

Summary of Representations by CP for Draft DC SPD

First Draft Developer Contributions SPD

Consultee First Name	Alan
Consultee Surname	Murdoch
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-14
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Contribution should be made on a proportionate basis towards improving health and education infrastructure for the increased demand generated by the development
Consultee First Name	Diane
Consultee Surname	Clarke
Consultee Organisation	Network Rail
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-20
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).</p> <p>Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered.</p> <p>Network Rail has the following comments to make.</p> <p>The council should consider the inclusion of developer contributions being used for enhancements at railway stations as a result of increased footfall from both residential and business developments in addition to any highways or green infrastructure works. Enhancements at stations could include (but not limited too) CCTV, Customer Information Systems, HelpPoints, heated waiting shelters, cycle storage, car parking.</p> <p>Any uplift in residential development should take cognisance of existing station capacity and an allocation of CIL should be made to improve facilities at the relevant local station. Network Rail would welcome the opportunity</p>

	to discuss opportunities for enhancements to rail facilities and we encourage early engagement in the development process in order to ensure that any necessary enhancements are suitably incorporated into development proposals.
Consultee First Name	Kate
Consultee Surname	McDowell
Consultee Organisation	Poynton Town Council
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-21
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Please find below Poynton Town Council's response to the Consultation on developer contributions: Draft Supplementary Planning Document (SPD)</p> <ol style="list-style-type: none"> 1. There is some lack of clarity in the SPD over the roles of town and parish councils and borough councillors in negotiating section 106 agreements. It is suggested it may be good practice to involve town and parish councils and also possibly the local community and access groups along with borough councillors at an early stage of discussions over infrastructure provision and prior to drawing up section 106 agreements. This may also be particularly useful in circumstances where these groups may have detailed knowledge of local infrastructure needs and costs. 2. It may be appropriate and/or preferable for town and parish councils to have prepared a separate internal section 106 protocol agreement with the local planning authority. Such a protocol document could then provide clarity for town and parish councillors on their roles and responsibilities; it might also include detailed information on the procedure for the signing of section 106 agreements. There is an advantage of having a standalone document in that there may be scope for procedural information to be quickly updated as and when required. 3. The organisation "Fields in Trust" is working with some local planning authorities (including Liverpool City) in order to protect city parks and green spaces for the good. Their support may be available to support such a vision and also ensure local parks do not become a memory. 4. There appear to be no references to carbon reduction measures to help address the global climate emergency within the draft SPD document. 5. In terms of healthcare needs, developer contributions may be set out as monetary contributions and as an appendix to the SPD. 6. An explicit reference to securing section 106 contributions towards affordable extra care and specialist housing for vulnerable groups may be possible (such as the elderly with care needs and those with physical and learning disabilities or complete autism). 7. It may be helpful to include information within the SPD (possible as an appendix) which sets out how developer contributions towards affordable housing (including off site provision) may be calculated.

	8. Suggestions for other infrastructure items could be referred to within the SPD. These might include retention and maintenance of hedgerows and mature trees, mobile air quality stations, household waste recycling centres and controls and security infrastructure, water, sewage, electricity and gas.
Consultee First Name	Robert James
Consultee Surname	McCluskey
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-23
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>Infrastructure Facilities</p> <p>Monies/funds need to go urgently to support G.P and clinic units long promised and not yet delivered.</p> <p>To include diagnostics - eyes and dentistry. Physiotherapy</p> <p>Parks and Play</p> <p>Urgently need provision of further infant and junior play and skateboard/BMX for young adults - not on agenda.</p> <p>Roads/pedestrian</p> <p>Provision for pedestrian town centre mobility for all ages and level of mobility. Still not delivered. Urgent need to increase public transport/ bus provision.</p>
Consultee First Name	Adam
Consultee Surname	Keppel-Green
Consultee Organisation	Knutsford Town Council
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-50
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>Knutsford Town Council supports the production of the SPD to provide clarity in planning contributions.</p> <p>Cheshire East Council has previously stated its commitment to working with Town and Parish Councils and the Town Council requests reference to this is included within the document to state that where appropriate Cheshire East Council will consult with the town/parish council for the area in advance of the relevant planning committee meeting such that the s106 proposals put to the committee have had local input to ensure they meet local need.</p> <p>In addition, the Town Council requests that the SPD requires Cheshire East Highways to consult with Town and Parish Councils in advance of submitting a scheme for funding through s106 to ensure communities can input early in the process of designing strategic network upgrades in their areas.</p>
Consultee First Name	Nicola

Consultee Surname	Clarke
Consultee Organisation	Alsager Town Council
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-45
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Maximum contributions from developers should be sought and that contributions are spent locally and not used to fund any projects outside Alsager.
Consultee First Name	Jacob
Consultee Surname	Desmond
Consultee Organisation	Natural England
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-51
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Thank you for your consultation on the above, received by Natural England on 26 September 2022.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.</p> <p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-122
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Bollington Town Council welcomes the Draft Developer Contributions SDP and the opportunity to comment on it in detail.

	<p>In general, we support the SDP strongly but we would like to see specific references to local participation in the planning decision process at particular points in that process as indicated in our detailed comments.</p> <p>We believe it is good practice as Statutory Consultees in the management of Development Control to ensure local Councils have a strong voice in the decisions taken over major developments in our communities and in particular specific decisions over developers contributions to community infrastructure. through Planning Obligations and s106 and s278 agreements.. In the SADPD about to be adopted the smaller communities and Local Service Centres figure prominently. Many communities now have made Neighbourhood Plans and we are pleased to see reference made to those Plans in this SPD. The significance of the voice of local communities now needs to be formally recognised in this SDP.</p>
Consultee First Name	Diane
Consultee Surname	Clarke
Consultee Organisation	Network Rail
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-160
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).</p> <p>Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered.</p> <p>Network Rail would comment that any uplift in residential development in the Cheshire East Council area should take cognisance of existing railway station(s) capacity and an allocation of CIL / S106 should be made to improve facilities at the relevant local station(s).</p>
Consultee Organisation	Homes England
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-179
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	As a prescribed body, we would firstly like to thank you for the opportunity to comment on the above consultation.

	<p>Homes England is the government's housing accelerator. We have the appetite, influence, expertise, and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making possible the new homes England needs, helping to improve neighbourhoods and grow communities.</p> <p>Homes England does not wish to make any representations on the above consultation. We will however continue to engage with you as appropriate.</p>
Consultee Organisation	Sport England
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-211
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Sport England has an established role within the planning system which includes providing advice and guidance on all relevant areas of national and local policy as well as supporting Local Authorities in developing their evidence base for sport. Sport England aims to ensure positive planning for sport by enabling the right facilities to be provided in the right places based on robust and up-to-date assessments of need for all levels of sport and for all sectors of the community. To achieve this aim our planning objectives are to PROTECT sports facilities from loss as a result of redevelopment, ENHANCE existing facilities through improving their quality, accessibility and management and to PROVIDE new facilities that are fit for purpose and meet demands for participation now and in the future. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields. Further detail on Sport England's role and objectives within the planning system can be found via the following link: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport?section=planning_for_sport_guidance</p> <p>Sport England support the positive approach to trying to meet the demand generated from developments for sport and recreation provision taking account of the findings of the relevant evidence based produced to inform the Adopted Local Plan in line with NPPF paragraph 98.</p> <p>It is important for the long-term viability and sustainability of community sporting infrastructure that sufficient resources are provided for long-term management, maintenance and for a sink fund so that communities have continued access to facilities that provides them the opportunities to be, and remain, physically active. A robust evidence base/audit for sporting and recreation provision is a requirement highlighted in paragraph 98 of the NPPF. It is important that the Council's evidence base is kept up to date, i.e. the Playing Pitch (and Outdoor Space) Strategy and the Building Facilities Strategy are kept up to date in order to identify the current supply and demand issues for sport and recreation facilities in the Cheshire East Council area based on quality, quantity and accessibility. This will enable the Council to provide practical proposals for securing investment into sport and develop a means of calculating developer contributions to fund schemes to meet local needs.</p> <p>Sport England request that 'Indoor and Outdoor Sports Facilities' has its own section within the SPD, separate from 'Public Open Space, Play Space and Green Infrastructure.' The reason being is that Sport England do not consider the use of standards for outdoor sport or any sports facility is appropriate as proposed in paragraph 12.18. Local standards are not appropriate for sports because they do not and cannot take into account sports catchment areas or the variable units of demand for individual pitch/court types. For example, the unit of demand for a court/pitch ranges from two people if a tennis court to 30 people if a full sized adult rugby pitch. In addition</p>

the catchment area for sports ranges from Ward level if a junior football pitch to Borough wide if rugby or hockey. This means the accessibility standards cannot accurately reflect where the demand for outdoor sport is derived from. It is understood that this is likely the reason as to why the policies in the Local Plan were not combined and are separate for indoor and outdoor sport provision, open space and green infrastructure.

Quantitative standards are not appropriate because although it is widely acknowledged housing growth generates additional demand for sport not everyone from that housing site will want to participate in sport. In reality the application of standards has led to single pitch sites being constructed within housing developments that are unsupported by ancillary facilities and are not located in areas of demand. These pitches do not contribute to the supply of pitches and all too often become informal kick about areas or semi natural open space. The use of generic standards such as this for securing provision in new development would not fully satisfy the CIL Regulation 122 tests. Sport England has prepared an advice note on this matter, which is attached for your convenience.

Other comments:

- It should be noted that Sport England do not object the use of standards for other open space typologies.
- Paragraph 12.14 should include the requirement for a Sports Needs Assessment for indoor as well as outdoor sports pitches.
- Although, reference to the Sport England Guidance Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities July 2014 is welcomed, access to the weblink should be provided for convenience: https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=assessing_needs_and_playing_pitch_strategy_guidance
- It is unclear as what the Council would request if the Sports Need Assessment provides findings that require 'x' amount of sports pitches and courts but the standards outlined in paragraph 12.18 only requires 'y' amount of pitches and courts?
- It is considered that more emphasis needs to be given within the SPD as to how the Local Plan already has some site allocation policies with specific requirements for the delivery of on-site sports pitches and ancillary facilities, as well as other sporting facilities.
- At present Sport England's cost figures are 2022 Q3
<https://www.sportengland.org/policies-and-support/costs/costs-2020-2022>
- Sport England would advise a step prior to on site provision would be to assess whether the demand generated from the development could be accommodated within existing sites within the catchment area of the site. Should the existing playing field site have capacity to accommodate the additional demand through pitch and ancillary improvements then an off site contribution might be appropriate.

Sport England welcomes that obligations would be sought to improve aspects of the public realm, parks, open space and active travel. Sport England considers that the design of where communities live and work is key to keeping people active and placemaking should create environments that make the active choice the easy choice. Sport England along with Public Health England have launched, Active Design, which intends to inform the urban design of places, neighbourhoods, buildings, streets and active open spaces to promote sport and active lifestyles. The guide sets out ten principles to consider when designing places that would contribute to creating well designed healthy communities which has considerable synergy with some of the improvements for which

	obligations would be sought. More information on Active Design, including the guidance, can be found via the following link: http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/
Include files	CIL and Planning Obligations Advice Note [Nov 2018].pdf
Consultee Organisation	The Coal Authority
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-159
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Thank you for your notification received on the 29th September 2022 in respect of the above consultation.</p> <p>The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p>Our records indicate that within the Cheshire East area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings, surface coal mining and reported surface hazards. These recorded features may pose a potential risk to surface stability and public safety.</p> <p>The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.</p> <p>It is noted that this current consultation relates to a Draft Supplementary Planning Document for Developer Contributions. I can confirm that the Planning team at the Coal Authority have no specific comments to make on this consultation document.</p>
Consultee First Name	Kieran
Consultee Surname	Mullan MP
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-171
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Thank you for notifying me of the consultation concerning the Draft Developer Contributions Supplementary Planning Document.</p> <p>When constituents complain to me about the emergence of new housing developments their concerns usually centre on the pressure that healthcare providers such as doctors' surgeries, dentists, and hospitals already face without the addition of a significant number of new residents. Many residents already express disappointment</p>

over the time taken to access appointments or the inability to find NHS dentists. Following this their concern then turns towards pressure on school places, loss of green open space, and the capacity of our already busy highway system.

having read the draft policy, I am pleased to see that the Council consulted with local NHS partners and the ICB in development of this policy – discussing with them the planned level of growth and proposed housing allocations, so they could better understand the likely impact on their service delivery. I have been working with local healthcare providers, both primary and secondary, to ensure that they interact more with the planning process to enable them to secure funds from upcoming developments S106 agreements. Having spoken with the service providers, their concerns are not only about physical infrastructure like buildings, but also in terms of staffing to be able to support the building. I note that the police have interacted with you about recruitment start-up costs such as the need for additional cars, workstations, radios and body cameras - has similar been addressed with our health providers?

