area Action Plan (CHAAP) is currently in preparation and considers a planning framework to facilitate and manage development around Crewe Railway Station, in response to HS2 and other matters.

3. Applying for Planning Permission

- 3.1 Applicants should engage with the council, the local community and relevant statutory consultees at the earliest opportunity in order to make sure that new development responds appropriately to the unique character and quality of place in the borough. Before making a planning application, applicants are strongly encouraged to use the council's pre-application service⁵, particularly for larger schemes, to discuss aspects of a planning proposal including the affordable housing requirement.
- 3.2 For complex, major developments, the council may also work with applicants to negotiate and enter into a planning performance agreement. Planning performance agreements set out an agreed and realistic timetable for processing and determining an application⁶.
- 3.3 Where schemes involve the provision of affordable homes, the council also recommends approaching Registered Providers as early in the process as possible (where relevant) as their input at the design and concept stage can simplify the process of transferring built affordable homes at a later date.
- 3.4 Applicants promoting schemes involving specialist (including supported living) or older persons housing are advised to make early contact with the council's adult social care contract and commissioning team and the strategic housing team. One way of doing this is to indicate that you require their advice at the pre-application service stage.
- 3.5 Applicants should also refer to the requirements of the council's Statement of Community Involvement⁷ and the publicity on planning application(s) protocol⁸ to ensure appropriate engagement takes place on schemes prior to their submission through a planning application.
- 3.6 The council's website includes forms and guidance on making a planning application including a validation checklist⁹. The validation checklist includes documents that should be completed with an application to ensure all the required information is submitted and the application can be made valid.

⁵https://www.cheshireeast.gov.uk/planning/view_a_planning_application/pre-application_advice/pre-application_advice.aspx

⁶https://www.cheshireeast.gov.uk/planning/view_a_planning_application/pre-application_advice/development_team_service.aspx

⁷ https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/sci.aspx

⁸https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/the_decision_process.aspx

⁹https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/making_a_planning_application.aspx

- 3.7 The Community Infrastructure Levy (“CIL”) is a planning charge based on the size and type of new development. It is mandatory charge and non-negotiable. CIL charging rates, for use class C3 ‘dwellinghouses’ can be found on the council website¹⁰ alongside information on mandatory and discretionary CIL relief for certain types of affordable housing. It is important that applicants complete the relevant CIL forms, found on the council’s website at: www.cheshireeast.gov.uk/cil.

4. Housing Mix

- 4.1 Applicants are encouraged to provide information on housing mix at the pre-application stage, particularly on sites of 10 or more dwellings. The Council at this stage will be able to provide feedback on the proposed housing mix, with consideration of a number of site, market and other relevant matters.
- 4.2 Applicants should then provide information with their planning application on the approach to housing mix and how the proposal responds to the longer-term needs of residents in the borough. The council will require an appropriate range and mix of housing. Housing Mix will be considered on a case by case basis but development proposals are not likely to be supported when dominated by large dwellings (four or five bedrooms) which are unlikely to meet the borough’s housing needs.
- 4.3 Schemes should also consider the inclusion of Key Worker Housing¹¹ and people wishing to commission or build their own home in the overall housing mix. Additional guidance on specialist accommodation and Custom and Self Build are provided in this SPD.
- 4.4 To meet the needs arising for older persons housing, applicants should demonstrate how their proposal will be capable of meeting, and adapting to, the long-term needs of residents as they grow older. Steps to achieve this could include the appropriate design, space, layout and functionality of homes to allow residents to adapt their living environment to meet their own needs as they grow older, including through assistive technology.

5. Environmental Impacts of Housing

- 5.1 The Climate Change Act 2008 introduced a legally binding target for the UK to reduce greenhouse gases by 80% by 2050 against a 1990 baseline. The UK government, on the 20 April 2021, set out its intention to set into law a climate change target to cut emissions by 78% by 2035 compared with 1990 levels. The council has recognised that there is a Climate Emergency and is aiming to be Carbon Neutral by 2025. Applicants are encouraged to reduce their

¹⁰https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/community-infrastructure-levy.aspx

carbon footprint, where possible, in the design, construction and occupation of homes and follow the energy hierarchy set out in LPS policy SE9 (energy efficient development), namely: -

- Reducing the need for energy and then ensuring the efficient use of energy supply;
- Maximising the potential for energy supply from decentralised, low carbon and renewable energy sources, including community-led initiatives; and then
- Efficiently using fossil fuels from clean technologies, where possible.

- 5.2 New housing development should achieve Building for Life 12 Standard¹². Using this 'traffic light' design led framework, development should seek to maximise the number of green ratings. If amber is achieved for an essential criterion then the design should be revisited to seek to address any issues raised. Red ratings should be avoided. Planning conditions may be attached to a scheme to ensure the delivery of matters arising from the Building for Life Assessment. Opportunities should be taken to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example, through green infrastructure provision, the maintenance of important hedgerows and Trees (particularly those with a Tree Preservation Order) and access to and contact with nature.
- 5.3 The Cheshire East Environment Strategy 2020 – 2024¹³ notes how homes account for 20% of greenhouse gas emissions in the UK. Alongside responding to LPS SE9 (energy efficient development) schemes are encouraged to consider LPS policy SE 8 (renewable and low carbon energy) which includes the policy context for renewable and low carbon energy schemes in the borough outside of permitted development. The justification text to the policy makes reference to sources of renewable and low carbon energy including solar thermal and photovoltaics (particularly on southern facing roof slopes) alongside other technologies including heat pumps. The views of the Aerodrome Safeguarding Authority should be sought in respect of wind-turbine or solar photo-voltaic installations, where necessary.
- 5.4 LPS Policy SD2 (sustainable development principles) sets out several principles that development proposals will be expected to consider. These include appropriate design, construction, insulation, layout and orientation to create developments that are resilient to climate change, minimise energy use, promote the use, recovery and recycling of materials, are water efficient and minimise waste and pollution. Further guidance on many of these factors

¹² Building for a Healthy Life (2020), David Birkbeck, Stefan Kruczkowski, Phil Jones, David Singleton and Sue McGlynn

¹³ [Environment Strategy \(cheshireeast.gov.uk\)](https://cheshireeast.gov.uk/environment-strategy)

are included in the Residential Design Guide SPD, volume 2, section v|22 – V|56¹⁴, available on the council's website.

- 5.5 Policy SD2 (sustainable development principles) also expects residential development to provide for appropriate open space, provide access to public transport, open space and nature, key services and amenities and incorporate measures to encourage travel by sustainable modes. The policy includes recommended distances to services and amenities (having regard to proposed improvements that are to be brought forward as part of the development). Applicants are also encouraged to consider concepts including the 20-minute neighbourhood which seek to support access to services and facilities for communities without having to use the car.
- 5.6 Access to high quality digital infrastructure should be delivered, in accordance with LPS policy CO3 'digital connections' to accommodate broadband connectivity and allow residents to utilise 'smart' technology in their homes and facilitate home working, where appropriate, to reduce the need to travel and the overall carbon footprint.
- 5.7 'Major' housing schemes of 10 or more homes (or a site area of 0.5 hectares or more) should provide on-site electric vehicle charging infrastructure in safe, accessible and convenient locations across the site. This should include the provision of in-curtilage plug-in points, subject to feasibility and viability.
- 5.8 New development should also aim to secure ecological enhancements by providing nesting / roosting opportunities for bats and nesting birds. This could take the form of integrated opportunities for bats and nesting birds (such as roosting / nesting within part of the roof space). Provision should be informed by a trained ecologist in discussion with the Councils Nature Conservation Officers. Further guidance is contained in the Council's Residential Design Guide SPD in section iv | 16 & iv 17. Lighting schemes should take reasonable steps to avoid night-time light pollution.
- 5.9 Development should avoid and, where necessary, mitigate against environmental impacts of development. Residential development will be expected to address the requirements of LPS policy SE12 (pollution, land contamination and land instability) in any development proposals.
- 5.10 Development proposals should also integrate measures for sustainable water management, reduce flood risk and avoid an adverse impact on water quality and quantity in the borough. Residential development proposals should address the requirements of LPS policy SE13 (flood risk and water management). The Residential Design Guide includes additional guidance, on the importance and potential of SUDS to manage surface water in a

¹⁴https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/design-guide-supplementary-planning-document.aspx

sustainable manner¹⁵. The views of the Aerodrome Safeguarding Authority should be sought if the SUDS provision is within the 13km bird-strike hazard consultation zone for Manchester Airport or other relevant safeguarded interests identified in regulations¹⁶

- 5.11 In accordance with policy IN 2 (developer contributions) suitable arrangements will be secured, through mechanisms including a S.106 agreement including ongoing revenue towards the management and maintenance of services and facilities. This may include, for example, the ongoing management and maintenance of public open space and landscaped areas.

6. Affordable Housing

Definition

- 6.1 The NPPF in Annex 2 'Glossary' (and reproduced in the Glossary of this SPD) defines affordable housing as "housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)". There are four broad types of affordable housing:

- Affordable housing for rent;
- Starter Homes;
- Discounted market sales housing;
- Other affordable routes to home ownership.

Affordable Housing Thresholds and Targets

- 6.2 The LPS identifies a need for a minimum of 7,100 affordable homes (an average of 355 affordable homes each year) across the borough for the twenty-year Plan period (2010 to 2030).
- 6.3 LPS policy SC5 (affordable homes) sets out the thresholds for affordable housing provision in the borough. In residential developments, affordable housing will be provided as follows: -

¹⁵ Volume 2, section 11 iv|64 – iv|75, https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/design-guide-supplementary-planning-document.aspx

1.1 ¹⁶ Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and safeguarding maps.

- i. In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable;
 - ii. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sqm) in Local Service Centres and all other locations at least 30% of all units are to be affordable;
- 6.4 The NPPF (2021), in paragraph 63, states that the provision of affordable homes should only be sought for residential developments that are major developments¹⁷. However, as the LPS is a recently adopted Plan, planning decisions should be made in accordance with the thresholds included in policy SC5 (affordable homes).
- 6.5 On sites below the site size thresholds set out in LPS policy SC5 (affordable homes), affordable housing will not be required by policy, but developers are still invited to consider making provision for an element of such housing as part of the overall scheme.
- 6.6 In applying the size threshold for affordable housing, site areas will normally be measured to the natural, physical perimeters of the site. It will not be acceptable for sites to be artificially divided into smaller components in order to take a site below the stated affordable housing threshold.
- 6.7 There will be occasions where meeting the affordable housing requirement on residential sites would not result in a 'round' number of dwellings. In such cases, the number shall be rounded up to the nearest whole number. This is to ensure that the full 30% requirement for affordable housing is met on-site.
- 6.8 Affordable housing can also be provided on rural exception sites where there is a proven need and in accordance with LPS policy SC6 (rural exceptions housing for local needs). Further guidance on the provision of rural exception sites are included in this SPD.

Tenure of Affordable Homes

- 6.9 Affordable homes provided must be of a tenure, size and type to help meet identified housing needs and contribute to the creation of mixed, balanced and inclusive communities (point 3 of LPS policy SC5 affordable homes and policy SC4 residential mix).
- 6.10 The council's initial preference, based on current evidence on tenure, is for a mix of 65% affordable (or social) rent housing and 35% intermediate affordable housing (paragraph 12.48 of the LPS). The council will, however, seek the balance of housing that best meets local needs and the characteristics of the site.

¹⁷ Major developments are defined in the NPPF as housing sites of 10 or more homes, or where the site has an area of 0.5 hectares or more.

- 6.11 Applicants should provide justification if they seek a different tenure mix (than 65% affordable (or social rent) and 35% (intermediate housing)). Applicants are also expected to set out circumstances where different affordable housing products are involved.
- 6.12 There will be occasions where meeting the affordable housing tenure on residential sites would not result in a 'round' number of dwellings. In this situation, when determining the 65/35% tenure split, the council will round up or down the number of units to the nearest whole number.
- 6.13 In line with paragraph 65 of the NPPF (2021), where major development involving the provision of housing is proposed, decisions should provide at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:-
- Provides solely Build to Rent homes;
 - Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - Is proposed to be developed by people who wish to build or commission their own homes: or
 - Is exclusively for affordable housing, an entry-level exception site or a rural exception site.