However, when these rules are formally put in place there needs to be commitment from the Council to ensure they are adhered to prevent the developer renegeing on the commitment – as the developers of Hazelmere, in Haslington recently attempted.

I also note that the policy covers care and maintenance of green open community spaces and outlines how long a developer’s contribution lasts. Again, if this is now formally instituted as a policy are the procedures in place to ensure enforcement action is taken swiftly, to avoid long ranging debates as have occurred with (Wychwood Village).

Similarly, the policy also covers flood mitigation. The Council are aware of the concerns that I have regarding the validity and reliability of some of the modelling used to judge what mitigation developers should put in place, to reduce the impact on the wider drainage system, but I understand that this is being reviewed in line with a report conducted as a result of an LGO decision.

Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-231
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>These representations have been prepared by Asteer Planning to CEC’s consultation on the draft Developer Contributions SPD on behalf of the consortium comprising Barratt Homes (North West), David Wilson Homes (North West), Jones Homes, and Orbit Investments (Properties) Limited.</p> <p>Whilst the consortium is generally supportive of the preparation of an SPD and the objective to clarify the policy requirements found in the Cheshire East Local Plan Strategy and Strategic Allocations DPDs, these representations raise a large number of concerns that the consortium has on specific parts of the draft SPD.</p>

The consortiums primary concerns are that:

- Many parts of the SPD completely lack detail on the Council's proposed approach/methodology for calculating required contributions; and/or,
- In many instances, even where a methodology is proposed, the drafting/presentation within the draft SPD is unclear and/or the information/evidence/data sources that have or will be used are not clearly set out; and,
- As a result of the above, and the fact that it is not clear in many instances where CIL monies will be spent, it is not possible for applicants to work out whether requested contributions will meet the tests of Regulation 122 of the CIL Regulations; and,
- As a result of the above, it is not possible for the Consortium and other potential applicants to fully understand, and therefore fully comment on, what the Council's proposed approach to many contributions is, and whether it is appropriate;
- In its current form, the SPD does not achieve its purposes as set out in Paragraphs 1.1-1.6 of its 'Introduction' Section.

The Consortium considers it essential that the SPD is fully updated and then reconsulted on for an appropriate period of time.

The consortium respectfully requests that these representations are considered fully and wishes to be kept informed of any further progress on the SPD and any other related documents.

Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-246
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The total impact of the contributions on a typical development would appear to be significantly in excess of the figures relied upon in the Viability Assessment Update. The viability assessment should be re-run to include for the latest contributions sought through this SPD, in the context of other economic conditions.
Consultee First Name	Valerie
Consultee Surname	Herbert
Consultee Organisation	Prestbury Parish Council
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-218
Q3 - What is your overall view on this section?	Comment only

Q4 - Your comments on this section:	<p>We are pleased to note that this SPD covers heritage, public rights of way and flood risk.</p> <p>It is apparent that some parts of this document were written some time ago and have not been updated since and other parts have either been updated or only written recently. We have pointed out where we think updating is necessary and some instances where we think there is room for elaboration/ improvement. We trust you will find these comments useful.</p>
Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-232
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The Trust welcome a Developer Contribution SPD that will enable contributions to be sought to support access to and maintenance of the quality of our inland waterways, and protect and enhance our green infrastructure, ecological networks and sustainable travel routes, when impacted by development, to contribute to the health and well-being of communities through benefits such as biodiversity, conservation, and recreation opportunities.</p> <p>We would like to be kept informed of the progress of this document and be included on future consultations for this SPD as the document evolves.</p>
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Consultation Point	First Draft Developer Contributions SPD
Comment ID	DC SPD-258
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>These representations are submitted to the Draft Developer Contributions Supplementary Planning Document ("SPD") for Cheshire East Council. The consultation period is ongoing, running from 26th September 2022 to 7th November 2022.</p> <p>The SPD provides information regarding the provision of and contributions towards a range of infrastructure, facilities and services for the Borough, setting out where infrastructure and financial contributions will be sought through planning obligations.</p>

The representations are submitted on behalf of the Tatton Estate, Bloor Homes and Taylor Wimpey (the Consortia). The Consortia have various interests across the Borough ranging from existing allocations within the Local Plan Strategy, sites that are currently being developed and future, longer term development opportunities.

The Consortia accept the need to provide a reasonable contribution to the provision of new services and infrastructure as part of developments. The primary concern of the Consortia is the potential for double counting of contributions within the SPD and Cheshire East Council's adopted CIL Levy. Such a scenario would place additional burdens/costs on the development over and above what is required by CIL charges and the SPD requirements. The Council should ensure annual monitoring/tracking is undertaken of SPD and CIL contributions, with reference made to this monitoring within the SPD here.

Also included with this submission is recently published evidence by the Home Builders Federation which identifies significant additional costs and estimated cumulative impact on house builders which are coming forward in the next few years. This is discussed in section 2 of this report.

Particular focus is provided on the following sections of the draft SPD:

- Planning Policy Framework and Procedures for this SPD
- Ecology
- Highways and Transport
- Recovery of Infrastructure Costs
- Education
- Sports Facilities, Public Open Space, Play Space and Green Infrastructure
- Cheshire Constabulary

These representations are submitted to the Draft Developer Contributions SPD, setting out a range of comments and concerns in relation to the document.

The Consortia accept the need to provide a reasonable contribution to the provision of new services and infrastructure as part of developments. The primary concern of the Consortia is the potential for double counting of contributions within the SPD and Cheshire East Council's adopted CIL Levy. Such a scenario would place additional burdens/costs on the development over and above what is required by CIL charges and the SPD requirements. The Council should ensure annual monitoring/tracking is undertaken of SPD and CIL contributions, with reference made to this monitoring within the SPD here.

Section 2 of these representations provide important evidence from the House Building Federation of the dozen changes to the regulatory and tax environment for house builders totalling just under £4.5bn per year. These significant additional costs are an important consideration in the context of the draft SPD, demonstrating a rising financial burden for developers on top of the financial contributions requested by the Council. The level of contributions requested by the Council within the draft SPD should therefore be given careful consideration given the rising financial burden placed on developers and the knock-on impacts this may have on the delivery of homes within the Borough.

Section 3 of these representations demonstrate the adopted LPS does not accord with the most up to date viability guidance set out within the NPPF and NPPG. The guidance is clear in that planning obligations should

be set out in plans and examined in public, with it not being appropriate to set new formulaic approaches to planning obligations in supplementary planning documents. A full review of the LPS should therefore be undertaken with the inclusion of an up-to-date viability assessment to ensure planning obligations are fully assessed.

In summary of the different subsections of the SPD, our main concerns/comments on these matters are as follows:

- Ecology – consideration is needed to the level of contributions required to ensure significant additional costs are not placed on developers which does not reflect the Council's existing viability/planning policy. We suggest this is addressed through Local Plan review which represents the most appropriate measure to state the contributions required.
- Highways - it would appear that the SPD introduces other strategic highway schemes that were not fully considered as part of the LPS and CIL process and whilst there is not an explicit suggestion that development will have to contribute to all of these schemes, it does raise confusion and imply that a greater burden could be placed on developers to fund strategic infrastructure within the Borough not currently captured by CIL. A review of the CIL 123 List should be undertaken to provide clarity on these matters.
- Infrastructure Costs - funds are available within the CIL Funding Statement which could make a contribution to the infrastructure. This should be prioritised by the Council and reflected in the SPD to reduce reliance upon developer contributions going forward.
- Education - early years education and further education contribution figures required to provide total contributions. Where justified, alternative ratios could also be applied where there is clear local evidence that the existing and anticipated demographic for the development would result in lower impacts.
- Health Facilities – greater clarification is required in relation to the source figures associated with the requested per dwelling contribution and the amount needs to take account of the fact that not every new dwelling developed will result in additional population being added to the Borough (e.g. new homes occupied by residents that already live in Cheshire East in concealed households).
- Sports Facilities, Public Open Space, Play Space and Green Infrastructure – greater clarity is required in terms of the amount of open space being sought by each type of development. Where local CIL funds have been made available to town councils, this should also be regarded as a contribution as these will contribute to areas of existing open space in some instances to avoid double counting. Clarification should also be provided on open space typologies and requirements, including overlap between different types and uses of open space.
- Cheshire Constabulary - policing is matter which should be dealt with at central government level, with it not being appropriate to request contributions at a local level from residential developers to fund policing. Capacity issues were not identified by the Constabulary at the time of preparing the Council's CIL rates and therefore this was not added as an anticipated developer infrastructure cost at the time. Should that position have not altered, the Council must update their CIL Regulation 123 list and/or update their plan before they can claim funding through s106 agreements.

Include files

[R001v7 PL - SPD Representations - Final.pdf](#)

1 Introduction

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	1
Consultation Point	Introduction
Comment ID	DC SPD-25
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>General Comment on the whole of the Document:</p> <p>There is no role for Parish Councils mentioned in the SPD. In fact, the words 'Parish Council' don't appear anywhere in the document, except for one reference in the glossary definition of a Neighbourhood Plan. There has also been no dialogue with Town & Parish Councils with regards to local requirements and priorities in compiling this draft SPD.</p> <p>The SPD recommends that applicants should have pre-application discussions with CEC on likely planning obligations. It also encourages applicants to consult other bodies such as Cheshire Wildlife Trust. Why not Parish Councils? Pre-application discussions with Developers should include wider local participation.</p> <p>Parish Councils are the future representatives of the residents who will eventually live on the proposed developments. Parish Council's should therefore be automatically involved in all procedures and plans concerning S106 monies, on behalf of the residents affected. Parish Councils should be informed and consulted, both during the planning application process and also during the planning and implementation of S106-funded projects.</p> <p>This document is vague and gives no clear information on who from Cheshire East is carrying out these negotiations.</p> <p>Section 6 appears to be missing.</p>
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1
Consultation Point	Introduction
Comment ID	DC SPD-176
Consultee First Name	Valerie
Consultee Surname	Herbert

Consultee Organisation	Prestbury Parish Council
Reference Number	1
Consultation Point	Introduction
Comment ID	DC SPD-213
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The introduction would benefit from a few words to the effect that the SPD's key aims are to improve the public realm, protect important buildings and open spaces, secure sufficient affordable housing and ensure adequate services and infrastructure are provided in the most sustainable way.</p> <p>Para. 1.2, page 1. In view of the fact that Cheshire East Council (CEC) is due to adopt the final version of the Site Allocations and Development Policies Document (SADPD) on December 14th, 2022, it does not seem relevant to reference the 'saved' policies from the previous Local Plans, because there will not be any after that date and this SPD will not be adopted prior to that. Also, the same comment applies to paragraph 1.8 on page 2 because no Supplementary Planning Guidance attached to the District Local Plans is being taken forward with the adoption of the SADPD.</p> <p>Para. 1.9, page 2. This paragraph confirms that the Draft Developer Contributions SPD will not be adopted until after the SAD PD has been sanctioned (see our statement in relation to para. 1.2), but it wrongly says that the SADPD will be adopted in autumn 2022. This statement clearly needs to be updated in the light of the announcement on CEC's own Local Plan website confirming that adoption will take place at a meeting of the full CEC council on December 14th•</p>

Legal Fees

Consultee First Name	Ian
Consultee Surname	Kershaw
Consultation Point	Legal Fees
Comment ID	DC SPD-56
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Just a query. Should it read reasonable legal fees? Can the fee ever be challenged, and would there be a service agreement with regard to timescales?

5.24 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	5.24
Consultation Point	Paragraph
Comment ID	DC SPD-10
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	In my experience monitoring of performance of S106 obligations is completely inadequate- council staff need to be focused on timely implementation of work specified and on the provision of community benefits to be provided by cash sums - there are many work obligations not undertaken and many cash contributions unspent
Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	5.24
Consultation Point	Paragraph
Comment ID	DC SPD-43
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>For paras 5.24 - 5.26</p> <p>These refer to Monitoring and Enforcement, but there is nothing here about providing Parish Councils or indeed residents with reports on how and when S106 money is being spent. We have had considerable difficulty in obtaining accurate and up to date reports on S106 expenditure. A single CEC Officer should be responsible for monitoring and collating S106 information from other CEC departments and providing regular reports to Parish Councils, without PCs having to request them. It should be made clear:</p> <ul style="list-style-type: none"> - Who is responsible for monitoring the contributions from developers and how this is spent. - Who ensures/how is it ensured that the contributions are spent in the areas that the development actually occurs, i.e. that the money is spent in Holmes Chapel, not in another area of Cheshire East - What happens to the money if not spent? - What is the timescale for the contributions to be made and for the money to be spent?

6 Contributions and Requirements

Consultee First Name	Richard
Consultee Surname	Hovey
Reference Number	6
Consultation Point	Contributions and Requirements
Comment ID	DC SPD-48
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	This section is lacking any content or narrative to explain what should be here and when it will arrive.
Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	6
Consultation Point	Contributions and Requirements
Comment ID	DC SPD-166
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Overall, greater clarity is required as to what obligations relate to residential developments and non-residential developments, including but not limited to confirmation that contributions towards Education (Chapter 10), Health Infrastructure (Chapter 11) and Cheshire Constabulary (Chapter 14) are applicable to residential development only.</p> <p>Furthermore, terms such as “large scale” should be defined within the Glossary. It is noted that, in respect of Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure the reader is directed at paragraph 12.14, to the Glossary for a definition of “large scale major development” but that no such definition appears to be included in the Glossary.</p> <p>Following on from our comments above in respect of viability, it should be ensured that scope and level of potential contributions being sought cumulatively accord with the policy requirements that have been tested in the adopted LPS, and in due course the SADPD.</p>

7 Ecology

Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-181
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Section 7 - Ecology</p> <p>The soon to be approved SADPD will introduce a policy ENV 2 'Ecological Implementation' policy into the development plan. This has been amended through the examination and once adopted requires that sites should 'provide for a net gain in biodiversity in line with the expectations of national policy and be supported by a biodiversity metric calculation'. Therefore, this section should be updated to make it clear that the council will have a policy requiring net gain once this SADPD is approved.</p> <p>Para 7.12 confirms that the Natural England version 3.1 metric (April 2022) should be used to calculate commuted sums and that this clarification is welcomed.</p> <p>Para 7.15 to 7.17 suggests that 'in some instances it may be appropriate to pay an off-site commuted sum and that a fee of £1,200 per biodiversity unit is anticipated to cover the council's, partners and cost of implementing habitat creation and management'. Although this flexibility in delivery method of BNG is welcomed the SPD should make it clear how this has been calculated and that the fee may change as more becomes known about BNG, for example has this used Natural England's BNG metric 3.1 as detailed in 7.12 been used? This should be confirmed to ensure that the SPD is not adding unnecessarily financial burden to development beyond the Natural England metric and would be contrary to Paragraph: 008 Reference ID: 61-008-20190315 of the PPG.</p> <p>Recommendation:</p> <p>It is recommended that if the fee of £1200 has been calculated using Natural England's BNG metric 3.1 this should be clarified and paragraph 7.17 should reference back to paragraph 7.12 to make it clear that the anticipated amount was calculated using this metric. If the metric was not used the method of identifying the fee of £1,200 should be published.</p>

	Para 7.22 identifies that off-site financial contributions, and contributions to habitat maintenance, will be secured via S106 agreements. Para 7.22 should be amended to enable BNG to be secured via a conservation covenant to be in line with the Environment Act.
Consultee First Name	Rachel
Consultee Surname	Giles
Consultee Organisation	Cheshire Wildlife Trust
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-249
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Paragraph 7.2. We would like to see reference to the forthcoming Local Nature Recovery Network for the Cheshire region.</p> <p>Paragraph 7.3. We would like to see this paragraph reference Biodiversity Net Gain as the overarching objective.</p> <p>Paragraph 7.7. We would like to see reference to the forthcoming Local Nature Recovery Network for the Cheshire region and that measurable BNG should be achieved using the government's BNG metric to calculate losses and gains of biodiversity associated with development.</p> <p>Paragraph 7.9. It would be helpful to include 'assesses the impacts of the proposal and net losses measured using the government's most recent BNG metric' Paragraph 7.11. We would like to see amended wording i.e. 'clearly set out how measurable enhancements to biodiversity will be achieved.'</p> <p>Paragraph 7.12. The metric does not calculate or provide guidance on the sums required and is a tool to calculate the impact of a development in biodiversity units.</p> <p>Paragraph 7.13 The metric calculation does not calculate indirect impacts and these should sit outside the metric and may require additional compensatory measures</p> <p>Paragraph 7.15 Impacts should be measured and offsite compensation should be calculated accordingly.</p> <p>Paragraph 7.19 In addition we suggest that this includes any additional costs incurred by the habitat provider as a result of entering into an agreement.</p> <p>Paragraph 7.20 There is no cost calculation in the Defra metric.</p> <p>Paragraph 7.21 CWT only offers bespoke habitat creation/enhancement and price each scheme individually</p>
Consultee First Name	Jean
Consultee Surname	Hill
Consultee Organisation	Transition Wilmslow
Reference Number	7

Consultation Point	Ecology
Comment ID	DC SPD-247
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	7.6 Add – “Applicants should also refer to relevant sections of Local Neighbourhood Plans” e.g. Wilmslow neighbourhood Plan Policy NE5 Biodiversity Conservation”
Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-167
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The use of the national Natural England/ Defra metric to calculate commuted sums is welcome as it provides some consistency between local planning authorities and a level of certainty for developers and stakeholders. However, detail as to how the proposed fee of £1,200 per biodiversity unit to cover the Council’s costs of developing and implementing habitat and creation management measures using the commuted funds is required. With reference to our overarching comments above, clarity as to what would constitute “Very large large-scale habitat creation schemes” (paragraph 7.21) and thus may require a bespoke commuted sum payment is required.
Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-235
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The Trust would highlight the opportunities that our canal network can provide to retain and strengthen ecological networks. In accordance with paragraph 174 of the NPPF, the Trust support planning policies and decisions

	<p>that minimise impacts on and provide net gains for biodiversity, and establish coherent ecological networks. Equally, in line with Local Plan Strategy Policy SE 3 'Biodiversity and Geodiversity' and SADPD Policies ENV1 'Ecological Network' and ENV2 'Ecological Implementation', inland waterways can help promote the conservation and enhancement of priority habitats and ecological networks and contribute towards the creation of new or enhancement of existing green infrastructure.</p> <p>The consultation SPD document refers to the Environment Act and how Biodiversity Net Gain will be a statutory obligation from 2023. The Trust recognise the importance of engaging with stakeholders to identify ecological assets and networks and requirements to contribute to and strengthen the network.</p>
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-251
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Section 7 of the draft SPD sets out the level of contributions required for ecological mitigation/enhancement where this cannot be achieved on site, including long-term management and monitoring.</p> <p>The introduction of a minimum 10% Biodiversity Net Gain ("BNG") will become a statutory obligation from 2023 onwards, introduced through the Environment Act. In line with this requirement, the draft SPD provides guidance on the required financial contributions for the implementation, including long-term management and maintenance over a 30 year period.</p> <p>As confirmed within the draft SPD, the LPS does not include a specific policy related to BNG. The most relevant policy is SE3 of the Local Plan Strategy relating to biodiversity and geodiversity, with point 5 stating the following in regards to biodiversity enhancement:</p> <p>"All development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. When appropriate, conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and offsetting is effective."</p> <p>The existing approach aims to make a positive contribution to conservation/enhancement of biodiversity, but does not quantify the level of mitigation or contributions required either in percentage or financial terms. The financial impacts of BNG should be considered as part of a Local Plan Review, given the financial implications are not reflected in the Local Plan.</p> <p>Policy ENV2 of the emerging SADPD does make provision for development proposals achieving an overall net gain at point (1) and the long-term maintenance and management of on-site and off-site habitat creation or</p>

enhancement works at point (4). Achieving such biodiversity enhancement and continued maintenance is however not quantified in financial terms within the policy. Furthermore, the associated Local Plan SADPD Viability Assessment (2020) does not include costs associated with biodiversity, given firm details of the requirements for BNG had not been published at this time.

Paragraph 8.14 of the Viability Assessment merely states the costs of BNG are likely to be 'relatively modest', which we contest.

Indeed, a 2019 study by Defra on biodiversity net gain (included in full at Appendix 2) estimated the tariff per biodiversity unit at around £11,000 and a total cost per year of £200m for delivery 2017 prices. The Building Homes in a Changing Business Environment report (included at Appendix A) notes the Defra figures underestimates costs to developers given they are not modelled specifically and subject to site specific factors. The report therefore estimates that the cost per plot estimated on 2023 prices in the North West represents £1,324 on greenfield land and £282 on brownfield land. This represents a significant additional cost to developers.

In terms of biodiversity units, there is also currently huge variety in prices per unit agreed to date, with some local authorities charges closer to £40,000. There remains significant ambiguity regarding the cost of biodiversity units for developers at present. No figures for the cost of biodiversity units are provided within the draft SPD for Cheshire East, creating uncertainty over the level of contributions required by developers.

At paragraph 7.17 of the SPD, we note that the Council anticipate there will be an administrative cost of £1,200 per biodiversity unit to deal with sites/development proposals where BNG will have to be provided off site. It is stated that this cost will be reviewed periodically and is only an anticipated cost at this stage. The SPD should make it clear how this cost will be monitored and tested by the LPA. Indeed, there is a danger that this cost could be increased without due scrutiny or the ability for developers to comment on its validity and effectiveness.

Whilst currently anticipated to be lower than aforementioned HBF estimated per unit cost, it could clearly amount to a significant cost in certain cases. Indeed, addressing BNG on certain sites will be extremely costly. Paragraph 7.21 of the SPD confirms that very large habitat creation schemes will require bespoke commuted sum calculations, and paragraph 7.20 notes that other offset providers may ask for lower or higher prices than the Council.

Even if BNG can be addressed on site, it could have a significant impact on the developable area of a site and therefore the number of homes or employment land that is capable of being delivered, thereby impacting on the viability of a site significantly.

Overall, achieving biodiversity net gain as put forward in the draft SPD in on and off site locations does create a significant additional financial burden for developers which was not accounted for previously in the adopted Local Plan or adopted Community Infrastructure Levy (CIL). As such, each site and development proposal will need to be assessed on a case by case basis, and where it is evident that the requirements of BNG have a large cost implication, this should be accounted for by the Local Planning Authority accordingly when considering the overall viability of a development and requests for other s106 contributions or other developer obligations.