Affordable Housing Products

- 6.14 Affordable housing includes housing for sale or rent, for those whose needs are not met by the market. There are several definitions and types of affordable housing as set out in the following section which build upon the definitions provided by the NPPF.
- 6.15 Cheshire East does not currently maintain any council housing of its own. There are several Registered Providers (RP), who operate in the borough including a number of housing associations. Registered Providers support the provision of affordable housing, are independent companies and are controlled by the Regulator of Social Housing.

Affordable housing for rent

- 6.16 Affordable housing for rent must meet the NPPF definition - (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a Registered Provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a Registered Provider); and (c) it includes provisions to remain at an

affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

- 6.17 In Cheshire East, rented accommodation for affordable housing should be provided at levels no higher than Regulator for Social Housing target rents. The council will normally require all social rented housing to be developed and managed by Registered Providers. All nominations for rented affordable housing are provided through the Cheshire East Homechoice Choice Based Lettings¹⁸ system via the Common Allocations Policy. Allocations for rented housing will be completed in accordance with a Section 106 agreement produced for the specific scheme, however most agreements specify 100% nominations at first let and 50% thereafter.
- 6.18 There is a clear need to ensure that rented affordable dwellings can be let at rent levels which are truly affordable. Whilst housing schemes across the borough have previously been let at social rent or affordable rent (up to 80% of market rent), Cheshire East Council have an ambition and are now seeking to support rent levels which do not exceed either the Local Housing Allowance (LHA) for the area, or Regulator for Social Housing target rent amounts – whichever is lowest. This total rent amount is inclusive of additional service charges which are added to rent schedules. LHA rates are subject to change throughout the lifetime of this document, therefore it is recommended that the most recent figures are obtained and observed when providers are securing housing schemes. The purpose of the change to LHA or target rental rates is to ensure that rented accommodation remains truly affordable, across the borough, for those in housing need. A clear viability justification will be required where applicants seek to demonstrate that LHA rates are not deliverable for a scheme, but it is deliverable at 80% of market rent.

Build to Rent

- 6.19 Build to rent schemes are defined as those which are purpose built for the provision of rented accommodation, including both affordable and market units. Build to Rent schemes can either be standalone, or form part of a wider multi-tenure site. The affordable provision on a Build to Rent scheme should consist entirely of affordable rented dwellings and in this context is referred to as Affordable Private Rent. The landlord for the affordable housing provision on Build to Rent schemes does not need to be a Registered Provider.

Starter Homes

- 6.20 The definition of Starter Homes is as stated in Sections 2 and 3 of the Housing and Planning Act 2016 and any subsequent secondary legislation made under those sections. Starter Homes are new-build homes which are provided for sale to first-time buyers and come with at least a 20% discount from the open

¹⁸ https://www.cheshireeast.gov.uk/housing/housing_options/rented_social_housing.aspx

market value, up to a cap of £250,000 (post discount). There are additional criteria to access starter homes such as age restrictions and a cap on household incomes to ensure that the properties are sold to those with an identified housing need.

Discounted Market Housing for Sale

- 6.21 Discounted market housing for sale is an intermediate product that refers to the provision of subsidised low-cost market accommodation through a re-sale covenant scheme. The principle is that the accommodation is available, at a fixed discount, below the open market value to households in need. The level of discount will be that which is required to achieve the maximum selling price determined by the council for those in need locally who cannot afford to buy on the open market.
- 6.22 The individual circumstances of each planning application and the area will be taken into consideration and will need to be negotiated with the council prior to the determination of the relevant planning application. Within Cheshire East, the minimum discount rate is 30%. Evidence has shown that in order to achieve an affordable price, the level of discount will normally be required to be a minimum of 30% and up to 50% of the market price. The discount applies on initial and all subsequent re-sales thus ensuring that the accommodation is retained as affordable. Discounted market housing for sale will normally be provided by a private developer, in which case it should be subject to a satisfactory arrangement to ensure that the benefit of below market price housing is available in perpetuity to future occupants.
- 6.23 The house price of each property will be based on the open market value prevailing at the time of marketing the property as agreed with the council, less the appropriate discount to achieve the agreed maximum selling price. Valuations for discounted properties will need to be completed by an RICS qualified valuer, then verified by the council, before marketing of the property can commence. A Section 106 Agreement will be required to ensure that the level of discount remains in force for all initial and subsequent re-sales.

First Homes

- 6.24 A written ministerial statement [\(add link\)](#) and Planning Practice Guidance [\(add link\)](#) set out the government intentions for First Homes from the 28 June 2021.
- 6.25 First Homes are a specific kind of discounted market sale housing. They are the government preferred discounted market tenure, are considered to meet the definition of 'affordable housing' for planning purposes.
- 6.26 Specifically, First Homes are discounted market sale units which:
- a) must be discounted by a minimum of 30% against the market value;
 - b) are sold to a person or persons meeting the First Homes eligibility criteria ;

- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and
- d) after the discount has been applied, the first sale must be at a price no higher than £250,000. First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations (i.e. S106 agreements).

Application of 'First Homes' in Cheshire East

- 6.27 The Cheshire East Local Plan Strategy ("LPS") was adopted on the 27 July 2017 prior to the written ministerial statement on First Homes. In addition, the second part of the Council's Local Plan, the SADPD does not directly address affordable housing requirements, contains non-strategic policies and falls within the transitional arrangements for First Homes.
- 6.28 Although not part of the Cheshire East Local Plan, the written ministerial statement and PPG are a material consideration in decision taking. The PPG encourages local planning authorities to make development requirements for First Homes clear in their area¹⁹.
- 6.29 Under transitional arrangements the Council does not need to require First Homes as part of the affordable housing mix until the requirement is included within an updated and adopted Local Plan /made neighbourhood plan.
- 6.30 First Homes will also not apply to the following:
- sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021;
 - applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022
- 6.31 In the event that an application which includes First Homes is submitted to the Council prior to the update to the Local Plan and / or relevant neighbourhood plan then the council will consider the inclusion of First Homes as a material consideration in decision taking. When determining whether the inclusion of First Homes is acceptable on a scheme, the Council will consider the extent to which the proposal complies with national planning policy and whether the introduction of First Homes has any unacceptable impacts, with reference to existing local plan policies in the borough.

¹⁹ Paragraph: 009 Reference ID: 70-009-20210524

- 6.32 In addition, to qualify as a First Home, there should be a section 106 agreement securing the necessary restrictions on the use and sale of the property, and a legal restriction on the title of the property to ensure that these restrictions are applied to the property at each future sale. The price cap of £250,000 (or £420,000 in Greater London), however, applies only to the first sale and not to any subsequent sales of any given First Home.
- 6.33 The First Homes Written Ministerial Statement and PPG have also introduced a First Homes Exception sites policy. Full details of the First Homes Exception Sites policy can be found in the Written Ministerial Statement and PPG and are not repeated here. From 28 June 2021, the Council will consider planning applications for the development of First Homes Exception Sites in accordance with the Written Ministerial Statement and PPG as a material consideration in decision making as references are not currently included in the development plan. The Council will consider the extent to which the proposal complies with national planning policy and whether the introduction of First Homes has any unacceptable impacts, with reference to existing local plan policies in the borough.

Other affordable routes to home ownership

Shared ownership

- 6.34 Shared Ownership is an intermediate product and provides a way of helping households to buy a share in their own home when they cannot afford the full market value. The household purchases a share, usually between 25 – 75%, and pays rent on the remaining proportion to the managing Registered Provider. Additional shares can be purchased at 10% at a time (referred to as 'staircasing') which will enable a resident to increase their equity share in the property and in many cases buy the final share and own the whole home. Following staircasing to 100% ownership, the affordable element of the property is fully removed, and the property can be resold at 100% of the market value, without restrictions.
- 6.35 The Government from the 01 April 2021 has updated the model Shared Ownership lease, which includes several changes to shared ownership properties brought forward by the new Homes England Affordable Homes Programme 2021-26. This has seen a reduction in the initial equity available to buy, reducing from 25% to 10%. Occupiers will also be able to purchase additional equity of their property 1% at a time, reduced from 10% at a time. This aims to support residents to access routes to home ownership with lower deposits. There is an expectation that this new model of Shared Ownership will be incorporated in non-grant funded units as well, following its introduction. This approach is also included in the charter for social housing residents: social housing white paper consultation document published by the government.²⁰

²⁰<https://www.gov.uk/government/publications/the-charter-for-social-housing-residents-social-housing-white-paper>

- 6.36 In 2009, the government introduced legislation under which several rural parishes in Cheshire East became 'Designated Protected Areas' whereby new affordable shared ownership dwellings in these areas would be subject to requirement that owners are either not able to acquire more than 80% equity in a property or if they acquire 100% equity, it has to be sold back to the managing Registered Provider to retain as affordable housing in perpetuity. When 'staircasing' has taken place, the additional payments will be recycled and used for affordable housing in Cheshire East. The council will normally expect all schemes to be transferred to and managed by a Registered Provider. In such cases, legal restrictions on eligibility and rental levels will be necessary. A list of the Designated Protected Areas relevant to Cheshire East can be viewed in the Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009.
- 6.37 Where a Registered Provider is involved, the rental element will be set at an affordable level by the Registered Provider itself but will need to be confirmed with the council. For shared ownership offered by other providers this must be in partnership with Homes England and the rental element will also need to be confirmed with the council to ensure they are set at an affordable level. In such cases, a Section 106 Agreement will be required. The house price of each property will be based on the open market value prevailing at the time of marketing the property as agreed with the council, the terms and conditions contained in the shared ownership lease and on the assumption that the leaseholder would acquire a 100% interest in the lease. This is to be assessed by a Royal Institution of Chartered Surveyors qualified independent valuer. As indicated above, in some rural areas of the Borough, the government has applied restrictions on the amount of equity that an owner is able to acquire. The council can apply to Homes England for a waiver for the Designated Protection Area status. However, this is only likely to occur in exceptional circumstances.

Shared Equity

- 6.38 Shared Equity is an intermediate product that provides households the opportunity to purchase a share of a property, typically 70%, with the remaining 30% share being retained by the council. After 5 years, further equity can be bought in the property up to 100% ownership. When the purchaser wants to sell the property, they must do so on the same terms as when they purchased the property. This means they must sell it with the same level of discount they received and to someone who meets the criteria for affordable housing. A legal charge is attached to the property to ensure this happens. If the owner buys the remaining share from the council the legal charge is removed.

Rent to Buy

- 6.39 'Rent to Buy' is an intermediate home ownership product which allows households to pay an intermediate rent up to 80% of open market rent, giving the occupant the opportunity to save for a deposit which could enable them to purchase the property after a minimum of 5 years following moving in. Rent to Buy properties are not subject to local authority nominations, however,

landlords may wish to work with the local authority to identify potential tenants. Applicants for Rent to Buy properties must be working and either first time buyers or starting a new household following a relationship breakdown. The purchase of the property, if taken forward, following this minimum 5-year period is completed at the market value of the property and the 'Right to Buy' is not applicable on Rent to Buy properties.

Affordable Housing Site Specific Considerations

Design and layout of schemes involving affordable homes

- 6.40 Point U2 (a mix of home tenures, types and sizes) in the National Design Guide²¹ encourages schemes to be well-integrated and designed to the same high quality across different tenures.
- 6.41 This is consistent with the intention of LPS policy SC5 (affordable homes, point 5), that market and affordable homes on sites should be indistinguishable and achieve the same high design quality. The design, including elevation, detail and materials, should be compatible with open market homes and be regarded as 'tenure blind' ensuring that dwellings are unable to be identified as affordable due to their design and aesthetic. Affordable homes should also have comparable access to local green spaces, open spaces, play and amenity areas as open market homes for health and well-being. It is also expected that affordable homes will have the same level and standard of car parking as for open market homes, in line with the Council's car parking standards set out in Appendix C of the LPS.
- 6.42 Design standards of funding bodies such as Homes England should also be referred to, where relevant, in order to satisfy any funding grant requirements.
- 6.43 The design of new housing developments should ensure that affordable homes are integrated with open-market homes to promote social inclusion. Affordable homes (both rented and intermediate tenure) should therefore be 'pepper potted' throughout a development in line with point 4 of policy SC5 (affordable homes) unless there are specific circumstances or benefits that would warrant a different approach. The affordable housing provided on a scheme should not be segregated from the open market dwellings, nor should it be entirely on the periphery of a development. Approval of affordable housing layouts will take into consideration factors including the number of affordable dwellings, site topography and other site characteristics, and whether affordable units are distributed across the entirety of a site. It is acknowledged that Registered Providers favour clusters of units to assist in housing management and repair issues. Clusters should consist of between 6 and 10 dwellings; however, this should not be to the detriment of ensuring the scheme has a wide mix of tenures throughout the site.