Finally, given the extent of land and/or financial contributions required for BNG are not reflected within the adopted Local Plan or emerging SADPD policies, a Local Plan review should be progressed at the earliest opportunity to ensure the full impacts of BNG are considered.

Include files	R001v7 PL - SPD Representations - Final.pdf
Consultee First Name	Yvonne
Consultee Surname	Lam
Consultee Organisation	Sandbach Town Council
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-208
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Without saying, Ecology, Highways & Transport, Parking, infrastructure, Education, Medical, sports, open space and green infrastructure should be considered. (not restricted to aforementioned).
Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Reference Number	7
Consultation Point	Ecology
Comment ID	DC SPD-240
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Paragraph 7.11 states that applicants will be expected to submit detailed worked-up proposals that clearly set out how enhancements to biodiversity will be achieved. However, this appears to be inconsistent with the general condition of planning permission included at Schedule 14 of the Environment Act 2021, which essentially requires the provision of these details at a later stage (i.e., at the time of discharging the condition). In relation to the proposed monitoring fee of £1,200 per unit, this figure appears to be excessive and requires justification.
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	7
Consultation Point	Ecology

Comment ID	DC SPD-222
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Required Contributions (Paragraphs 7.10 – 7.21)</p> <p>Paragraph 7.17 states the fees are anticipated to be £1,200 per biodiversity unit required.</p> <p>It is entirely unclear as to where the figure “£1,200” is derived from. The SPD should set this out. Without this, it is currently not possible for the consortium to fully comment.</p> <p>Paragraph 7.19 states the overall costings for offsite contributions will include habitat creation, 30 years management, land costs and monitoring of the site.</p> <p>It is unclear as to where the 30 years timeframe is derived from. Presumably this is derived from the Environment Act 2021. If so this should be clearly set out.</p> <p>Paragraph 7.21 states:</p> <p>“Very large-scale habitat creation schemes involving multiple habitat types on substantial areas of land may require substantial additional staff and infrastructure resources to deliver and maintain. A bespoke commuted sum calculation is likely to be required for these schemes.”</p> <p>The above refers to “a bespoke commuted sum” however, it is not set out how this ‘bespoke sum’ will be determined. Therefore, paragraph 7.21 should clearly set out the what process and source of information will be used.</p>

7.1 Paragraph

Consultee Surname	Emmerson
Reference Number	7.1
Consultation Point	Paragraph
Comment ID	DC SPD-137
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Rather than no overall loss of biodiversity, should this not be set to a positive 10% net gain? Also more effort should be made to work around existing biodiversity rather than simply destroying it in the first instance - a key example of this is newly planted trees are not like for like against mature trees which take many decades to reach their full ecological potential and carbon intake

7.3 Paragraph

Consultee Surname	Emmerson
Reference Number	7.3
Consultation Point	Paragraph
Comment ID	DC SPD-138
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Ecological mitigation needs clear definition - a full EIA should be completed for all greenfield applications with proper investigation rather than a reliance on desktop studies or a letter from Natural England, too many developments are being agreed where the full impact on biodiversity and climate change are not being quantified in any meaningful way.
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	7.3
Consultation Point	Paragraph
Comment ID	DC SPD-192
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>Generally supportive but have concerns that deficit biodiversity can be mitigated off-site. An example of a large site with negative biodiversity is Royal East of Alderley Road. Here the developer is suggesting mitigation on a site in Adlington. We take the view that wildlife habitats are not transferable, discreet to areas. The policy here needs to attach strict criteria to hierarchy and insist that any off-site mitigation is as close as possible to the site and not lost to the town or locality.</p> <p>We would like to see these policies giving greater weight to Neighbourhood Plans. In this case to WNP Policy NE5, Biodiversity Conservation.</p> <p>We are keen to have more weight given to Neighbourhood Plans. In this case WNP Policy NE5, Biodiversity Conservation.</p>
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart

Agent Surname	Kinsey
Reference Number	7.3
Consultation Point	Paragraph
Comment ID	DC SPD-201
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	There needs to be a more robust statement requiring ecological mitigation and enhancement on site. Is such mitigation or enhancement cannot be provided on site then the development is unsuitable and should be reduced in scale. It is unacceptable that development where local ecological detriment will result is permitted to be offset at a site where there is no benefit to the locality of the development

7.4 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	7.4
Consultation Point	Paragraph
Comment ID	DC SPD-29
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Will there be a definition/parameter for what counts as 'minimising impacts'?

1.9 Paragraph

Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	1.9
Consultation Point	Paragraph
Comment ID	DC SPD-52
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Will the SADPD be adopted in autumn 2022, given its now November 2022?
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1.9
Consultation Point	Paragraph
Comment ID	DC SPD-66
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	It would be useful to point out the Local Plan and the SADPD together provide the planning framework for the whole of Cheshire East. They are distinct documents but only in the sense they have a different focus in that the first deals with the major population centres and the second deals with the local service areas and the collective of the smaller villages and hamlets.

7.6 Paragraph

Consultee Surname	Emmerson
Reference Number	7.6
Consultation Point	Paragraph
Comment ID	DC SPD-139
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Please can habitats classed as section 41 habitats of principal importance be made to be forcibly taken into account and not swept aside/ignored on planning applications as they currently are.

7.7 Paragraph

Consultee Surname	Emmerson
Reference Number	7.7
Consultation Point	Paragraph
Comment ID	DC SPD-140
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Please can habitats classed as section 41 habitats of principal importance be made to be forcibly taken into account and not swept aside/ignored on planning applications as they currently are.</p> <p>If sites are found to have nationally important species can this also be included to a very important factor within an application.</p>

7.8 Paragraph

Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	7.8
Consultation Point	Paragraph
Comment ID	DC SPD-174
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>Comment elsewhere. We are very supportive of Transition Wilmslow, their research and suggested changes to policy.</p> <p>We feel the policy needs to state strict criteria need to be met to address hierarchy and for loss of biodiversity to be mitigated off-site.</p> <p>if this has to happen then the mitigation site must be as close as possible to the loss site. Wildlife habitats are not transferable. They are discrete to the area habited over time given the ecology.</p>
Consultee Surname	Emmerson
Reference Number	7.8
Consultation Point	Paragraph
Comment ID	DC SPD-141
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Further research and explanation of mitigation is needed and clear definitions stated for applications to follow. This should take into account feeding habitat as well as roosting/nesting locations. For example the mitigation of erecting nest-boxes is worthless if all specialist habitat for a particular species is to be destroyed. A clear definition of the scientific reasoning is required for a suggested mitigation to ensure it will make a difference and is not worthless - this should be required from ecological consultants to ensure accountability for any advice they may give.</p>
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey

Reference Number	7.8
Consultation Point	Paragraph
Comment ID	DC SPD-202
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	As above ... If the ecological enhancement and mitigation is not possible on site the development should be deemed to be "inappropriate".

7.10 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	7.10
Consultation Point	Paragraph
Comment ID	DC SPD-30
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	This implies ecological contribution is well defined, but this is not true for the Cottons/Persimmon estate in Holmes Chapel. What accountability is there for it? It also needs to provide a local benefit not a borough-wide benefit.

7.14 Paragraph

Consultee Surname	Emmerson
Reference Number	7.14
Consultation Point	Paragraph
Comment ID	DC SPD-142
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	This should be mandatory for all applications - not just advised.

7.15 Paragraph

Consultee Surname	Emmerson
Reference Number	7.15
Consultation Point	Paragraph
Comment ID	DC SPD-143
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	This is not acceptable, all applications should have to action the appropriate gain within the application and as part of the development, this comment allows 'buy off' of the net gain that should be implemented. This should happen at the location of the development as well so that it benefits the immediate area and is not hidden/lost elsewhere.

7.16 Paragraph

Consultee Surname	Emmerson
Reference Number	7.16
Consultation Point	Paragraph
Comment ID	DC SPD-144
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	This fee should be tiered and be higher for greenfield sites as these generally will have far higher negative impacts.

7.17 Paragraph

Consultee Surname	Emmerson
Reference Number	7.17
Consultation Point	Paragraph
Comment ID	DC SPD-145
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	A clear definition of 'biodiversity unit' is required with this document so that it can clearly be seen what this will cover. £1,200 seems an incredibly low tariff compared to the value of new housing sold, again this should be tiered with higher amounts charged for greenfield sites to balance so they are no longer more profitable than brownfield sites - an even balance is needed to stop developers pressuring to cherry pick the easiest most profitable greenfield sites.
Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	7.17
Consultation Point	Paragraph
Comment ID	DC SPD-182
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	It is recommended that if the fee of £1200 has been calculated using Natural England's BNG metric 3.1 this should be clarified and paragraph 7.17 should reference back to paragraph 7.12 to make it clear that the anticipated amount was calculated using this metric. If the metric was not used the method of identifying the for of £1,200 should be published.

7.18 Paragraph

Consultee Surname	Emmerson
Reference Number	7.18
Consultation Point	Paragraph
Comment ID	DC SPD-146
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	More clarity is needed on this statement - a push for contributing towards joined up landscape level biodiversity improvements with a clear statement of acquiring more land in order to do this. A recent comment on one application was 'there is no council land nearby so we are looking at a site of existing land 5 miles away', this is not acceptable - 'The Council will utilise the funding to create habitat that delivers best value for biodiversity' is not a clear statement that is measurable.

7.22 Paragraph

Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	7.22
Consultation Point	Paragraph
Comment ID	DC SPD-183
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Para 7.22 identifies that off-site financial contributions, and contributions to habitat maintenance, will be secured via S106 agreements. Para 7.22 should be amended to enable BNG to be secured via a conservation covenant to be in line with the Environment Act.

8 Highways and Transport

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	8
Consultation Point	Highways and Transport
Comment ID	DC SPD-31
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>General Comment on this Section:</p> <p>The document states that the objective of CEC is to encourage walking and cycling and to ensure good connectivity in respect of new developments. We make the observation that CEC have failed to fulfil this objective hitherto, by allowing the major developments surrounding Holmes Chapel to be built as 'islands' with poor walking connectivity to the village centre. This has been clearly demonstrated through the Safe Walking to School campaign.</p>
Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	8
Consultation Point	Highways and Transport
Comment ID	DC SPD-168
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The draft SPD, at paragraph 8.4, sets out that CIL will be used for strategic projects identified in the Council's MTFs, with planning obligations applied on a case-by-case basis to address needs arising directly from development. However, as our comments above on Chapter 4 – Planning Obligations, greater clarity and transparency is required on infrastructure projects and funding streams to ensure that there is no over provision. In respect of highways and transport, this includes clarity as to the relationship between CIL funded strategic infrastructure and the strategic infrastructure projects listed at paragraph 8.16 of the draft SPD to be funded through S278 agreements.</p>

	Furthermore, the draft SPD should clarify which allocated sites rely on and, as such, will be expected to contribute towards, which of the projects listed at paragraph 8.16.
Consultee First Name	Andy
Consultee Surname	Baddeley
Consultee Organisation	Liberty Properties
Agent First Name	Tom
Agent Surname	Robinson
Reference Number	8
Consultation Point	Highways and Transport
Comment ID	DC SPD-172
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Please see attached letter setting out comments in relation to Highways and Transport matters.
Include files	Response Letter 071122.pdf
Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Reference Number	8
Consultation Point	Highways and Transport
Comment ID	DC SPD-241
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Paragraph 8.16 onwards sets out a series of schemes and formula for obtaining contributions. The impact on development viability in the context of CIL and the Viability Assessment Update is not clear. Clarification is required, together with clarification as to which proposals this would relate to.
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	8
Consultation Point	Highways and Transport

Comment ID	DC SPD-223
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Objective (Paragraphs 8.1 – 8.4)</p> <p>Paragraph 8.4 states that CIL contributions will be used for strategic projects identified in the Council's medium term financial strategy.</p> <p>There does not appear to be a clear list of projects in the medium term financial strategy Paragraph 8.4 does not mention the Annual Infrastructure Funding Statement at all. Furthermore, it is unclear how paragraph 8.4 relates to tables 3.1 and 3.2 of the SADPD which relate to specific forward funded schemes and their costs.</p> <p>This position should be clarified in the SPD so that there is clarity over which strategic projects contributions will be sought towards (forward funded or otherwise).</p> <p>Paragraph 8.10 refers to 'large-scale development sites'</p> <p>The term 'large-scale development sites' is not included in the Glossary and it is not clear what this is referring to. This term should be clarified.</p> <p>Required Contributions (Paragraphs 8.13 – 8.21)</p> <p>Paragraph 8.15 states:</p> <p>"Where modelling identifies a significant impact on the highways network, contributions will be required. Such contributions will be calculated proportionately and based on the percentage impact that the scheme has on the capacity of key receptors in the network, and the costs of delivering improvements that ensure the continued safe and efficient operation of the network."</p> <p>Whilst the draft SPD states that contributions will be calculated proportionately, there is no specific detail on how the contributions will be calculated. For example, what methodology, calculations and sources of information will be used to work out the costs and the percentage impacts that a scheme has on receptors in the network. Furthermore, there is no clarity on how contributions will be collected from multiple developments coming forward at different times (or not at all). For example, if the impacts on the highways network are only significant as a result of cumulative impacts, then the first application will presumably not be required to make a contribution until such time that the second and/or subsequent developments are approved/come forwards. The SPD should clearly set out this information to provide clarity.</p> <p>Paragraph 8.16 states that development sites will be required to contribute to the delivery of identified strategic infrastructure on a proportionate basis, normally on a tariff style basis secured through a S278 agreement.</p> <p>Paragraph 8.17 lists the strategic and major schemes this will apply to. Paragraph 8.18 states that:</p> <p>"Sites allocated in the CELPS, and other sites that rely on schemes that have been forward funded and have already been built out (or have funding secured), will also be required to contribute, retrospectively to the above infrastructure schemes."</p> <p>Paragraph 8.19 goes on to state that:</p>

“The approach the Council will use as a starting point for calculating contributions to the schemes listed above is based on establishing proportionate contributions per residential unit and/or employment floorspace and is set out in SADPD Policy GEN4 ‘Recovery of Forward Funded Infrastructure.’”

Policy GEN4 in the SADPD relates specifically to ‘Recovery of forward funded infrastructure’ and sets out a clear methodology for calculating contributions from sites. Policy GEN4 is also supported by Table 3.1, which sets out a list of forward funded infrastructure projects, and the sites/schemes that will be expected to contribute towards them. However, Section 9 of the draft SPD relates to ‘recovery of infrastructure costs’ and it is unclear why Policy GEN4 is referred to here in Section 8 (Paragraph 8.19). The approach for calculating contributions in Policy GEN4 is associated with ‘forward funded infrastructure’ and specifically those projects in Table 3.1 of the SADPD.

The schemes set out at Paragraph 8.17 of the draft SPD do include some of the schemes in Table 3.1 of the SADPD, but also some additional schemes. It is not clear how or where these schemes have been identified.

The SPD should:

- Make clear where the list of schemes at Paragraph 8.17 has come from (i.e. what evidence base/documents is it taken from);
- Identify which of the schemes are also subject to SADPD Policy GEN4 and Section 9 of the SPD; and,
- Rather than referring to Policy GEN4, identify what approach/methodology the Council proposes to use for calculating contributions towards the schemes in this list.

The SPD should also make clear that none of the above can be applied retrospectively to schemes that already have planning permission.

Paragraphs 8.19 and 8.20 refer to residential units, number of homes, and ‘employment floorspace’.

Whilst number of residential units would be self-explanatory, ‘employment floorspace’ is not defined in the glossary or elsewhere in the draft SPD and it is unclear what specifically (e.g. type and quantity) this refers to.

Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Reference Number	8
Consultation Point	Highways and Transport
Comment ID	DC SPD-236
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	In line with the provisions of Policy CO1 of the CELP, ‘Sustainable Travel and Transport’, waterway networks can help promote sustainable alternative transport routes and help encourage a modal shift away from car travel to cycling and walking. The canal network and towpaths can operate as sustainable active travel links and contribute to securing good connectivity for new development. The increased use and footfall generated by

development near waterways can lead to the need for towpath surface improvements and/or enhanced access provision, and we would highlight the importance of being able to secure developer contributions for such works to mitigate potential impacts from new travel movements arising from development. This is in line with the tests, as outlined in the CIL regulations 2010 and Paragraph 57 of the NPPF, for if an obligation can be sought: when an obligation is necessary to make a development acceptable in planning terms; directly related to a development; and fairly and reasonably related in scale and kind to the development.

The Trust would suggest the inclusion of 'canal towpath' in Paragraph 8.13, as an example of direct mitigation that may be necessary within the vicinity of a site.

Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	8
Consultation Point	Highways and Transport
Comment ID	DC SPD-252
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Section 8 deals with highway and transport obligations. We note and support the need for Travel Plans and Transport Assessments, where necessary to determine what the specific impacts of a development are.</p> <p>As set out in paragraph 8.4, we note that CIL is used as a medium term financial strategy to deliver strategic projects and s106/s278 agreements will be applied on a case-by-case basis to address needs arising directly from development.</p> <p>In light of this, the SPD should set out what constitutes a strategic project from a highway perspective either in value, scale or wider impact. For instance, any scheme not physically adjoined to an application site requiring over £1m worth of funding and delivering wider benefits to the community would appear to be a fitting definition for a strategic highway scheme. This reflects the example provided at paragraph 8.16 of the SPD, which refers to a £1m roundabout and proportional contributions being made towards it.</p> <p>Fourteen Strategic and Major Schemes are referred to in paragraph 8.17 of the SPD and include:</p> <ol style="list-style-type: none"> 1. M56 Junction 6-8 2. M6 Junction 19 Improvements 3. M6 Junction 16-19 4. A556 Knutsford to Bowden 5. M6 J17 Improvements (Sandbach) 6. M6 J16 Improvements (Stoke on Trent)

7. Crewe Green Roundabout
8. Sydney Road Bridge
9. Middlewich Easter Bypass
10. Congleton Link Road
11. A6 to Manchester Airport Relief Road (A6MARR)
12. A500 Dualling (Crewe)
13. Poynton Relief Road
14. Southern Link Road Bridge (Crewe)

However, not all of these strategic schemes are listed within the adopted LPS. Paragraph 14.18 of the LPS lists the following 11 schemes:

1. A6 to Manchester Airport Relief Road
2. Improvements to the Crewe Green Roundabout junction and completion of Crewe Green Link Road South
3. Macclesfield Town Centre Movement Strategy
4. Congleton Link Road
5. Poynton Relief Road
6. Middlewich Eastern Bypass
7. Junction improvements on the A51 corridor north of Nantwich
8. Improvements to the A534 corridor in Sandbach, including the M6 and A533 junctions
9. Improvements to the A34 and A555 corridors in Handforth
10. Improvements to the A537/A50 corridor through Knutsford
11. Improvements to the junction of B5077 Crewe Road/B5078 Sandbach Road in Alsager.

It would therefore appear that the SPD is referring to more strategic highway schemes than has been envisaged through the adopted development plan.

We have checked the Local Transport Plan and note all of the above projects are listed in that document. However, the Local Transport Plan was adopted in 2019 and therefore post adoption of the LPS and CIL. As such, there has been no examination as to whether strategic development identified within the LPS can viably contribute to all of these schemes. Whilst we appreciate the funding for some strategic highway schemes may come from other sources, this is not made explicitly clear within the SPD.

More worryingly is that many of the schemes listed above are not referred to on the Council CIL Regulation 123 which has not been altered / updated since it was adopted 2019. Whilst the 123 list includes schemes in Alsager, Crewe, Macclesfield Nantwich and Wilmslow, most do not marry with the lists above. As such, the SPD seems to imply that s106 funding may be sought towards a good number of the schemes listed in paragraph 8.17 of the SPD despite them being strategic projects having wider benefits for the community and are of a scale where CIL would be an appropriate funding mechanism.

We anticipate that other schemes could also be added to the list including highway works within Knutsford Town Centre and elsewhere.

The above further highlights why it is important to update the Local Plan and CIL Infrastructure List on a regular basis and why we consider this SPD is introducing additional burdens on the developers of strategic sites identified within the LPS.

Overall, we recommend that the Council amends its CIL 123 list and makes it clear within the SPD how each strategic highway scheme will be funded to avoid double counting.

Include files

[R001v7 PL - SPD Representations - Final.pdf](#)

8.1 Paragraph

Consultee First Name	Debbie
Consultee Surname	Jamison
Reference Number	8.1
Consultation Point	Paragraph
Comment ID	DC SPD-22
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Travel plans should be submitted at outline planning stage to ensure Highways negotiations include active travel modes at the earliest stage and influence the design of the site thereafter

8.2 Paragraph

Consultee Surname	Emmerson
Reference Number	8.2
Consultation Point	Paragraph
Comment ID	DC SPD-147
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Can this include a statement to say new road building will be avoided as policy? Building new roads is known to increase car use and also counterintuitively increases congestion.
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	8.2
Consultation Point	Paragraph
Comment ID	DC SPD-175
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Provision of public transport is proving problematic. An example is the 130 bus runs along Manchester Road, Wilmslow when the need is for it to run through the Lacey Green estate - a region of high population including older people.

8.3 Paragraph

Consultee Surname	Emmerson
Reference Number	8.3
Consultation Point	Paragraph
Comment ID	DC SPD-148
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	A clear definition of highway impacts is required with regard to new roadbuilding - in recent applications there has been woefully ignored and in one climate change impacts were specifically excluded without public consultation.
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	8.3
Consultation Point	Paragraph
Comment ID	DC SPD-203
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Travel Plans or Transport Plans should be prepared only by independent consultants selected by the Borough (paid for by the applicant)

Background

Consultee First Name	Valerie
Consultee Surname	Herbert
Consultee Organisation	Prestbury Parish Council
Consultation Point	Background
Comment ID	DC SPD-215
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	There is reference, in para. 8.8, to 'Local Towns Delivery Plans' and the statement is made that these are being consulted on. Prestbury P.C. would like to know where information about them can be accessed.

8.8 Paragraph

Consultee First Name	Neil S
Consultee Surname	Collie
Consultee Organisation	East Cheshire Ramblers
Reference Number	8.8
Consultation Point	Paragraph
Comment ID	DC SPD-131
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Please consider adding a reference to the CEC Rights of Way Improvement plan 2011-2026 alongside the Local Transport Plan

8.9 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	8.9
Consultation Point	Paragraph
Comment ID	DC SPD-32
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Neighbourhood plans need to be looked at in more detail.

Travel Assessments and Travel Plans

Consultee First Name	Valerie
Consultee Surname	Herbert
Consultee Organisation	Prestbury Parish Council
Consultation Point	Travel Assessments and Travel Plans
Comment ID	DC SPD-216
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Para. 8.12, page 25. We would suggest that more examples are provided of the sort of developer contributions that can be made than simply "to local transport infrastructure". We propose the addition of: signage, street furniture, speed indicator devices and average speed cameras.</p> <p>Also, there are a couple of typos. At the beginning of para. 8.1, the apostrophe is missing from 'Council's' and the same omission occurs in para. 8.7.</p>

8.14 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	8.14
Consultation Point	Paragraph
Comment ID	DC SPD-33
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Parking standards do not reflect reality. Recent new developments amply illustrate the inadequacies of current policies.

8.17 Paragraph

Consultee Surname	Emmerson
Reference Number	8.17
Consultation Point	Paragraph
Comment ID	DC SPD-149
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	These strategic schemes do not have a long term strategic goals with regard to biodiversity loss and climate change - much more needs to be done to add this into these plans.