²¹ <https://www.gov.uk/government/publications/national-design-guide>

Delivering Affordable Housing

Affordable Housing Statement

- 6.44 For planning applications of schemes which have an affordable housing requirement, the planning application validation checklist includes the need for an Affordable Housing Statement, which should specify what is being proposed with regards affordable housing and provide justification for the amount and type of affordable housing proposed.
- 6.45 The Affordable Housing Statement will need to include the following elements:
- the number of affordable homes / market homes proposed to be provided on site. Indicative information may be provided at outline planning stage;
 - any specialist provision which is being provided and who this is for, including the need for such provision in line with the requirements of SC4 (residential mix);
 - detail of how the proposed development complies with relevant national (NPPF & NPPG) and local planning policies and guidance (particularly policy SC5 / SC6 (as relevant) in the LPS);
 - A plan and supporting information on the timing, location and distribution of the affordable housing within the site, ensuring that the affordable housing is pepper-potted throughout the Site and not segregated from the open market housing (required for full and reserved matters applications only) illustrative plans should be submitted for sites seeking outline planning permission;
 - Information should also be provided on the proposed housing mix. This should include sizes, types and tenure of affordable homes proposed (required for full and reserved matters applications only). A guide or illustration of the proposed housing mix should be submitted for sites at outline planning permission stage;
 - details of how the proposed design, materials and construction of the affordable housing will ensure that the affordable housing is materially indistinguishable (in terms of design and appearance) from the open market housing of similar size within the development (required for full and reserved matters applications only). A commitment to this approach will be required for sites seeking outline planning permission.

Role of Registered Providers

- 6.46 The council's preference is for affordable housing to be provided and managed by Registered Providers. The council regards the involvement of a Registered Provider in any element of affordable housing as a sufficient guarantee of need and affordability without any additional control. In all other cases of affordable housing including Build for Rent, the council will require

the S.106 Agreement to contain an obligation to make the affordable housing available to those in housing need and at less than the market price or rent in perpetuity, so far as the law allows.

Use of Financial and Other Contributions In-lieu of direct affordable housing provision

- 6.47 In line with paragraph 63 of the NPPF, the council will normally require affordable housing to be delivered without public subsidy and provided on site. In exceptional circumstances and where it can be justified, as a first alternative, affordable housing will be accepted off-site; this must be robustly justified and on a site that is agreed with the council as being in a suitable location, relative to the housing need to be met.
- 6.48 In exceptional circumstances, where suitable sites aren't available, and where it can be justified, as a second alternative, a financial contribution will be accepted. This provision is viewed by the council as a last resort option, as opposed to an alternative method of affordable housing. The council's desire to have all affordable provision on-site is in line with government guidance to encourage the development of mixed and balanced communities. However, there may be physical or other circumstances where an on-site provision would not be practical or deliverable. Such circumstances might include where:
- the provision of the affordable housing elsewhere in the locality would provide a better mix of housing types;
 - management of the affordable dwellings on site would not be feasible;
 - it would be more appropriate to bring back existing vacant housing into use as affordable units;
 - the constraints of the site prevent the provision of the size and type of affordable housing required in the area.
- 6.49 In line with paragraph 12.51 in the LPS, there may also be circumstances in Crewe, where it may be appropriate to divert funding for affordable housing into the improvement of existing stock within the urban area, rather than the provision of new affordable homes.
- 6.50 Where a financial contribution is offered, the amount of such contribution will normally be expected to reflect the cost necessary to facilitate an equivalent amount of affordable housing as would have been provided on-site. The amount of any contribution will need to be agreed with the council. Where off-site provision is made by the developer or as a result of any financial contribution, this should be in a location elsewhere within the borough where there is an identified need.
- 6.51 The basis for calculating the cost to the developer for off-site provision will be the difference between the open market value of the units that would have

otherwise been affordable and the average amount a Registered Provider would offer for those units. We would require the applicant to submit an affordable housing mix outlining the type, size and tenure of units which meet the housing need for the locality and the policy requirements of the LPS, including constructed to national building regulations requirements and provided at 65% rented and 35% intermediate tenure mix. This should include the open market values of the units and details of offers from a Registered Provider to take the affordable units. In order to establish open market values, a valuation will need to be completed by a RICs qualified valuer, then verified by the Council.

Worked Example

12 units on site of 1 hectare in a Local Service Centre

30% affordable housing requirements: $12 \times 0.3 = 4$ units

In this example, there is 3 x 2 bedroom house at social rent and 1 x 3 bedroom house at intermediate tenure. Using some illustrative values as an example presents the following position: -

| Unit Type | OMV | Tenure | RP offer | Financial Contribution [per unit] | Total |
|------------------------------------|----------|---------------|----------|--------------------------------------|-----------------|
| 2 bed house (65m ²) | £100,000 | Social Rented | £55,000 | £45,000 | £135,000 |
| 3 bed house (70m ²) | £120,000 | Intermediate | £80,000 | £40,000 | £40,000 |
| | | | | | £175,000 |

- 6.52 Where viability is cited as a reason for fewer affordable dwellings being delivered, the developer will be required to submit an open book viability assessment. In such cases, the council will commission an independent review of the viability study, for which the developer will bear the cost. In cases where such affordable housing provision is agreed there may be a requirement for 'overage' payments to be made. This will reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.

Phasing of affordable homes

- 6.53 In order to ensure the proper integration of affordable housing with open market housing, particularly on larger schemes, conditions and/or legal agreements attached to a planning permission will be required. The actual percentage will be decided on a site by site basis, but the norm will be that affordable units will be provided no later than the sale or let of 50% of the open market homes. However, in schemes that provide for a phased delivery and a high degree of 'pepper potting' of affordable homes distributed across the site, the maximum proportion of open market homes that may be completed before the provision of all affordable units may be increased to 80% following approval from the Strategic Housing Manager.

Legal Agreements

- 6.54 The council will normally require provision of affordable housing and/or any control of occupancy to be secured by means of planning obligations pursuant to Section 106 of the Town and County Planning Act 1990 (as amended). Section 106 agreements are legal agreements made between the council and applicants / landowners and can be attached to a planning permission to make acceptable development which otherwise be unacceptable in planning terms.
- 6.55 Section 106 planning obligations can only be taken into account in determining planning applications where they meet the following tests from Regulation 122 of the CIL Regulations:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 6.56 In respect of affordable homes, Section 106 agreements may cover the following areas:-
- **Tenure:-** Where a development contains an element of affordable housing that is to be available for rent, the council will require the agreement to contain an obligation that any such housing is to be managed by a Registered Provider. Where a development contains an element of affordable housing that is to be available for sale or shared ownership, then the council will require the agreement to contain adequate principles approved in advance by the council or alternatively the agreement may reserve the council's right to approve a specific scheme prior to implementation.
 - **Dwelling Types and Sizes:-** If the relevant planning application is in outline only, then the council will require the agreement to stipulate an acceptable range for the number, type, tenure and size of all affordable housing units, as appropriate. If the relevant planning application is a detailed application (reserved matters or full application), then the council may require that the agreement contains an obligation that the affordable dwellings are to be built in accordance with the details comprised in the approved application as regards number, type, design, tenure and size of each dwelling.
 - **Price and Rent Control:-** Where a development contains an element of affordable housing that is to be available for sale, the council will require that the agreement sets out the formula to be applied to achieve the desired level of discount in perpetuity. Where a development contains an element of affordable housing that is to be available for intermediate rent, the council will require that the agreement sets out the provisions and safeguards to achieve a rent amount which is affordable in perpetuity.

- **Use of financial and other contributions:-** Where developers offer financial or other contributions towards the provision of affordable housing on an alternative site in the locality, and it is agreed by the council that this is an acceptable means of providing affordable housing, the council will expect the agreement to contain obligations relating to the provision of such contribution. In some instances, the agreement may include viability reviews and 'overage' clauses where a reduced or nil element of affordable housing has been agreed. This will include provisions to secure the amount to be paid, the trigger or date to pay the contribution and any other necessary requirements including any 'overage' payment requirements.
- **Phasing:-** Where any element of affordable housing is to be comprised in a larger development which also includes market housing, the council will expect that provision of the affordable housing element will be phased. The council will therefore require the Section 106 Agreement to contain an obligation restricting the developer from allowing the sale or letting of an appropriate proportion of the open market housing until the affordable housing element is built and ready for occupation on an agreed basis.
- **Involvement of Registered Provider:-** In all cases where a Registered Provider is to be involved in the provision of any element of affordable housing, then the council will require that the agreement contains an obligation that such housing is transferred to and managed by an Registered Provider and that it should only be used for the purposes of providing housing accommodation to meet the objectives of an Registered Provider as set out in the Housing Act 1996.

6.57 Applicants are encouraged to provide the necessary information to assist in the production of a Section 106 agreement including: -

- Proposed 'heads of terms' of the legal agreement setting out in broad terms what the main elements that the Section 106 agreement will cover.
- Up to date copies of any relevant title and ownership deeds from land registry.
- An undertaking to pay the council's appropriate and reasonable legal and administrative costs in connection with preparation of the legal agreement.
- In the event that the applicant is represented by a member of the legal profession, the relevant contact details and name of the individual and/or organisation dealing with the matter.

Viability

6.58 The affordable housing requirement set out in policy SC5 (affordable homes) of the LPS is considered up to date. The policy requirements have been viability tested, most recently in the process of adopting a CIL Charging

Schedule for the borough. Reference can also be made to the viability work prepared to support the emerging SADPD document.

- 6.59 It is anticipated that as the LPS policy requirements are clearly stated, then these costs can be accurately accounted for in the price paid for the land by the developer. It is expected that applicants will be aware of their policy obligations at the outset and that the financial implications of these will have taken into account prior to negotiations on the purchase of the land.
- 6.60 Planning applications that comply with the policy requirements of SC5 (affordable homes) are considered to be viable. However, and as noted in criterion 7 of policy SC5 (affordable homes), in exceptional circumstances, where scheme viability may be affected, developers will be expected to provide viability assessments when seeking to justify alternative affordable housing provision. Alternative affordable housing provision could include lower provision or provision of alternative affordable housing tenures.
- 6.61 National planning policy and planning practice guidance²² details the particular circumstances that justify the need for a viability assessment at the application stage. Such circumstances could include (but not limited to), for example, where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force.
- 6.62 Applicants who consider that a viability case for alternative affordable housing exists, will be required to submit an open book viability assessment. In such cases, the council will commission an independent review of the viability study, for which the developer will bear the cost. The applicant will be required to provide a written undertaking to cover the cost of the independent review of the viability study prior to the viability specialist being appointed. Outputs from the viability review process will be shared with the applicant.
- 6.63 Any viability assessment should reflect the government's recommended approach to defining key inputs and variables to be included in the viability assessment as set out in national guidance – (<https://www.gov.uk/guidance/viability>). Reference should also be made to best practice, for example RICS guidance and RICS professional standards.²³
- 6.64 Viability assessments should be undertaken on the basis of an expected profit of between 15-20% as specified in PPG with profit levels relevant to the scale, complexity and risk of the development. The PPG notes that a lower level of

²² <https://www.gov.uk/guidance/viability> - Paragraph: 007 Reference ID: 10-007-20190509

²³ www.rics.org/uk/ and including Financial Viability in Planning (2019) or as updated.

expected profit may be appropriately applied in circumstances where this guarantees an end sale at a known value and reduces risk.

- 6.65 In accordance with PPG and policy SC5 (affordable homes) economic viability assessments will be made publicly available along with all information relevant to the planning application. Where an exemption from publication is sought on matters of commercial sensitivity then this will have to be justified and any aggregated information should be clearly set out and be able to be published. An executive summary should also be produced for any economic viability assessments prepared.