8.21 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	8.21
Consultation Point	Paragraph
Comment ID	DC SPD-34
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>This paragraph is meaningless. Piecemeal contributions from individual developments are of little benefit in addressing the cumulative effect of multiple developments. For example, the S106 funding for a roundabout on the A54/A50 junction is not possible as the remaining funding cannot be found. What is needed is for CEC to work with the Parish Council to prepare a strategic plan for the future development of the village so that S106 funds can be prioritised and used effectively. We realise that, legally, S106 expenditure has to be directly connected to the individual development. But there must surely be some 'wiggle room' to allow a degree of strategic planning in how it is spent. For example, Paras 8.22, 8.23 and 8.24 show that CEC is prioritising funding for certain "Strategic and Major" highways schemes. Whilst we have seen that prioritisation in some areas, we have seen no evidence of it being applied to Holmes Chapel and other areas.</p>

8.22 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	8.22
Consultation Point	Paragraph
Comment ID	DC SPD-89
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	After site developer add please 'and after consultation with the local community where appropriate.'

8.24 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	8.24
Consultation Point	Paragraph
Comment ID	DC SPD-90
Q3 - What is your overall view on this section?	Support

9 Recovery of Infrastructure Costs

Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	9
Consultation Point	Recovery of Infrastructure Costs
Comment ID	DC SPD-169
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>This chapter does not cross reference the draft Recovery of Forward Funded Infrastructure Costs SPD which was subject to consultation October-November 2021. Given the Inspector's Report on the SADPD, dated 17th October 2022, finds such details should not be delegated to an SPD, and, as such, recommends Main Modifications to Policy GEN4, it is assumed that the SPD is not being progressed, but this should be confirmed.</p> <p>It is noted that paragraph 9.5 of the draft SPD states that the applicable schemes are identified in Table 3.1 of SADPD Policy GEN4 (which reflects MM3 with the Schedule of Main Modifications to the Inspector's Report) and reproduced in the draft SPD at paragraph 8.22. However, this is not reproduced at paragraph 8.22, and it is noted that the schemes listed at paragraph 8.16 of the draft SPD do not fully correspond to those proposed at Table 3.1 of Policy GEN4. Again, confirmation on this is required.</p> <p>Furthermore, clarity is required as to the statement at paragraph 9.13 that: "In the event that it is determined that the proposed obligation does not meet the CIL tests, CEC intends to use other general powers available to secure funds from development sites for this purpose." If the obligation does not meet the CIL tests, then it should not be taken into account in the grant of planning permission, and, as such, the Council should not be seeking the contribution.</p>
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	9
Consultation Point	Recovery of Infrastructure Costs

Comment ID	DC SPD-253
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Section 9 of the SPD sets out the approach to contributions for the delivery of infrastructure in line with the objectives and policies set out within the Local Plan Strategy and emerging SADPD.</p> <p>We note that this matter was considered at the recent SADPD examination and have no comments other than to ensure that this approach is only utilised on those sites and schemes identified in Policy GEN4 of the SADPD and in no other instances.</p> <p>Where the Council is seeking to fund other strategic projects not listed in Policy GEN4, CIL should be utilised and the 123 list and Infrastructure Delivery plan updated accordingly. Indeed, as identified by the NPPG and SPD, strategic projects should be funded by CIL.</p> <p>In this regard, we note there are significant CIL funds available within Cheshire East which have yet to be spent and allocated for infrastructure needs.</p> <p>The Council's latest Annual Infrastructure Funding Statement for Community Infrastructure Levy and Section 106 covers the period 1st April 2021 to 31st March 2022. The statement confirms that no CIL money has yet to be spent on providing new infrastructure within the Borough, with there being a significant amount of money collected via CIL which remains unallocated. The total amount of CIL collected, not assigned to other organisations or CIL administration, from 1 March 2019 (when CIL was implemented) to the end of the reported year that had not been spent is £2,093,306.</p> <p>The £2,093,306 of CIL funds available has yet to be allocated to specific infrastructure projects and provides significant funds to meet local infrastructure needs. The allocation of these CIL funds for infrastructure projects should be prioritised by the Council. Such funds would enable developer contributions via other means put forward in the draft SPD (notably S106 agreements) to be reduced, reducing reliance on developer contributions.</p> <p>In summary, there are clearly significant funds available within the CIL Funding Statement which have not yet been allocated which could make a contribution to the infrastructure needs of the Borough. This should be prioritised by the Council and reflected in the SPD to reduce reliance upon developer contributions going forward.</p>
Include files	R001v7 PL - SPD Representations - Final.pdf
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	9
Consultation Point	Recovery of Infrastructure Costs
Comment ID	DC SPD-224
Q3 - What is your overall view on this section?	Comment only

Q4 - Your comments on this section:

Background (Paragraphs 9.4 – 9.6)

Paragraph 9.5 refers to paragraph 8.22 of the draft SPD as a 'reproduced list' identified in Table 3.1 of the SADPD.

This reference appears to be a drafting error as the relevant paragraph is 8.17. In any case, as set out in the consortium's comments at 2.17 above, the list of 'strategic and major sites' at Paragraph 8.17 of the draft SPD does not match Table 3.1 of the SADPD.

Paragraph 9.7 refers to number of residential units and 'employment floorspace'.

Whilst number of residential units would be self-explanatory, 'employment floorspace' is not defined in the glossary or elsewhere in the draft SPD and it is unclear what specifically (e.g. type and quantity) this refers to.

9.3 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	9.3
Consultation Point	Paragraph
Comment ID	DC SPD-91
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>BUT there is a problem here. Small and modest developments over time add slowly but surely to the pressure on infrastructure, particularly roads, educational facilities, and health facilities, but also on open and green space and recreational facilities and generally on the environment in terms of pressure on pollution levels, habitat destruction etc.</p> <p>Yet it is only large developments that generate huge returns that contribute any meaningful sums to infrastructure as described. Should not all development including household development which adds accommodation units and therefore potentially population pressure contribute proportionately?</p> <p>The situation in Nether Alderley comes to mind where huge sums are spent in a very modest community through the arbitrary good fortune that Astra Zeneca left a large research area to be exploited for housing. Does CIL compensate?</p>

9.4 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	9.4
Consultation Point	Paragraph
Comment ID	DC SPD-92
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Forward expenditure of this kind requires very careful planning and contractual agreements with developers if public money is not going to be threatened.</p> <p>Such policies may work where you can assume long-term financial stability and rising house prices but in the current climate Planning Authorities need to be circumspect. If long-term development is required then the case needs to be made, and developers signed up to make firm enforceable commitments before any infrastructure investment is committed. Therefore some restrictions need to be integrated into these policies.</p>

9.7 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	9.7
Consultation Point	Paragraph
Comment ID	DC SPD-35
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Is this in addition to £5,202 or part of it? Education and health talk about additional funds.

9.10 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	9.10
Consultation Point	Paragraph
Comment ID	DC SPD-93
Q3 - What is your overall view on this section?	Support

9.11 Paragraph

Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	9.11
Consultation Point	Paragraph
Comment ID	DC SPD-204
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	As worded there is no requirement for CEC to apply funds with any sense of urgency ... effectively holding recovered costs as interest free loans ... there should be some incentive applied such that benefits are provided within a reasonable life span of the residents affected by the development

9.12 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	9.12
Consultation Point	Paragraph
Comment ID	DC SPD-94
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Agreed but you do need to have the professional resources to follow through with action as this policy recommends. We would like to see Planning Enforcement strengthened and more visible as a force for good.

2.5 Paragraph

Consultee First Name	Walter
Consultee Surname	Thomas
Reference Number	2.5
Consultation Point	Paragraph
Comment ID	DC SPD-46
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>I am a resident of Poynton and I would like to see some of those £sum helping this community, more than that, I would like to see a more open and transparent system of allocation at a local level involving community leaders and representatives.</p> <p>My priorities are :</p> <p>Reduce ASB by provision of permanent and supervised Community Base for teenage activities.</p> <p>Make real and proper reductions to traffic movements to local schools by installing more cycle ways.</p> <p>Give greater value to our local green environment. Establish a BAP (Biodiversity Action Plan) after an Environmental Impact Assessment</p>

9.13 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	9.13
Consultation Point	Paragraph
Comment ID	DC SPD-95
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Good to have back up but will the Planning Department have an array of solicitors to carry out actions as necessary or will you be relying on the CE legal department? If so do they have the relevant knowledge, skills and expertise? We know the level of expertise developers can access as necessary.
Consultee First Name	Richard
Consultee Surname	Naylor
Consultee Organisation	Gladman Developments Ltd
Agent First Name	Richard
Agent Surname	Naylor
Reference Number	9.13
Consultation Point	Paragraph
Comment ID	DC SPD-118
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	In order to ensure that developers are able to fully consider and factor in non CIL compliant obligations, we suggest that the following text is added to the end of the paragraph: In the event that Cheshire East Council use this method to secure funds that sit outside of the CIL regulations, they will make the applicant aware at an early stage of the application process that they intend to request said contributions and publish full details of fully justified reasons as to the need for the contribution.

10 Education

Consultee First Name	Amanda
Consultee Surname	Stott
Reference Number	10
Consultation Point	Education
Comment ID	DC SPD-7
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Town and Parish councils should have more understanding of S106 and the part they can play, particularly in education and highways awards. A better understanding of the whole subject may be beneficial.
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	10
Consultation Point	Education
Comment ID	DC SPD-225
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Background (Paragraphs 10.2 – 10.15)</p> <p>Paragraph 10.1 states:</p> <p>“The Council's objective is to secure excellent educational facilities to meet the needs of the current and future population of all ages, to improve educational attainment and provide a wide skills base (Strategic Priority 1). The Council will seek contributions from development toward the delivery of education provision and infrastructure, including education of all phases (age 0-19) and special educational needs.”</p> <p>The word ‘residential’ should be inserted before ‘development in the above paragraph for clarity.</p> <p>Paragraph 10.2 states a housing impact assessment will be carried out to determine whether there would be a surplus or deficit of school places arising from the impact of a proposed development.</p> <p>Paragraph 10.2 should make clear who will carry out the housing impact assessment. Presumably this will be done by the local education authority rather than by applicants themselves.</p> <p>Where the Council is to produce housing impact assessments, there should also be a mechanism for: applicants to assess and if necessary challenge the evidence/conclusions therein; and, for arbitration where necessary.</p>

Paragraph 10.4 states:

“Applications of fewer than 11 dwellings will be considered for assessment if their location, in relation to other development sites, may give rise to a cumulative impact on education provision.”

For consistency and clarity, the reference to “11 dwellings” in paragraph 10.4 should be amended to “11 dwellings (2 bedroom +)” to reflect paragraph 10.3.

Paragraph 10.6 states:

“Where the Service has built school provision/infrastructure in anticipation of forthcoming Local Plan sites, The Service will require a proportionate share of a retrospective contribution where the development is directly relatable to the project.”

The term ‘the service’ is not set out in the draft SPD or its glossary and should be clarified.

Paragraph 10.9 states forecasts are used to estimate the future need for school places.

It is not clear what forecasts paragraph 10.9 is referring to. The paragraph should specify data source, along with who will produce the forecasts.

Paragraph 10.10 states:

“A housing impact assessment is carried out to determine whether the impact of a proposed development would result in a surplus or deficit of school places and therefore whether a developer contribution is required.”

The draft SPD refers to a housing impact assessment, however it does not state who will conduct the assessment or what methodology will be used.

Paragraph 10.12 states:

“When a housing impact assessment is carried out, assessment of primary schools identified within either a two-mile straight line, or a two-mile safe walking distance, will be carried out. For secondary schools, assessments will be carried out based on either a three-mile straight line or a three-mile safe walking distance.”

Two alternative approaches are referenced (i.e. 2 mile straight line v 2 mile safe walking) but no clarity over which method will be used in what circumstances.

Paragraph 10.13 states:

“The Council will seek contributions from developers towards Early Years, Primary, Secondary, Further Education and Special Educational Needs, where a proposed development creates a need for any of those types of educational provision.”

Paragraph 10.13 contradicts paragraph 10.8 which states “Contributions to EYFS and Further Education are not currently sought.”

There is absolutely no reasoning or justification provided for EYFS or Further Education Contributions and this paragraph (10.13) should be removed from the SPD.

Required Contributions (Paragraphs 10.16 – 10.28)

Paragraphs 10.16 - 10.19 appear to set out the Council’s proposed methodology for calculating contributions, with a ‘worked example’ at Paragraphs 10.21-10.28.

Paragraph 10.19 states that the yields are derived from the 2011 Census and relatable to Cheshire East only. However the methodology set out does not appear to take into account live birth data, parent choice through admission process and other trends as referred to in Paragraph 10.11. Furthermore, it is not clear where the figures used in the 'worked example' have come from (i.e. what source and evidence base) and/or whether they are actual figures or just arbitrary figures used in a worked example.

In any case, the draft SPD does not provide clarity over the Council's proposed approach/methodology for calculating contributions.

Furthermore, the draft SPD refers to 2011 Census data (which is over 10 years old) but there is no mention how any updated data (e.g. 2021 Census data) will be used instead where appropriate.

Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Reference Number	10
Consultation Point	Education
Comment ID	DC SPD-242
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Clarification is required in relation to the methodology referred to for forecasting pupil places (paragraphs 10.9 onwards). Regard needs to be had to latent capacity in nearby schools and the impacts of parental preference (i.e., whether local schools are at capacity because of pupils attending from outside of the catchment area). The SPD should make clear that the relevant data will be provided in full to applicants to enable an informed response. Clarification is also required in relation to the pupil yield figures applied (paragraph 10.17).
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	10
Consultation Point	Education
Comment ID	DC SPD-254
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Section 10 of the SPD sets out contributions from development towards to delivery of education provision and infrastructure. We support the Council's aspirations set out in paragraph 10.1 in securing excellent education

facilities to meet the need of current and future populations of all ages and we accept that new housing will have some impact on population levels and school placements.

Contributions are required from residential developments with some exceptions, including smaller residential schemes, specialist accommodation, student accommodation and elderly accommodation. Funding will be secured via S106 Agreements.

The draft SPD sets out how a housing impact assessment is carried out to determine whether the impact of a proposed development would result in a surplus or deficit of school places and therefore whether a developer contribution is required. We note the various ratios included for primary (19:100), secondary (15:100), early years (13:100) and further education (4:100), as set out at paragraph 10.17. Whilst we accept these are relevant Boroughwide, they are still based on the 2011 Census data. We note that the Council accept that SEN needs are reviewed on a regular basis and may change. However, the 2021 Census data for the Borough will be available shortly and therefore the SPD should make reference to this and the need for a future update on the yields.

We consider the SPD should also make it clear that, where justified, alternative ratios could be applied where there is clear local evidence that the existing and anticipated demographic for the development would result in lower impacts.

We welcome sight of the placement costs at paragraphs 10.25 to 10.26 but these are only presented in the worked example. The SPD should specifically highlight what the costs will be for each type of placement at Appendix 2, but this has yet to be provided and we note is missing the per placement cost for.

Considerations is needed in relation to further education and Early Years education. As the draft SPD does not provide the contributions for all educational needs, there is currently no way for developers to assess the total educational need contributions and how this compares to what was considered at the time of preparing the LPS viability assessment and CIL viability assessments. The SPD should be reconsulted upon once these requirements are known so they can be reviewed and commented upon.

However, given the Council do not currently seek funding for further education and early years education, it would certainly appear that this SPD is seeking to introduce a further developer contribution over and above what will have been previously tested as part of the Development Plan and CIL process, which is contrary to the guidance set out in the NPPG.

Finally, in relation to the final paragraph at 10.31, we note that the Council's current approach is to re-assess s106 contribution each time an application is approved within an area. It is noted that where approved housing makes no s106 contribution this could lead to capacity in one location being exhausted and mean the next application is required to make a significant contribution. Whilst we note that this is quite common, it does promote a 'first past the post' approach which is arguably not equitable or fair and could lead to certain sites and development proposals being rendered unviable when seeking to achieve a range of other policy requirements. As such, we would welcome additional paragraphs being added to the SPD. Firstly, the SPD should encourage Neighborhood Plans and Neighborhood Infrastructure Development Plans to identify local education establishments, where locally collected CIL payments (i.e. those provided to town and parish Councils) could be spent.

The SPD should then confirm 'where there is evidence that neighborhood infrastructure plans have identified education provision as an area where locally collected CIL payments could be spent, this will be taken into account in determining the amount of funding required through a s106 obligation'.

Include files

[R001v7 PL - SPD Representations - Final.pdf](#)

10.3 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.3
Consultation Point	Paragraph
Comment ID	DC SPD-96
Q3 - What is your overall view on this section?	Support
Consultee First Name	Andrea
Consultee Surname	Booth
Consultee Organisation	Handforth Grange Primary and Nursery
Agent First Name	Andrea
Agent Surname	Booth
Reference Number	10.3
Consultation Point	Paragraph
Comment ID	DC SPD-196
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We feel that additional high school provision will be required for children within Handforth. The current high school in Wilmslow is already at capacity and in some years children from Handforth Grange have not been allocated places due to being at the furthest end of the catchment area. We would support the building of a 3-18 provision on the site of the Handforth Garden Village.

10.4 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.4
Consultation Point	Paragraph
Comment ID	DC SPD-97
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We support this policy as it has been known for some developers to break the progress of development up into smaller tranches to avoid contributions that would have been due if all units had been completed as part of the same project.

10.5 Paragraph

Consultee First Name	Marc
Consultee Surname	Hourigan
Consultee Organisation	Hourigan Planning
Reference Number	10.5
Consultation Point	Paragraph
Comment ID	DC SPD-162
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>It is noted that at Paragraph 10.5 of the DC SPD that some specialist accommodation is exempt from the education assessment 'as it is assumed that no children would reside there'. This is reasonable and understandable.</p> <p>However, we would also request that the Council include reference within the SPD that schemes for 100% affordable housing would also be considered as being exempt from being required to make developer contributions.</p> <p>Typically our clients secure land for development which has been deemed unsuitable or unviable by open market residential developers, and therefore a scheme for 100% affordable housing (with support from the necessary funding partners such as Homes England) is a much more viable prospect for some landowners. However, other Local Planning Authorities recognise the financial challenges which such schemes present, alongside understanding the material benefits that the provision of significant numbers of new affordable dwellings can make to an authority area, and they have adopted an approach whereby no developer contributions would be sought on such 100% affordable housing schemes. One such authority is Fenland District Council, who has an adopted Developer Contributions SPD (February 2015) which confirms that affordable housing schemes are not required to make any developer contributions (other than the affordable homes themselves).</p> <p>The 2020 Viability Update Assessment makes no reference to having undertaken any assessments in relation to schemes for 100% affordable housing; it considers the sheltered and extracare sectors, but not the types of schemes which our clients specialise in.</p> <p>With this in mind, we would request that the SPD includes a specific reference at the appropriate section of the document that the Council will review planning applications for 100% affordable housing carefully at development management stage, noting that it will be unlikely that developer contributions will be secured on such schemes without adversely affecting the viability of the development.</p> <p>Given that the Council's most recent viability evidence base is silent on this matter, and there is no mention of it in the Council's adopted policy requirements, we feel it would be reasonable for the Council to address this specific issue within the Developer Contributions SPD.</p>
Consultee First Name	Natasha

Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	10.5
Consultation Point	Paragraph
Comment ID	DC SPD-184
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Section 10 – Education We support paragraph 10.5 as it exempts older peoples housing from education contributions as it is assumed that no children would reside there.

10.6 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.6
Consultation Point	Paragraph
Comment ID	DC SPD-98
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	BUT should the means of determining the proportionate share be specified to aid clarity for developers and the community?

10.7 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.7
Consultation Point	Paragraph
Comment ID	DC SPD-99
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	We think this statement could do with some clarification as we need to have some explanation of 'pooling' before we can begin to understand what the policy means.

10.8 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.8
Consultation Point	Paragraph
Comment ID	DC SPD-100
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Generally speaking there is no Youth Service external to schools any more with the exception of some funds directed at young people who are considered vulnerable in one way or another. We strongly believe that ignoring this general service for young people particularly from later primary through teenage years is detrimental to the quality of life of young people in particular and family life in general. We would ask for a review of this policy neglect and consider the power inherent in the funds from development as a means of resurrecting a Youth /Service we can be proud of and that the local communities throughout Cheshire East could support by voluntary effort and precept contribution.

10.14 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.14
Consultation Point	Paragraph
Comment ID	DC SPD-101
Q3 - What is your overall view on this section?	Support

10.15 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	10.15
Consultation Point	Paragraph
Comment ID	DC SPD-11
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Agreed
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	10.15
Consultation Point	Paragraph
Comment ID	DC SPD-102
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Excellent

2.7 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	2.7
Consultation Point	Paragraph
Comment ID	DC SPD-75
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	This framework of consultation once it becomes familiar should be very effective BUT far more publicity needs to be given to the process. It should be the duty of CE Councillors as part of the Code of Conduct that they should publicise consultations in their wards so that as wide a spread of residents as possible have the opportunity if they wish to contribute. At the moment it is only 'professional' people with interest that tend to comment. Your offer of 'careful consideration' has only a limited number of comments to work with.

11 Health Infrastructure

Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	11
Consultation Point	Health Infrastructure
Comment ID	DC SPD-185
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Section 11 – Healthcare Infrastructure</p> <p>Section 11 looks at healthcare infrastructure and for major development requires a ‘screening report to determine if a full health impact assessment will be required. Where increased demand on local health services can be demonstrated, the Council will seek contributions towards new or enhanced health and social care facilities’.</p> <p>The draft SPD then sets a financial contribution based on standard occupancy assumptions of housing at para 11.12.</p> <p>This section should recognise that:</p> <p>A) some specialist housing, such as older person’s housing has lower occupancy per unit. The average occupancy of a MCarthy Stone apartment is 1.3 persons. This is to ensure that where any such contribution is justified and fairly and reasonably related in scale and kind to the development and does not place an unnecessary financial burden on specialist development.</p> <p>B) That there is a common misconception that older persons housing places an additional burden on healthcare infrastructure and therefore any such screening should recognise this and/or the threshold for screening of such housing should be set much higher (say 75 units). There is much to evidence to support this such as from the Homes for Later Living report, September 2019 which identifies that ‘Each person living in a home for later living enjoys a reduced risk of health challenges, contributing fiscal savings to the NHS and social care services of approximately £3,500 per year’.</p> <p>Recommendation: Amend para 11.12 so it reads as follows:</p> <p>‘The table below sets out the required financial contributions on 1st April 2022 and will be adjusted annually for inflation. Occupancy assumptions should also be amended for specialist forms of housing such as older persons housing that has an average occupancy of 1.3 persons per unit with the threshold for screening for a full healthcare impact assessment increased accordingly to say 75 units’.</p>

Consultee First Name	Andy
Consultee Surname	Baddeley
Consultee Organisation	Liberty Properties
Agent First Name	Tom
Agent Surname	Robinson
Reference Number	11
Consultation Point	Health Infrastructure
Comment ID	DC SPD-173
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Please see attached letter setting out comments in relation to Health Infrastructure matters.
Include files	Response Letter 071122.pdf (1)
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	11
Consultation Point	Health Infrastructure
Comment ID	DC SPD-255
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The Consortia accepts that there will be occasions when large scale development will have to make contributions to health facilities where these are at or close to capacity and where new facilities are required.</p> <p>We note that the SPD references policy SC3 in the LPS which requires Screening or Rapid Impact Assessments as part of all major proposals to review the possible health impact of a policy or proposal and to determine if a full Health Impact Assessment is required. An example of a screening assessment is referred to in the SPD at paragraph 11.6 and referred to as Appendix 4, but this appendix is not provided as part of the consultation draft and therefore we are unable to comment in full towards the appropriateness of the considerations that will be taken into account. The example screening assessment should be provided as a priority and the SPD consulted on again once available.</p> <p>At paragraph 11.8, it is stated that advice will be sought from Integrated Care Boards to establish the likely impact of development on health services in the area to determine the necessary mitigation measures that will be required to meet the needs of the community. This paragraph should be amended to confirm that mitigation</p>

measures sought will be of a scale to ensure the development does not result in undue impacts and will be of a scale proportionate to the development. Indeed, it is not the developer's responsibility to address existing needs of the community.