- 6.66 In cases where such alternative affordable housing provision is agreed there may be a requirement for the provision of 'overage' payments to be made. This will reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future. An overage requirement is a clause in a Section 106 agreement that relates to future profits from a development. Where the viability evidence justifies a lower affordable housing requirement than the policy target, and this is accepted by the council, an overage clause will be inserted into the Section 106 agreement. As viability assessments are relevant to a particular point in time, this would be linked to reviews of the viability assessment, at certain points within the site's lifetime. Such a requirement will be related to the site's size; its characteristics; market conditions and other relevant factors (paragraph 12.52 of the LPS).

- 6.67 In the circumstances where a developer makes more profit than expected, a proportion of that 'additional' profit is to be paid to the council to help fund the provision of affordable housing that should have otherwise been provided by the development itself. The level of 'additional profit' is established through a re-assessment of viability after the completion of the scheme using the actual costs and values in the development. The mechanisms of this assessment would be set out in the Section 106 agreement.

- 6.68 In preparing a viability assessment, applicants should provide as full and complete information as possible. This is to assist the independent assessment of the viability appraisal seeking to minimise the time this process could take.

- 6.69 Affordable housing and tariff style contributions will not be sought from any development consisting only of the construction of a residential annex or extension to an existing home (in line with point 9 of policy SC5 affordable homes).

Vacant Building Credit

- 6.70 To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, the NPPF (paragraph 64) notes that the affordable housing contribution due should be reduced by a proportionate amount equivalent to the existing gross floorspace of the relevant vacant buildings. Affordable housing contributions may still be required for any increase in floorspace.

- 6.71 The vacant building credit does not apply to buildings which have been abandoned. As set out in national planning guidance, in deciding whether a use has been abandoned, account should be taken of all relevant circumstances, such as: the condition of the property, the period of non-use, whether there is an intervening use; and any other relevant evidence regarding the owner's intention for the site.
- 6.72 Each case is a matter for the council to judge. In considering how the vacant building credit should apply to a particular development, the council will have regard to the intention of national policy. In doing so, it may be appropriate to consider: whether the building has been made vacant for the sole purposes of re-development, whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.
- 6.73 Any vacant building credit calculation should be submitted to the council at the point of the application. The council will expect the building to be measured in accordance with best practice and guidance documents such as the RICS code of measuring practice.
- 6.74 One way of calculating vacant building credit, could be to use the following formula – (net change in floorspace / proposed floorspace) x affordable housing policy requirement. As an illustrative example; -
- Proposed development of 2,000 sqm
 - Policy SC5 (affordable homes) requires 30% affordable homes
 - There is an existing vacant building on site with a floorspace of 750 sqm
 - The difference between the gross floorspace of the existing vacant building and the proposed new build floorspace is 1,250 sqm
 - Therefore, the affordable housing requirement for this site is $(1250/2000) \times 30 = 18.75$ (or 19 dwellings (rounded)).

Rural and Entry Level Exception Sites

Rural Exception Sites

- 6.75 The NPPF, in paragraph 78, states that rural housing policies “should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this”.

6.76 As the release of such sites will be an exception to planning policy related to the countryside, to meet locally identified affordable housing need, then the location, scale, layout, density, access and design of any proposed scheme will be critical in determining whether it is acceptable.

6.77 The LPS in policy SC 6 (rural exceptions housing for local needs) outlines criteria, relevant to rural exception housing sites. The introduction to policy SC6 (rural exceptions housing for local needs) is clear that **all criteria** (points 1-8) need to be met for a site to be considered an exception to other planning policies relating to the countryside. Point 8 of policy SC6 (rural exceptions housing for local needs) also provides further guidance concerning the cross subsidy of affordable housing with market housing and again sets out a number of criteria that should be addressed. Taking points 1-8 of policy SC6 (rural exceptions housing for local needs) in turn: -

- Location – sites should adjoin Local Service Centres or other settlements²⁴ and be close to existing employment and existing or proposed services and facilities. Services and facilities are defined as including public transport, education and health facilities and retail services. Table 9.1 (access to services and facilities) in the LPS provides a guide on recommended distances to services and facilities. Sites which adjoin Principal Towns and Key Service Centres are not considered to be rural exception sites and will not be supported as such. The needs of larger settlements at Principal Towns and Key Service Centres are met through the requirements of LPS policy SC5 (affordable homes).
- Scale – schemes should be small in scale (defined as 10 dwellings or fewer by the LPS). They should broadly reflect the affordable housing need appropriate to the parish in which the scheme is situated. If a higher local housing need is demonstrated (greater than 10 dwellings) then it may be considered appropriate for development of more than one site to meet this need.
- Site Options Appraisal - all rural exception site schemes should be supported by a thorough site options appraisal to demonstrate why the site is the most suitable one.
- Housing needs survey – schemes should be supported by an up to date (within the last five years) housing needs survey that identifies the need for such provision within the parish. The council has published a number of parish level surveys across the borough which can be accessed on the council's website²⁵. Where an up-to-date survey does not exist, the applicant must conduct a survey, based on the Cheshire East Council model survey, in conjunction with and ensuring appropriate levels of

²⁴ This concerns the 'other settlements and rural areas' tier of the council's settlement hierarchy as set out in policy PG 2 (settlement hierarchy) of the LPS.

²⁵https://www.cheshireeast.gov.uk/housing/affordable_housing/rural_housing/rural_housing.aspx

engagement with the parish council where possible. A copy of the model survey is included in Appendix 2 of this SPD.

- Occupation of schemes – points 5, 6 and 7 of policy SC6 (rural exceptions housing for local needs) refer to ensuring occupancy criteria and the method to the 'cascade' approach, generally focused on the parish where the rural exception site is being promoted.

6.78 Point 8 of policy SC6 (rural exceptions housing for local needs) refers to perpetuity, it is expected that proposals for the affordable homes element of a rural exceptions scheme is to be retained as affordable homes in perpetuity (forever).

6.79 The provision of a small number of 'market' units may help maintain communities where development would not otherwise occur. Such schemes will, however, only be permitted where viability assessments or some other clear reason demonstrates that this is the only way that affordable housing to meet local needs can be delivered on the site. In the instances where cross subsidy of schemes (i.e. market units provided to support the financing of affordable units) would be acceptable, points 1-7 of policy SC6 (rural exceptions housing for local needs) have to be addressed, alongside the requirements of point 8, specifically:-

- Such proposals will only be permitted where it can be demonstrated that the site would not be viable, as a rural exception site, without cross subsidy. The developer will be required to submit an open book viability assessment. In such cases, the council will commission an independent review of the viability study, for which the developer will bear the cost
- aspirational land value is no justification for allowing a higher proportion of market value units;
- The viability assessment must show that the scale of the market housing component is essential for the successful delivery of the rural exception scheme, based on reasonable land values and must not include an element of profit;
- The majority of the development must be for rural exception affordable housing; and
- No additional subsidy (such as government grant) is required for the schemes.

Eligibility Requirements for affordable homes

6.80 The underlying criteria for eligibility to affordable housing is that households must be in unsuitable housing and unable to afford to rent or buy on the open market. This is the council's definition of housing need for affordable housing.

- 6.81 If a Registered Provider is to manage the affordable housing, either for rent or sale, then the council is satisfied that this will be sufficient to control both eligibility and future occupancy.
- 6.82 If affordable housing is developed by other housing providers the council will require arrangements in place to ensure that any accommodation is available to those in housing need, as defined by the council. Priority will also be required to be given to persons with a local connection to the scheme – location being defined as the catchment area for the property as agreed with the council. In this respect, local connection would be defined in accordance with the Cheshire East Common Allocations Policy (as updated, most recently 2018) as one or more of the following:
- Currently live, or have lived, within Cheshire East and have done for at least 2 consecutive years
 - Have immediate family (mother, father, brother, sister, adult child, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more
 - Have a permanent contract of employment based within Cheshire East borough
 - Members of the armed forces:
 - (a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge.
 - (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner.
 - (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result.
 - Other significant reason

Occupancy Criteria for Rural Exception Sites

- 6.83 In the case of rural exceptions sites, a ‘community connection’ approach to occupancy criteria will be followed which takes account for the parish, then adjoining parish, ward, then wider areas of the borough. Any criteria will be confirmed through a Section 106 agreement.
- 6.84 Occupancy will, in perpetuity, be restricted to a person in housing need and resident or working in the relevant parish, or who has other strong links with the relevant locality in line with the community connection criteria as set out by Cheshire Homechoice on an ongoing basis.

7. Self Build and Custom Build

- 7.1 Policy SC4 (residential mix) of the LPS states new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes, this could include people wishing to build or commission their own home.
- 7.2 The council keeps a register of people and associations who are seeking to acquire a serviced plot of land to build their own home in Cheshire East. The purpose of the register is to help understand the demand for serviced plots in line with the requirements of the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).
- 7.3 A 'serviced plot of land' is land that has suitable access to the public highway as well as connections for electricity, water and wastewater. In line with policy CO3 (digital connections) of the LPS encouragement will also be given for schemes to deliver the necessary physical ICT infrastructure to accommodate information and digital communications networks (for example broadband access).
- 7.4 'Self-build' is housing usually built by its final owners/occupiers. 'Custom-build' is housing usually part built by a provider and then customised by its owners/occupiers. In both instances, owners/occupiers are expected to have significant influence over the final design of their home. It is expected that evidence will be provided to the council that this will / has taken place. Owners/occupiers can be individuals or associations of individuals. Each term is defined in the Self- Build and Custom Housebuilding Act 2015 and associated regulations. The onus is on the applicant to clearly demonstrate that a proposal meets the relevant definitions set out in the legislation.
- 7.5 Schemes for self-build and custom-build homes must still comply with policies and guidance in the development plan governing location and design of new homes. The fact that a proposed new home may be self or custom-build will not override these policies. Provision of self and custom-build housing opportunities will be controlled through planning conditions and / or Section 106 agreements as necessary.
- 7.6 The council is open to alternative development routes which can contain a self/custom-build element, as well as an affordable housing element, such as community-led housing. The council will consider the provision of affordable and self/custom build dwellings being delivered via this method.
- 7.7 Most self-build plots will come forward on an individual plot basis or as a small group of dwellings. However, the Local Plan Strategy and national planning policy does not differentiate between small scale development and self-build schemes in terms of triggering an affordable housing provision, with no specific exemption for self-build schemes from making an affordable housing contribution. Subsequently, self-build sites may still trigger an affordable housing requirement where the thresholds included in policy SC5 'affordable homes' has been met.

8. Specialist, Supported Living and older person Housing

8.1 The council's vulnerable and older persons strategy (2020 – 2024)²⁶ has identified three main strategic objectives consistent with the 2014 version of the strategy: -

- That people are supported to live in their own homes independently for longer;
- When required, people can receive the support they need in a wide range of specialist, supported accommodation including those members of the community with specific housing needs within the borough;
- People are able to make informed choices about the accommodation, care, and support options within Cheshire East.

8.2 Alongside this, there are a number of strategies that the council has put in place relevant to specialist, supported living and older person housing including:

- Cheshire East All Age Autism Strategy (2020 – 2023);²⁷
- My Life, My Choice, a strategy for people with learning disabilities in Cheshire East (2019 – 2022);²⁸
- Cheshire East All Age Mental Health Strategy (2019 - 2022).²⁹

Definitions

8.3 For planning purposes, the glossary in the NPPF provides definitions of older people and people with disabilities: -

- Older people for planning purposes are defined as - people over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

²⁶ https://www.cheshireeast.gov.uk/housing/strategic_housing/vulnerable_persons.aspx

²⁷ <https://www.cheshireeast.gov.uk/livewell/health-matters/health-conditions/autism/autism.aspx>

²⁸ <https://www.cheshireeast.gov.uk/livewell/health-matters/disabilities/learning-disability/learning-disability.aspx>

²⁹ <https://www.cheshireeast.gov.uk/livewell/health-matters/health-conditions/mental-health/mental-health.aspx>

- People with disabilities for planning purposes are defined as - people have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.
- 8.4 It is recognised that there is a wider spectrum of needs that exist within the above definitions.
- 8.5 The Town and Country Planning (Use Classes) Order 1987 (UCO) (as amended) puts the use of land and buildings into various categories known as 'use classes'. Specialist Housing can fall within the following use-classes:-
- 8.6 **C2 Residential Institutions**
- Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).
 - Use as a hospital or nursing home
 - Use as a residential school, college or training centre
- 8.7 **C3 Dwelling Houses** - use as a dwellinghouse (whether or not as a sole or main residence) –
- A single person or by people to be regarded as forming a single household;
 - Not more than six residents living together as a single household where care is provided for residents; or
 - Not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).
- 8.8 As noted in the introduction to this document, the Community Infrastructure Levy came into effect from the 01 March 2019. Schemes involving planning use class C3 'dwelling houses' can be CIL liable in particular 'zoned' areas of the borough. Further information can be found on the Cheshire East website at www.cheshireeast.gov.uk/cil
- 8.9 The UCO defines care as personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment. For the purposes of this SPD, a residential care or nursing home for older people or people with a disability is expected to fall within use class C2.
- 8.10 With regards to schemes such as retirement housing/villages or supported housing, these can fall within use class C2 or C3 depending on factors such as the need and availability of care and the type of care products, access and

other services and facilities provided on site. Planning Practice Guidance states that it is for the local planning authority to consider which class a particular development may fall.

Affordable housing contributions

- 8.11 Recently, some innovative models of private sector housing for older people have been developed. These schemes are characterised by the availability of varying degrees of care, 24-hour staffing and ancillary facilities. The council recognises that such models can contribute to meeting affordable and special needs housing, thus the council will seek an affordable housing contribution from these schemes where the dwellings trigger the thresholds set out in LPS SC5 (affordable homes).
- 8.12 Importantly, reference to 'dwellings' in policy is not only confined to C3 uses (termed 'dwelling houses' in the UCO) in applying affordable housing requirements³⁰. LPS policy SC5 (affordable homes) refers to affordable housing requirements applying to 'residential developments' and this reference can include class C2 (residential institutions) and class C3 (dwelling houses) uses.
- 8.13 Consideration will be given by the council to any viability issues which arise from this distinction and will assess these accordingly. Due to the difficulty in providing replicable and repeatable guidance for all housing development sites, each request to the council to reduce the affordable housing provision will be assessed on an individual case by case basis in line with point 7 of policy SC5 (affordable homes).
- 8.14 In order to support mixed and balanced communities across the borough, the council will consider proposals for specialist housing provision, including housing for older adults, downsizing opportunities or bungalows. In circumstances, where the type of development (for example, the land take for bungalows) impacts on the viability of schemes, then this may result in a reduction of the overall affordable housing requirements when supported by robust viability evidence which has been independently appraised.

Housing for older people

- 8.15 There is a need to provide a choice of accommodation to suit changing needs as people get older. The population projections, which support the LPS, identify that the population of Cheshire East is likely to increase from 383,600 persons to 431,700 persons over the 12-year period 2018-30; a 12-year increase of 48,100 persons. The population in older age groups is projected to increase substantially during this period, with an increase in the population,

³⁰ Rectory Homes V SSHCLG and South Oxfordshire District Council, 2020

aged 60 or over of 35,600, of which over 60% are projected to be 75+ (22,250 persons)³¹.

- 8.16 The Cheshire East Residential Mix Assessment (2019) acknowledges that many householders as they get older may prefer to remain in their own homes with appropriate assistance from social care providers, assistive technology and appropriate adaptations or right size (downsize) to more suitable accommodation. Furthermore, the health, longevity and aspirations of older people mean that they will often live increasingly healthier lifestyles and therefore future housing needs, for example for specialist accommodation, may be different from current identified needs.
- 8.17 The council adopts a 'homes first' policy which supports residents to maintain their independence and remain in their own home (or within alternative settings offering independent accommodation such as extra care housing / retirement living schemes) for as long as possible. The council will consider applications to adapt or extend homes in a positive and supportive manner as a means of helping more people to remain living independently in their own home, when consistent with policies in the local plan.
- 8.18 There are several different types of housing for older people. There are individuals / households who live independently at home. The PPG also includes the following types and development descriptions: -

| Type | Description |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Age-restricted general market housing | This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens but does not include support or care services. |
| Retirement living or sheltered housing | This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services but provides some support to enable residents to live independently. This can include 24-hour on-site assistance (alarm) and a warden or house manager. |
| Extra care housing or housing with care | This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available, if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24-hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents |

³¹ Cheshire East Residential Mix Assessment (Opinion Research Services, 2019)

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| | to benefit from varying levels of care as time progresses. |
| Residential care homes and nursing homes | These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes. |

Table 1: Types of older person accommodation

8.19 Not all sheltered housing has communal facilities. There may be, for example, a bungalow scheme with an onsite warden and pull cords that would form an example of sheltered accommodation. For extra care or housing with care schemes it may be the case that meals are usually available from an onsite restaurant or bistro.

8.20 Alongside a number of considerations in bringing forward development for older persons housing, policy SC4 (residential mix) point 3 notes that accommodation designed specifically for older persons will be supported where there is:-

- A proven need – the applicant will be expected to provide an assessment of need for the site. Factors to consider include:-

(1) The need for a site in that location, that cannot be addressed anywhere else.

(2) How a site might contribute to the delivery of published council strategies, including the vulnerable and older persons strategy.

(3) Information on the anticipated local 'catchment' area of the proposal including any age and needs based eligibility criteria.

(4) Any other local market factors.

The council can provide advice to developers, care and support providers, and housing associations (including registered providers) on sources of information that can assist. For C2 schemes, reference should also be made to Care Quality Commission guidance for providers on meeting relevant regulations, where required.

- A scheme is located within a settlement boundary, as defined on the Policies Map
- Accessibility by public transport
- A scheme within a reasonable walking distance of community facilities such as shops, medical services and public open space. Recommended distances to services and facilities are set out in table 9.1 of the LPS. It is expected that there is a level and safe route of access. Reference will also be given to services and facilities, if proposed to be provided on site.

- 8.21 As with other forms of housing, the council will encourage the completion of Building for Life 12 assessments to ensure high quality residential development that meets the needs of all and provides suitable access to open space and nature, where possible.

Extra Care Housing or Housing With Care

- 8.22 To be defined as extra care or housing with care scheme, the council will take account of the following considerations: -

- Occupants are expected to have their own self-contained home with a front door and legal right to occupy the property;
- There should be access to a level of care and support, accessible on site and provided 24 hours a day and 7 days a week, as necessary;
- Schemes should facilitate independent and safe living arrangements. There will be positive weight afforded to schemes that apply the accessible and adaptable home standards as set out in this SPD. Schemes will also be encouraged, where possible, to provide accommodation that meets the national space standards;
- Ideally provide access to meals, communal and social facilities on site or facilitate access in the local community. Communal 'lift' facilities should be provided as necessary;
- Schemes will be encouraged to provide for 'step up / step down' accommodation to allow temporary access to such schemes to facilitate discharge from hospital;
- Access to assistive technology, adaptations and specialist equipment to meet needs as necessary. Alarm systems and remote (secure) door entry should be provided as standard. Other personal assistive technology should be available on an individual basis.

- 8.23 Schemes will be encouraged to provide for flexible space for mobile / visiting facilities such as a GP/nurse etc, subject to being able to demonstrate the viability of such schemes with the support of the NHS and other appropriate stakeholders. Staff facilities should be considered also in terms of office, rest room and toilet / shower facilities.

- 8.24 There are also instances of larger schemes incorporating enhanced facilities such as shops, gyms etc that also provide access from the local community. The preferred location of extra care schemes would associate with the factors identified with policy SC4 'residential mix' of the LPS, that is located within settlements with access to public transport and appropriate facilities including local health and retail facilities.

Supported Living and Specialist Housing Provision

- 8.25 The provision of appropriate housing for people with disabilities, including specialist and supported housing is important to assist residents in living safe and independent lives.
- 8.26 The council's document 'my life, my choice – a strategy for people with learning disabilities' (2018-2022) highlights a key focus on the promotion of independence for people with learning disabilities.
- 8.27 As with older persons accommodation, policy SC 4 (residential mix) point 3 notes that accommodation designed specifically for specialist housing groups will be supported where there is a: -
- a proven need;
 - it is located within settlement boundaries, defined on the Local Plan policies map;
 - it is accessible by public transport; and
 - within a reasonable walking distance of community facilities such as shops, medical services and public open space.
- 8.28 Positive weight will be afforded to schemes which encourage housing that meets optional accessibility and wheelchair housing technical standards. Properties will be encouraged to provide assistive technology, as necessary. Where appropriate, schemes should have lift access and communal areas which facilitate social opportunities.
- 8.29 Design should reflect the potential needs of occupants including residents with mobility as well as care and support needs. The council will encourage the completion of Building for Life 12 assessments to ensure high quality residential development that meets the needs of all.
- 8.30 As schemes for specialist housing provision cover a range of complex needs, schemes are also encouraged to consider:-
- Robust building materials, where possible, to ensure materials are hardwearing;
 - To seek to minimise trip hazards, provide handrails and good lighting, where possible, to provide for a safe built environment;
 - Provide clear signage, sightlines and routes around the building; clearly defined rooms so that the activities taking place in that room are understood;
 - Reduce noise through location of activities and appropriate soundproofing;
 - Provide access to open space.

Inclusive Design, including Dementia Friendly communities

- 8.31 An inclusive environment is one that can be accessed and used by everyone. It recognises that every individual experience their environment in different ways and accommodates this through design. In line with the planning practice guidance³², inclusive design and the experience of the end user should be considered from the outset of the development and design process.
- 8.32 Inclusive design should include the building and, its setting in the wider built environment. In line with the PPG, development proposals should consider: -
- Ease of movement including with mobility aids;
 - Proximity and links to public transport / local amenities;
 - Parking spaces and dropping off points;
 - The positioning of street furniture and the design of approach routes;
 - Entrance features which are clearly identified, and well lit; and
 - Availability of facilities, including public toilets.
- 8.33 Design principles such as those set out in the Housing our Ageing Population Panel for Innovation (HAPPI)³³ report are also applicable to housing for older people and age-friendly places including:
- integration with the surrounding context;
 - social spaces that link with the community;
 - space standards that facilitate flexibility;
 - enhanced natural light, energy efficiency and sustainable design; and
 - priority for pedestrians in outdoor spaces.
- 8.34 Planned environments can also have a substantial impact on the quality of life of someone living with dementia. People with dementia need to have access to care and support to enable them to live independently and homes need to be designed with their needs in mind. Characteristics of a dementia-friendly community include, but are not limited to:
- Easy to navigate physical environment;
 - Appropriate transport;
 - The development of communities shaped around the views of people with dementia and their carers;
 - Good orientation and familiarity;
 - Reduction in unnecessary clutter; and
 - Reduction in disorienting visual and auditory stimuli.

³² <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

³³ <https://www.housinglin.org.uk/Topics/browse/Design-building/HAPPI/>

- 8.35 There should be a range of housing options and tenures available to people with dementia, including mainstream and specialist housing. Innovative and diverse housing models should be considered where appropriate. The Royal Town Planning Institute has also published guidance on Dementia and Town Planning³⁴ which can also provide for additional advice and guidance.

9. Monitoring and review

- 9.1 The effectiveness of this SPD will be monitored as part of the Authority Monitoring Report process using information from planning applications and decisions.

10. Glossary

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| Affordable Housing | <p>Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:</p> <p>a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).</p> <p>b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.</p> <p>c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.</p> <p>d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those</p> |
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³⁴ <https://www.rtpi.org.uk/practice/2020/september/dementia-and-town-planning/>

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| | who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement. |
| Amenity | A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them. |
| Building for Life 12 | The industry standard endorsed by government for designing new homes in England, based on 12 key criteria. |
| Cheshire Homechoice | A partnership between the council and registered providers who advertise properties and manage the housing need register and allocation policy. |
| Community Infrastructure Levy (CIL) | A levy allowing Local Authorities to raise funds from owners or developers of land undertaking new building projects in their area. |
| Community Land Trust | Non profit community based organisations that develop housing or other assets that meet the needs of the community, are owned and controlled by the community and are made available at permanently affordable levels. |
| Consultation Statement | A consultation statement is defined in regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation statement includes information, in broad terms, of who has been consulted, a summary of the main issues raised by those persons and how those issues have been addressed in the SPD. |
| Custom and Self-build dwellings | As defined by the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). |
| Entry Level Exception Sites | As defined in the NPPF, entry level exception sites are suitable for first time buyers or those looking to rent their first home. The NPPF provides more details. |
| First Homes | First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes |
| Grant Funding | Public funding used to subsidise the provision of affordable housing, typically from either Homes England or the council. |
| Key worker dwelling | A key worker is a public sector employee who is considered to provide an essential service; this includes those involved in health; education; emergency services and social workers. |
| Habitats Regulations Assessment | A Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of designated habitats site(s) before deciding whether to undertake, permit or authorise it. |
| Homes England | The body responsible for providing financial assistance to bodies including registered providers of social housing for the purpose |

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| | of improving the supply and quality of housing in England now conferred on such body under the Housing and Regeneration Act 2008 (or any successor legislation or body replacing or amending the same). |
| Local Housing Allowance. | The Valuation Office Agency Rent Office determines Local Housing Allowance (LHA) rates used to calculate housing benefit for tenants renting from private landlords. LHA rates are based on private market rents being paid by tenants in the broad rental market area (BRMA). This is the area within which a person might reasonably be expected to live. |
| National Described Space Standards | The nationally described space standard is not a building regulation and remains solely within the planning system as a new form of technical planning standard if supported by a local plan policy. It deals with internal space standards within new dwellings and is suitable for application across all tenures. |
| Rural exception sites | Small sites used for affordable housing in perpetuity where sites would not normally be use for housing. Rural exception sites seek to address the needs of the local community by accommodating householders who are either current residents or have an existing family or employment connection. |
| Self Build | Housing built by individuals or groups of individuals for their own use, either by building the homes themselves or working with builders. |
| Staircasing | Owners are able to purchase additional equity in the property when they can afford to. In most circumstances, this means that shared owners have the ability to eventually own 100% of the freehold, if they acquire the remaining unowned shares over time. |
| Vacant Building Credit | National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace. |
| Viability Study | A report, including a financial appraisal, to establish the profit or loss arising from a proposed development. It will usually provide an analysis of both the figures inputted and output results together with other matters of relevance. An assessment will normally provide a judgement as to the profitability, or loss, of a development. |

Appendix 1: List of Designated Protection Areas

List of Designated Protected Areas taken from the Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009 (No.2098)

Acton, Adlington, Agden, Alpraham, Arclid, Ashley, Aston by Budworth, Aston juxta Mondrum, Audlem, Austerson Baddiley, Baddington, Barthomley, Basford, Batherton, Betchton, Bexton, Bickerton, Blakenhall, Bosley, Bradwall, Brereton, Bridgemere, Brindley, Broomhall, Buerton, Bulkeley, Bunbury, Burland, Calveley, Checkley cum Wrinehill, Chelford, Cholmondeley, Cholmondeston, Chorley (formerly Macclesfield Rural District), Chorley (formerly Nantwich Rural District), Chorlton, Church Lawton, Church Minshull, Coole Pilate, Cranage, Crewe by Farndon, Crewe Green, Dodcott cum Wilkesley, Doddington, Eaton, Edleston, Egerton, Faddiley, Gawsworth, Goostrey, Great Warford, Hankelow, Hassall, Hatherton, Haughton, Henbury, Henhull, High Legh, Hough, Hulme Walfield, Hunsterson, Hurleston, Kettleshulme, Lea, Leighton, Little Bollington, Little Warford, Lower Withington, Lyme Handley, Macclesfield Forest and Wildboarclough, Marbury cum Quoisley, Marthall, Marton, Mere, Millington, Minshull Vernon, Mobberley, Moreton cum Alcumlow, Moston, Mottram St Andrew, Nether Alderley, Newbold Astbury, Newhall, Norbury, North Rode, Odd Rode, Ollerton, Over Alderley, Peckforton, Peover Inferior, Peover Superior, Pickmere, Plumley, Poole, Pott Shrigley, Rainow, Ridley, Rostherne, Siddington, Smallwood, Snelson, Somerford, Somerford Booths, Sound, Spurstow, Stapeley, Stoke, Sutton, Swettenham, Tabley Inferior, Tabley Superior, Tatton, Toft, Twemlow, Walgherton, Wardle, Warmingham, Weston, Wettenhall, Wincle, Wirswall, Woolstanwood, Worleston, Wrenbury cum Frith, Wybunbury

There are also part areas of designated protected areas in Bollington, Haslington, Prestbury, Willaston and Wistaston. These mapped areas can be viewed on the Homes England Website:-
<https://digitalservices.homesengland.org.uk/designated-protected-areas/>

Appendix 2: Example of Rural Housing Needs Survey 2021

Cheshire East Council

Introduction

The purpose of this survey

Whether you consider yourself to have a housing need or not, the information you provide in this survey is important in helping us understand the housing need within your community – we would much appreciate you completing this survey and returning it to us in the freepost envelope provided. Please read each question carefully and tick in the box to indicate your answer – all instructions are given in italics after each question. This survey should be completed by the householder only.

Your confidentiality is assured

We comply with all laws concerning the protection of personal information, including the General Data Protection Regulation (GDPR). Any personal information you supply will remain strictly confidential and anonymous and will be held and used in line with the Data Protection Act 2018. The information you provide will only be used by Cheshire East Council to analyse the results of surveys and inform decision making. We will not pass on your personal information to any other third parties, without your prior consent. Your response will be stored and kept in line with the council's retention schedule. To find out how we use your information see our privacy policy at www.cheshireeast.gov.uk/privacy.

Section 1 – Your current accommodation

1. How many years have you lived in **x** parish? Please tick one box only

| | | | |
|--------------------|--------------------------|----------------------|--------------------------|
| Five years or less | <input type="checkbox"/> | More than five years | <input type="checkbox"/> |
|--------------------|--------------------------|----------------------|--------------------------|

2. Including yourself, how many people live in your household? Please write a number in each box e.g. "2"

| | | | |
|--------------------------------------|----------------------|--------------------------|----------------------|
| Adults (aged 16+ including yourself) | <input type="text"/> | Children (aged under 16) | <input type="text"/> |
|--------------------------------------|----------------------|--------------------------|----------------------|

3. In which of these ways does your household occupy your current accommodation? Please tick one box only

| | |
|----------------------------------------------------------|-------------------------------------------------------------|
| Owned outright <input type="checkbox"/> | Renting from a housing association <input type="checkbox"/> |
| Buying on mortgage <input type="checkbox"/> | Tied accommodation <input type="checkbox"/> |
| Renting from a private landlord <input type="checkbox"/> | Other (please write in) |

4. What type of property do you currently live in? Please tick one box only

| | |
|-----------------------------------|--------------------------------------------------|
| House <input type="checkbox"/> | Flat / Apartment <input type="checkbox"/> |
| Bungalow <input type="checkbox"/> | Other (please write in) <input type="checkbox"/> |

5. What is your home postcode? We ask this so we can be sure we have obtained a range of views from across the parish. Please write in below

| |
|--|
| |
|--|

Section 2 – Alternative accommodation

6. Do you, the householder, currently need alternative accommodation in your local area? Please tick one box only

| | |
|-----------------------------------------|----------------------------------------|
| Yes <input type="checkbox"/> → Go to Q7 | No <input type="checkbox"/> → Go to Q8 |
|-----------------------------------------|----------------------------------------|

7. Please indicate why you need alternative accommodation: Please tick all that apply

| | |
|---------------------------------------------------------|--------------------------------------------------------------------|
| Need larger accommodation <input type="checkbox"/> | Need a cheaper home <input type="checkbox"/> |
| Need smaller accommodation <input type="checkbox"/> | Need permanent accommodation <input type="checkbox"/> |
| Need independent accommodation <input type="checkbox"/> | Need to be closer to a carer or dependent <input type="checkbox"/> |

| | |
|---------------------------------------------------------------------|-------------------------------------------------------------|
| Need level of physically adapted accommodation <input type="text"/> | Other (please tick and write in below) <input type="text"/> |
| Need to be closer to employment <input type="text"/> | |

Section 3 – Affordable housing

8. Would you be in favour of a small development of affordable housing being built in your parish to meet the needs of those having a local connection to the parish? Please tick one box only

| | | |
|--------------------------|-------------------------|-------------------------------|
| Yes <input type="text"/> | No <input type="text"/> | Not sure <input type="text"/> |
|--------------------------|-------------------------|-------------------------------|

9. If you wish to, please give reasons for your answer to the previous question (Q8): Please write in below

10. If you are aware of any sites in your local area, including previously developed sites, that might be suitable for affordable housing, please give details below: Please write in below

Section 4 – New households for current household members

11. Apart from yourself, do any current members of your household wish to form a new household within x Parish in the next 5 years (for which they will need their own accommodation)? Please tick one box only

| | |
|-------------------------------------|------------------------------------|
| Yes <input type="text"/> → Go to Q0 | No <input type="text"/> → Go to Q0 |
|-------------------------------------|------------------------------------|

12. How many current household members wish to form a new household within **x Parish in the next 5 years (for which they will need their own accommodation)?** Please tick one box only

| | | | | |
|------------------------------|------------------------------|--------------------------------|-------------------------------|----------------------------------------------------------------|
| One <input type="checkbox"/> | Two <input type="checkbox"/> | Three <input type="checkbox"/> | Four <input type="checkbox"/> | Five more <input type="checkbox"/> or <input type="checkbox"/> |
|------------------------------|------------------------------|--------------------------------|-------------------------------|----------------------------------------------------------------|

Questions 12 to 19 now ask about the detail of these new households. In this survey it is possible to give the details of four new households. If you wish to give the details of five or more new households, please contact us for extra forms to complete by emailing RandC@cheshireeast.gov.uk or by telephoning 0800 123 55 00.

For questions 0 to 0 there is a different column for each new household that you are giving the details about. If you have only one new household to tell us about, you should only complete the details in the “1st new household” columns. If you have two new households to tell us about, you should complete the details in the “1st new household” and “2nd new household” columns.

13. Who will be forming the new household(s)? Please tick one box only for each new household

| | 1st new household | 2nd new household | 3rd new household | 4th new household |
|----------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| A daughter or son | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (please tick and write in below) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

14. When will the new household(s) be needed? Please tick one box only for each new household

| | 1st new household | 2nd new household | 3rd new household | 4th new household |
|-----------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Within 1 year | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| In 1 to 3 years | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| In 3 to 5 years | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

15. How many adults over the age of 16 will there be in each new household? Please tick one box only for each new household

| | 1st new household | 2nd new household | 3rd new household | 4th new household |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|--------------|--------------------------|--------------------------|--------------------------|--------------------------|
| One | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Two | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Three | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Four or more | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

16. How many children under 16 will there be in each new household? Please tick one box only for each new household

| | | | | |
|--------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| One | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Two | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Three | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Four or more | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

17. What type of accommodation would be preferred for each new household? Please tick one box only for each new household

| | | | | |
|----------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| House | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Flat / Apartment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bungalow | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Supported housing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (please tick and write in below) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

18. Would the new household(s) need any support or have any special requirements? Please tick one box only for each new household

| | | | | |
|----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| No | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Warden assisted | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Care within the home | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|---------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Mobility/Disability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---------------------|--------------------------|--------------------------|--------------------------|--------------------------|

Questions 18 and 19 now ask about the financial status of the potential new households. We ask these questions as they are an important factor in establishing affordability constraints within **x** parish. This information will be kept strictly confidential, and will only be used by Cheshire East Council for the purposes of assessing affordable housing needs within **x**. No financial information will be attributed to individuals in any reports.

19. What will the approximate total annual income of each new household be?
Please tick one box only for each new household

| | 1st new household | 2nd new household | 3rd new household | 4th new household |
|--------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Up to £15,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £15,001 to £20,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £20,001 to £25,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £25,001 to £30,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £30,001 to £35,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £35,001 to £40,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £40,001 to £45,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £45,001 to £50,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £50,001 plus | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

20. What approximate level of savings would each new household have?
Please tick one box only for each new household

| | 1st new household | 2nd new household | 3rd new household | 4th new household |
|--------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| None | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Up to £5,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £5,001 to £10,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £10,001 to £15,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £15,001 to £20,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

£20,001 plus

Section 5 – New households for ex-household members

21. Are there any ex-members of your household, who have moved out of x parish, who would want to return to live in the parish within 5 years if affordable housing was available? Please tick one box only

Yes ☐ → Go to Q0No ☐ →

Survey finished, thank you. Please return it in the freepost return envelope provided with the survey.

22. How many ex-members of your household, who have moved out of x parish, would want to return to live in the parish within 5 years if affordable housing were available? Please tick one box only

One

Two

Three

Four

Five or more

Questions 0 to 0 now ask about the detail of these households for ex-household members. In this survey it is possible to give the details of four new households. If you wish to give the details of five or more new households, please contact us for extra forms to complete by emailing RandC@cheshireeast.gov.uk or by telephoning 0800 123 55 00.

For questions 0 to 0 there is a different column for each new household that you are giving the details about. If you have only one new household to tell us about, you should only complete the details in the “1st new household” columns. If you have two new households to tell us about, you should complete the details in the “1st new household” and “2nd new household” columns.

23. Who will be forming the new household(s)? Please tick one box only for each new household

| | 1st new household | 2nd new household | 3rd new household | 4th new household |
|----------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| A daughter or son | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (please tick and write in below) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

24. When will the new household(s) be needed? Please tick one box only for

| each new household | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| Within 1 year | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| In 1 to 3 years | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| In 3 to 5 years | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. How many adults over the age of 16 will there be in each new household? Please tick one box only for each new household | | | | |
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| One | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Two | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Three | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Four or more | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| 26. How many children under 16 will there be in each new household? Please tick one box only for each new household | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| One | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Two | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Three | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Four or more | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. What type of accommodation would be preferred for each new household? Please tick one box only for each new household | | | | |
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| House | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Flat / Apartment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Bungalow | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Supported housing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (please tick and write in below) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. Would the new household(s) need any support or have any special requirements? Please tick one box only for each new household | | | | |
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| No | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Warden assisted | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Care within the home | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mobility/Disability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Questions 0 and 0 now ask about the financial status of the potential new households. We ask these questions as they are an important factor in establishing affordability constraints within **x** parish. This information will be kept strictly confidential, and will only be used by Cheshire East Council for the purposes of assessing affordable housing needs within **x**. No financial information will be attributed to individuals in any reports.

| | | | | |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 29. What will the approximate total annual income of each new household be? Please tick one box only for each new household | | | | |
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| Up to £15,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £15,001 to £20,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £20,001 to £25,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £25,001 to £30,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £30,001 to £35,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £35,001 to £40,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £40,001 to £45,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| £45,001 to £50,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £50,001 plus | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. What approximate level of savings would each new household have? Please tick one box only for each new household | | | | |
| | 1st new household | 2nd new household | 3rd new household | 4th new household |
| None | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Up to £5,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £5,001 to £10,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £10,001 to £15,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £15,001 to £20,000 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| £20,001 plus | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Thank you for taking the time to complete this survey, we very much appreciate you doing so.

Please return it in the freepost return envelope provided by **x**. This survey is printed mainly in Ariel font size 12. If you require a copy in larger print please contact customer services on 0300 123 55 00.

Draft Housing Supplementary Planning Document

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Introduction and Purpose

1. Cheshire East Council has produced a final draft Housing Supplementary Planning Document ("SPD"). The purpose of the SPD is to provide guidance on the provision of affordable housing and achieving an appropriate housing mix on development sites proposed in the borough, adding further detail to policies contained within the Development Plan.
2. The Development Plan for Cheshire East consists of the Local Plan Strategy ("LPS") and 'saved' policies in the Crewe and Nantwich, Congleton and Macclesfield Local Plans. In addition, made Neighbourhood Plans also form part of the Development Plan.
3. The policy framework for the SPD is contained mostly in the LPS, with a particular focus on Policy SC 4 ("Residential mix"), SC 5 ("Affordable homes") and Policy SC 6 ("Rural exception housing for local needs").
4. The Council is also in the process of preparing the second part of its Local Plan, called the Site Allocations and Development Policies Document ("SADPD"). The SADPD has now been submitted for examination on the 29 April 2021 and an Inspector appointed to assess whether the SADPD has been prepared in accordance with legal and procedural requirements and if it is sound.
5. This screening report is designed to determine whether or not the contents of the final draft Housing SPD require a Strategic Environmental Assessment ("SEA") in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also addresses whether the final draft Housing SPD has a significant adverse effect upon any internationally designated site(s) of nature conservation importance and thereby subject to the requirements of the Habitats Regulations. The report contains separate sections that set out the findings of the screening assessment for these two issues.
6. The draft SEA / HRA statement, alongside the draft Housing SPD, was the subject of consultation in accordance with the relevant regulations and the Council's Statement of Community Involvement from the 26 April 2021 until the 01 June 2021. This included consultation with the relevant statutory bodies (Natural England, Environment Agency and Historic England). No formal comments on the SEA / HRA screening report were received from the Environment Agency and Historic England to

the draft Housing SPD. Natural England responded to the consultation and reinforced the need to consult with Natural England if the SPD required a full SEA or HRA assessment.

Strategic Environmental Assessment Screening

Legislative Background

7. The objective of SEA is to provide for a high level of protection of the environment with a view to promoting the achievement of sustainable development. It is a requirement of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (also known as the SEA Directive). The Directive was transposed in UK law by the Environmental Assessment of Plans and Programmes Regulations 2004, often known as the SEA Regulations.
8. Article 3(3) and 3(4) of the regulations make clear that SEA is only required for plans and programmes when they have significant environmental effects. The 2008 Planning Act removed the requirement to undertake a full Sustainability Appraisal for a SPD although consideration remains as to whether the SPD requires SEA, in exceptional circumstances, when likely to have a significant environmental effect(s) that has not already been assessed during the preparation of a Local Plan. In addition, planning practice guidance (PPG – ref Paragraph: 008 Reference ID: 11-008-20140306) states that a SEA is unlikely to be required where an SPD deals only with a small area at local level, unless it is considered that there are likely to be significant environmental effects.

Overview of Housing SPD

9. The purpose of the final draft Housing SPD is to provide further guidance on the implementation of the housing mix (SC 4) and affordable housing (SC 5 and SC 6) LPS policies.
10. It is important to note that affordable housing policies in the LPS were the subject of Sustainability Appraisal, which incorporated the requirements of the SEA regulations (as part of an Integrated Sustainability Appraisal). The likely significant environmental effects have already been identified and addressed – the SPD merely provides guidance on existing policies. The LPS Integrated Sustainability Appraisal has informed this SPD screening assessment.
11. SEA has been undertaken for policies SC 4 (“Residential mix”), SC 5 (“Affordable homes”) and SC 6 (“Rural exception housing for local needs”), as part of the Integrated Sustainability Appraisal that supported the LPS. For the purposes of compliance with the UK SEA Regulations and the EU SEA directive, the following reports comprised the SA “Environmental Report”:
 - SD 003 – LPS Submission Sustainability (Integrated) Appraisal (May 2014);
 - PS E042 – LPS Sustainability (Integrated) Appraisal of Planning for Growth Suggested Revisions (August 2015);

- RE B006 – LPS Sustainability (Integrated) Appraisal Suggested Revisions to LPS Chapters 9-14 (September 2015);
- RE F004 – Sustainability (Integrated) Appraisal – Proposed Changes (March 2016);
- PC B029 – Sustainability (Integrated) Appraisal - Proposed Changes to Strategic and Development Management Policies (July 2016);
- PC B030 – Sustainability (Integrated) Appraisal - Proposed Changes to Sites and Strategic Locations (July 2016);
- MM 002 - Sustainability (Integrated) Appraisal - Main Modifications Further Addendum Report.

12. In addition, an SA adoption statement was prepared in July 2017 to support the adoption of the LPS.

SEA Screening Process

13. The council is required to undertake a SEA screening to assess whether the draft Housing SPD is likely to have significant environmental effects. If the final draft Housing SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that SEA is not necessary. This is considered in Table 1 below: -

Table 1: Establishing the need for a SEA

| Stage | | Decision | Rationale |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared through a legislative procedure by Parliament or Government? (Art. 2 (a)). | Yes | The SPD will be prepared and adopted by Cheshire East Borough Council. |
| 2. | Is the SPD required by legislation, regulatory or administrative provisions? (Article. 2 (a)). | No | The Council's Local Development Scheme (2020 – 2022) does not specifically identify the need to produce a Housing SPD. |
| 3. | Is the SPD prepared for agricultural, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2 (a)). | No | The SPD is being prepared for town and country planning use. It does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Article 3.2 (a)). Whilst some developments to which the guidance in the SPD applies would fall within Annex II of the EIA Directive at a local level, the SPD does not specifically plan for or allow it. |
| 4. | Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? Art 3.2 (b)). | No | A Habitats Regulations Assessment has been undertaken for the LPS and emerging SADPD. The SPD does not introduce new policy or allocate sites for development. Therefore, it is not considered necessary to undertake a HRA assessment for the SPD. This conclusion has been supported by an |

| | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | HRA screening assessment as documented through this report. |
| 5 | Does the SPD determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art 3.3) | No | The SPD will not determine the use of small areas at a local level. The SPD provides guidance on the provision of rural exception sites for local needs, but it does not specifically determine the use of small areas at a local level. The SPD will be a material consideration in decision taking. |
| 6. | Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4) | No | The LPS and emerging SADPD provide the framework for the future consent of projects. The SPD elaborates upon approved and emerging policies and does not introduce new policy or allocate sites for development. |

14. The SPD is considered to not have a significant effect on the environment and therefore SEA is not required. However, for completeness, Table 2 assesses whether the draft SPD will have any significant environmental effects using the criteria set out in Annex II of SEA Directive 2001/42/EC¹ and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004².

Table 2: assessment of likely significance of effects on the environment

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1.Characteristics of the SPD having particular regard to: | | |
| (a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources. | <p>Guidance is supplementary to policies contained in the LPS and has been the subject of SA / SEA. The policies provide an overarching framework for development in Cheshire East.</p> <p>The draft Housing SPD provides further clarity and certainty to form the basis for the submission and determination of planning applications, consistent with policies in the LPS.</p> <p>Final decisions will be determined through the development management process.</p> <p>No resources are allocated.</p> | No |

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

² http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| (b)The degree to which the SPD influences other plans and programmes including those in a hierarchy. | The draft SPD is in general conformity with the LPS, which has been subject to a full Sustainability Appraisal (incorporating SEA). It is adding more detail to the adopted LPS, which has itself been the subject of Sustainability Appraisal. Therefore, it is not considered to have an influence on any other plans and programmes. | No |
| (c)The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development. | The draft SPD promotes sustainable development, in accordance with the NPPF (2019) and LPS policies. The LPS has been the subject of a full Sustainability Appraisal (incorporating SEA). The draft SPD has limited relevance for the integration of environmental considerations but promotes the 'social' objective of sustainable development by providing guidance on the delivery of affordable housing in the borough. | No |
| (d) Environmental problems relevant to the SPD. | There are no significant environmental problems relevant to the SPD. | No |
| (e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection). | The draft SPD will not impact on the implementation of community legislation on the environment. | No |
| 2.Characteristics of the effects and area likely to be affected having particular regard to: | | |
| (a)The probability, duration, frequency and reversibility of the effects. | The draft SPD adds detail to adopted LPS policy; itself the subject of SA. | No |
| (b) The cumulative nature of the effects of the SPD. | The draft SPD adds detail to adopted LPS policy, itself the subject of SA. The SA associated with the LPS and emerging SADPD have considered relevant plans and programmes. No other plans or programmes have emerged that alter this position. | No |
| (c) The trans-boundary nature of the effects of the SPD. | Trans-boundary effects will not be significant. The draft SPD will not lead to any transboundary effects as it just providing additional detail regarding the implementation of housing policies SC 4, | No |

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| | SC 5 & SC 6 in the LPS and does not, in itself, influence the location of development. | |
| (d)The risks to human health or the environment (e.g. due to accident). | The draft SPD will not cause risks to human health or the environment as it is adding detail to affordable housing policies in the Local Plan. | No |
| (e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD. | The draft SPD covers the Cheshire East administrative area. The draft SPD will assist those making planning applications in the borough. | No |
| (f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics of cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use. | The draft SPD will not lead to significant effects on the value or vulnerability of the area. It is adding detail regarding the implementation of housing policies SC 4, SC 5 and SC 6 in the LPS, and does not, in itself, influence the location of development. | No |
| (g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status. | The SPD does not influence the location of development, so will not cause effects on protected landscape sites. | No |

Conclusion and SEA screening outcome

15. Consultation on the initial draft of the Housing SPD took place between the 26 April 2021 until the 01 June 2021. No significant issues were raised by the three statutory consultees (the Environment Agency, Historic England and Natural England) during the consultation on the final draft Housing SPD. The SPD is not setting new policy; it is supplementing and providing further guidance on an existing LPS policy. Therefore, it is considered that an SEA is not required on the final draft Housing SPD. This conclusion will be kept under review until after consultation on the final draft of the Housing SPD.

Habitats Regulations Assessment Statement

16. The Council has considered whether its planning documents would have a significant adverse effect upon the integrity of internationally designated sites of nature conservation importance. European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) provides legal protection to habitats and species of European importance. The principal aim of this directive is to maintain at, and where necessary restore to, favourable conservation status of flora, fauna and habitats found at these designated sites.
17. The Directive is transposed into English legislation through the Conservation of Habitats and Species Regulations 2017 (a consolidation of the amended Conservation of Habitats and Species Regulations, 2010) published in November 2017.
18. European sites provide important habitats for rare, endangered or vulnerable natural habitats and species of exceptional importance in the European Union. These sites consist of Special Areas of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)), and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)). Government policy requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
19. Spatial planning documents may be required to undergo Habitats Regulations Screening if they are not directly connected with or necessary to the management of a European site. As the draft Housing SPD is not connected with, or necessary to, the management of European sites, the HRA implications of the SPD have been considered.
20. A judgement, published on the 13 April 2018 (People Over Wind and Sweetman v Coillte Teoranta (C-323/17) clarified that measures intended to avoid or reduce the harmful effects of a proposed project on a European site may no longer be taken into account by competent authorities at the Habitat Regulations Assessment “screening stage” when judging whether a proposed plan or project is likely to have a significant effect on the integrity of a European designated site.
21. The LPS has been subject to HRA.
22. The Housing SPD does not introduce new policy; it provides further detail to those policies contained within the LPS. The HRA concluded that policies SC4 (“Residential mix”), SC5 (“Affordable homes”) and SC6 (“Rural exceptions housing for local needs”) could not have a likely significant effect on a European Site. The same applies to the draft Housing SPD. The draft Housing SPD in itself, does not allocate sites and is a material consideration in decision taking, once adopted.

23. The draft Housing SPD either alone or in combination with other plans and programmes, is not likely to have a significant effect on any European site. Therefore, a full Appropriate Assessment under the requirements of the Habitats Regulations is not required.

Conclusion and HRA screening outcome

24. Consultation on the initial draft of the Housing SPD took place between the 26 April 2021 until the 01 June 2021. No significant issues were raised. Subject to views of the three statutory consultees (the Environment Agency, Historic England and Natural England) during the consultation on the final draft Housing SPD, this screening report indicates that an Appropriate Assessment under the Habitats Regulations is not required.

EQUALITY IMPACT ASSESSMENT

TITLE: Draft Housing Supplementary Planning Document (“SPD”)

VERSION CONTROL

| Date | Version | Author | Description of Changes |
|------------|---------|--------------------------|------------------------|
| 03.03.2021 | 1 | Allan Clarke / Tom Evans | Initial Draft |
| 11.03.2021 | 2 | Sarah Walker | EDI sign off |
| 13.09.2021 | 3 | Allan Clarke / Tom Evans | Final Draft changes |
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EQUALITY IMPACT ASSESSMENT

CHESHIRE EAST COUNCIL - EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service / service)

| | | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------|---------------|------------------------------------------|----------------|
| Department | Strategic Planning | | Lead officer responsible for assessment | | Tom Evans, Neighbourhood Plan Manager | |
| Service | Environmental and Neighbourhood Services | | Other members of team undertaking assessment | | Allan Clarke, Principal Planning Officer | |
| Date | 03/03/2021 | | Version 3 | | | |
| Type of document (mark as appropriate) | Strategy YES | Plan | Function | Policy | Procedure | Service |
| Is this a new/ existing/ revision of an existing document (please mark as appropriate) | New YES | | Existing | | Revision | |
| Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation) Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service | Draft Housing Supplementary Planning Document (“SPD”) <u>Background</u> Supplementary Planning Documents (“SPDs”) provide further detail to the policies contained in the development plan. They can be used to provide guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. They must be consistent with national planning policy, must undergo consultation and must be in conformity with policies contained within the Local Plan. The council has prepared a draft Housing SPD for consultation. The draft SPD provides additional guidance on the implementation of policies SC4 (“residential mix”), SC5 (“affordable homes”) and SC6 (“rural exceptions housing for local needs”) in the council’s Local Plan Strategy, adopted in July 2017. The SPD, once adopted, should assist applicants when making planning applications, and the council in determining them. The SPD provides further guidance on existing policies, rather than setting a new policy approach in relation to housing mix in residential sites and the provision of affordable homes. The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) | | | | | |

EQUALITY IMPACT ASSESSMENT

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| | <p>Regulations 2012, the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended by the Local Planning, Development Management Procedure, Listed Buildings etc (England) (Coronavirus) (Amendment) Regulations 2020), the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>An Equalities Impact Assessment was prepared alongside the integrated Sustainability Appraisal work which supported the Local Plan Strategy. An Equalities Impact Assessment has also been prepared to support the emerging Site Allocations and Development Policies Document. The assessment found that the LPS policies (including policies particularly relevant to the SPD) and emerging SADPD are unlikely to have negative effects on protected characteristics or persons identified under the Equality Act 2010.</p> |
| Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents) | Public consultation will take place on the draft SPD for four weeks in accordance with the Town and Country Planning ((Local Planning) (England) Regulations 2012) and the council's adopted Statement of Community Involvement. This will include the general public, town and parish councils, statutory consultees, elected members, consultees who have registered on the strategic planning database. |
| What consultation method(s) did you use? | <p>The council prepares a Statement of Community Involvement which provides detail on how it will consult on Local Plan documents and SPDs. This includes the availability of documents, how residents and stakeholders will be notified etc. The council's Local Plan consultation database, which will be notified of the consultation, also includes a number of organisations who work alongside groups with protected characteristics in the borough.</p> <p>Once consultation has taken place on the draft SPD, all comments received will be reviewed before consideration is given to any amendments required. A report of consultation will be prepared alongside the final version of the SPD and this will also be subject to further consultation. This EIA will be kept updated as the draft SPD progresses.</p> |

Stage 2 Initial Screening

| | |
|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Who is affected and what evidence have you considered to arrive at this analysis? (This may or may not include the | Ward councillors. Those living and working in the borough, property owners, landowners and developers, clinical commissioning group, special interest groups. |
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EQUALITY IMPACT ASSESSMENT

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| stakeholders listed above) | | | | | | | | | |
| Who is intended to benefit and how? | | Local communities including landowners and developers. The SPD will provide additional guidance on the implementation of existing planning policies related to the assessment of planning applications on matters relating to affordable housing and also providing for an appropriate housing mix, including older persons and supported / specialist housing accommodation. | | | | | | | |
| Could there be a different impact or outcome for some groups? | | No, the SPD builds upon existing planning policy guidance and provides further information about how the council will consider planning applications. The provision of affordable homes will assist in supporting balanced communities. Further guidance on factors that inform an appropriate housing mix should also support balanced communities. The SPD, in applying additional guidance to assist in the interpretation of planning policies should be beneficial to groups. | | | | | | | |
| Does it include making decisions based on individual characteristics, needs or circumstances? | | No, the introduction of the SPD is not based on individual characteristics, needs or circumstances. The SPD includes information on Cheshire Homechoice and the social housing allocations policy. However, this information is separate to the content of this SPD and can be found on the council's website. | | | | | | | |
| Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?) | | No, the SPD is not intended to affect different groups or communities in this way. | | | | | | | |
| Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)? | | No, the SPD is not intended to target any group and will be consulted upon in line with the council's Statement of Community Involvement. | | | | | | | |
| Is there an actual or potential negative impact on these specific characteristics? (Please tick) | | | | | | | | | |
| Age | Y | N | Marriage & civil partnership | Y | N | Religion & belief | Y | N | |
| Disability | Y | N | Pregnancy & maternity | Y | N | Sex | Y | N | |
| Gender reassignment | Y | N | Race | Y | N | Sexual orientation | Y | N | |
| What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts | | | | | | | | Consultation/ involvement carried out | |
| | | | | | | | | Yes | No |

EQUALITY IMPACT ASSESSMENT

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| Age | <p>The SPD may have an impact those living and working in the borough.</p> <p>The draft Housing SPD provides further guidance on the implementation of LPS policy SC4 'residential mix' to support independent living and choice, alongside homes designed to be flexible to adapt to meet the changing needs of residents over time. The SPD also provides guidance on policy requirements on specialist and supported housing provision. This is likely to have a positive impact on age and disability.</p> <p>The guidance in the SPD may be beneficial as it will assist in supporting the provision of affordable homes, where policies in the local plan apply to support balanced and sustainable communities.</p> <p>The SPD provides further guidance on the policy approach set out in the Local Plan Strategy.</p> <p>No negative impacts are identified at this stage in relation to any of the specific characteristics however public consultation will be undertaken and this may raise issues officers are not currently aware of.</p> <p>The EIA will be reviewed (and updated) once the initial consultation has taken place.</p> | | | X (to be carried out) |
| Disability | | | | |
| Gender reassignment | | | | |
| Marriage & civil partnership | | | | |
| Pregnancy & maternity | | | | |
| Race | | | | |
| Religion & belief | | | | |
| Sex | | | | |
| Sexual orientation | | | | |
| | | | | |
| Proceed to full impact assessment? (Please tick) | Yes | No | Date: 03/03/2021 (reviewed 13/09/2021) | |
| | | | | |
| Lead officer sign off | | Date | | |
| Head of service sign off | | Date | | |

If yes, please proceed to Stage 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

EQUALITY IMPACT ASSESSMENT

Stage 3 Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed



| Protected characteristics | Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations <i>List what negative impacts were recorded in Stage 1 (Initial Assessment).</i> | Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations <i>List what positive impacts were recorded in Stage 1 (Initial Assessment).</i> | Please rate the impact taking into account any measures already in place to reduce the impacts identified <i>High:</i> Significant potential impact; history of complaints; no mitigating measures in place; need for consultation <i>Medium:</i> Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures <i>Low:</i> Little/no identified impacts; heavily legislation-led; limited public facing aspect | Further action (only an outline needs to be included here. A full action plan can be included at Section 4) <i>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</i> |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Age | | | | |
| Disability | | | | |
| Gender reassignment | | | | |
| Marriage & civil partnership | | | | |
| Pregnancy and | | | | |

EQUALITY IMPACT ASSESSMENT

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| maternity | | | | |
| Race | | | | |
| Religion & belief | | | | |
| Sex | | | | |
| Sexual orientation | | | | |
| Is this change due to be carried out wholly or partly by other providers? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures) | | | | |

EQUALITY IMPACT ASSESSMENT

Stage 4 Review and Conclusion

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------|--------------------|
| Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed | | | |
| Specific actions to be taken to reduce, justify or remove any adverse impacts | How will this be monitored? | Officer responsible | Target date |
| | | | |
| | | | |
| Please provide details and link to full action plan for actions | | | |
| When will this assessment be reviewed? | | | |
| Are there any additional assessments that need to be undertaken in relation to this assessment? | | | |
| | | | |
| Lead officer sign off |  Tom Evans | Date: 11/03/21 | |
| Head of service sign off |  David Malcolm | Date: 11/03/21 | |

Please publish this completed EIA form on the relevant section of the Cheshire East website

OFFICIAL

EQUALITY IMPACT ASSESSMENT

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