We note that paragraphs 11.11 of the SPD sets out a financial cost of new residents on local health services in Cheshire East and this is stated to equate to £360 per resident. The associated footnote also provides little information in terms of the source of this figure other than stating NHS Cheshire and Merseyside. A specific reference to a document or active webpage should be provided so this figure can be reviewed by developers.

The Table after paragraph 11.12 in the SPD then sets out expected occupancy ratios per dwelling size with 1.4 persons per 1 bed unit, 2.0 persons per 2 bed unit, 2.8 persons per 3 bed unit and so on. However, the costs do not correlate with the above figure. For instance, a 2 bed unit is expected to contribute £875 as of April 2022. This is substantially more than double the figure set out in paragraph 11.11, which is for one resident. Whilst we note the requirements will be adjusted annually for inflation, as stipulated by paragraph 11.12, we would suggest that the inflation rates are set out in the SPD so it is made clear as to how the contribution figures are calculated so these can be cross checked.

Of greater concern, however, is the assumption made by the Council that every new dwelling will result in a new resident for the Borough. Such an assumption is incorrect as many new homes developed may be occupied by existing local residents in the area. Many could derive from concealed households within Cheshire East. For instance, older children living with their parents currently living in Cheshire East but then acquiring their own home within the Borough. Such households will not impact on the health service because they will be utilising that service already. Indeed, the Borough's increase in population will not automatically track housing development. This needs to be explored in greater detail within the SPD and revised and reduced contribution sought accordingly.

Include files	R001v7 PL - SPD Representations - Final.pdf
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	11
Consultation Point	Health Infrastructure
Comment ID	DC SPD-194
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	11

Consultation Point	Health Infrastructure
Comment ID	DC SPD-226
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Paragraph 11.6 states: “An example screening assessment is set out at Appendix 4 and should be submitted with all major development applications.”</p> <p>For clarity, the word ‘residential’ should be added before ‘major development applications’ in the above paragraph.</p> <p>Required Contributions (Paragraphs 11.10 – 11.12)</p> <p>Paragraph 11.10 states development sites will be required to contribute to the delivery of health infrastructure where appropriate health care needs can be demonstrated.</p> <p>It is clear from Paragraphs 11.1 -11.9 that contributions will relate to additional needs generated by developments. Developments cannot be expected to contribute towards existing need and such requested contributions would not pass the tests at Regulation 122 of the CIL Regulations. Therefore the word “appropriate” at Paragraph 11.10 should be amended to ‘additional’ or ‘increased’ for clarity.</p> <p>Paragraph 11.11 refers to footnote 9 “NHS Cheshire and Merseyside” as the source of information for the financial effect a new resident has on local health services in Cheshire East – which equates to £360.</p> <p>Footnote 9 is extremely vague and provides no clarity over where the £360 figure has come from and should be updated (i.e. what document/evidence is it based on) so that applicants can assess its accuracy.</p> <p>Paragraph 11.12 provides a table which sets out the required financial contributions on 1 April 2022 and will be adjusted annual for inflation.</p> <p>It is not clear how the table will be updated. Will this be as part of an annual SPD update or will it be published elsewhere?</p> <p>In any case, the figures in the table do not add up based upon the £360 per new resident figure. It should be made clear where the numbers have come from and how the figures in the table were calculated.</p>

11.1 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.1
Consultation Point	Paragraph
Comment ID	DC SPD-103
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>We would prefer to see the 'variety of community facilities' specified in more detail. Do they include general youth facilities for example like a youth centre with indoor games facilities? There is a great deal of emphasis on outdoor play facilities which is welcome but the weather especially for the autumn and winter months prevents reasonable use of such facilities for much of the time yet recreation is needed for the mental and physical health of young people as well as for developing rules based behaviour and social skills.</p> <p>This aspect of social life for young people is sadly very much neglected at the present time and considering it as part of the development needs of communities should be strongly supported by new development contributions.</p>
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	11.1
Consultation Point	Paragraph
Comment ID	DC SPD-177
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>There is too much emphasis placed upon national data in meeting a need. We particularly refer to the approval of a 60 beds care home on Manchester Road at the same time as a 63 beds home was near to completion on Handforth Road, Wilmslow. A local survey of existing care homes within this area of Cheshire East clearly indicated there is no need for additional care home provision. Whilst there may well be a national shortage the needs of the local area should be given greater weight than the overall need. We would like policy to address the hierarchy.</p>

2.8 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	2.8
Consultation Point	Paragraph
Comment ID	DC SPD-76
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Supplementary guidance is needed and therefore the publication of such a document relating to developer contributions as a material consideration will be welcomed by the 'planning community'.

11.2 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.2
Consultation Point	Paragraph
Comment ID	DC SPD-104
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We strongly support this statement but surely it must be expanded to say exactly how the SPD policies for developers can help to make sure ' that local health and social care facilities are provided to meet the needs of the community.'? Please expand this aspirational statement to make it operational!

11.4 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.4
Consultation Point	Paragraph
Comment ID	DC SPD-105
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>Much more detail is required in this section.</p> <p>We all know that local health services have deteriorated in the last 12 years. The government expects all elderly people to have a personal doctor who can know their full range of needs and respond to changes in their health from a holistic perspective. This service may be available at a considerable cost in the private sector of medicine BUT it is completely unobtainable through the National Health Service although some noble individual doctors try to maintain such a relationship.</p> <p>So whatever the NPPF requires it appears that neither government funding nor local government organisation through the planning system can stop the rot. So 11.4 and other paragraphs relating to the health service are pie in the sky unless there is as much attention to the health needs of residents as there is to the educational needs of children. We suspect that any taxonomy of needs generated by increased residential development, if genuinely met through development contributions, would render development unviable.</p> <p>So exactly what is this SPD going to require of developers to fulfil this serious need?</p>

11.5 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.5
Consultation Point	Paragraph
Comment ID	DC SPD-106
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We strongly support this approach but would ask why has this policy not been implemented before. And what is the definition of a major application? Please specify. And is 'major' just a number or is defined as a proportion of the community to which it is attached as well as a number? As far as we know three substantial developments have been added to our community and no health impact assessments have been made that generated support for the health service or care provision.

11.6 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.6
Consultation Point	Paragraph
Comment ID	DC SPD-108
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Always helpful to provide descriptions of practical examples. Though we recognise that makes the document longer!

3 Planning Policy Framework

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3
Consultation Point	Planning Policy Framework
Comment ID	DC SPD-107
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>We think this section should come at the beginning of the SPD, not at the end. It should come with a straightforward summary of the current purpose of planning as the government sees it and as the Planning authority sees it with an emphasis on long-term sustainability, local community involvement, and some awareness of the need to manage climate change.</p> <p>We think this is a very important document and it needs to be as clearly expressed and as informative as possible not only for planning experts and developers' legal teams but for Town and Parish councilors who are responsible for commenting on Planning Applications in ways that both enable development but protect their communities. Developers are interested in profit but they also need good reputations to gain public support so they will want to cooperate with communities. That is why at the pre-application stage communities need to be involved. And again they need to be heavily involved with the legal agreements drawn up in relation to S106 contracts s278 contracts and any planning obligations through conditioning that are negotiated by the Planning Authority on their behalf.</p> <p>We all need to work together and if this document helps us to do that with long term sustainable development in mind it will have done a very good service to us all and enable residents to have confidence in our planning system.</p>
Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	3
Consultation Point	Planning Policy Framework

Comment ID	DC SPD-163
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The draft SPD, at paragraph 3.2, references the National Planning Policy Framework (NPPF) as published February 2019. However, the NPPF was updated in 2021 and the draft SPD as a whole should be reviewed and updated accordingly.
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	3
Consultation Point	Planning Policy Framework
Comment ID	DC SPD-219
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Paragraph 3.7 refers to NPPF paragraph 57.</p> <p>This reference is incorrect and should be amended to 'paragraph 58'.</p> <p>Paragraph 3.10 of the SPD states:</p> <p>“It should be noted that the Government's Levelling-Up and Regeneration Bill includes proposals to consolidate CIL and S106 into a single 'Infrastructure Levy'. At the time of writing it is unclear when the Levelling-Up Bill will achieve Royal Assent and the degree to which the proposals set out in the Bill will change. Therefore, whilst the Council recognises that the guidance in this SPD may become out of date should the infrastructure levy be introduced, the guidance in this SPD will assist the Council and developers in the meantime.”</p> <p>The above paragraph acknowledges that the guidance may become out of date should the infrastructure levy be introduced. However, this acknowledgement should be extended to other policies and guidance (e.g. the NPPF or PPG) on which the SPD relies for context, which may be updated/replaced.</p> <p>Cheshire East Site Allocations and Development Policies Documents (Paragraphs 3.22 – 3.25)</p> <p>Paragraph 3.23 states:</p> <p>“The Revised Publication Draft SADPD is being published for representations between the 19 October and 31 November 2020. Further details about this can be found on the council's website: www.cheshireeast.gov.uk/localplan”</p> <p>This paragraph needs to be updated to refer to the latest SADPD position which is currently the 'Report on the Examination of the Cheshire East Local Plan Site Allocations and Development Policies Document' published on 17 October 2022. However, given the expected imminent adoption of the SADPD, presumably the SPD will be published following the adoption of the SADPD and should therefore refer to its adoption date.</p>

	<p>Paragraph 3.25 sets out the relevant policies in the Revised Publication Draft SADPD.</p> <p>The emerging policies should be updated to correspond with the latest SADPD as modified. For instance “RU 4: Essential rural workers occupancy conditions” and “RU 8: Visitor accommodation outside of settlement boundaries” have been updated to “RUR 4: Essential rural workers occupancy conditions” and “RUR 8: Visitor accommodation outside of settlement boundaries” respectively.</p>
Consultee First Name	Valerie
Consultee Surname	Herbert
Consultee Organisation	Prestbury Parish Council
Reference Number	3
Consultation Point	Planning Policy Framework
Comment ID	DC SPD-214
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Pages 8 and 9. It is appreciated that this consultation is about developer contributions, but CEC should not take the view that this matter is unrelated to environmental and climate change commitments. If a proposed development is not going to be carbon neutral, then this needs to be recognised and dealt with in various ways, including financial penalties. The National Planning Policy Framework (paragraphs 152-173) requires the planning system to "support the transition to a low carbon future in a changing climate" (para. 152) and says that new development should be planned in ways that "avoid vulnerability to the range of impacts arising from climate change" and "can help to reduce greenhouse gas emissions, such as through its location, orientation and design". It also stipulates the issues that planning authorities must take into account when determining planning applications. None of this is referenced. It should be, especially in view of the fact that CEC declared an environment and climate emergency in 2019 and committed to becoming carbon neutral.</p>
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	3
Consultation Point	Planning Policy Framework
Comment ID	DC SPD-250
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Section 3 of the SPD sets out the relevant Planning Policy Context for the SPD, whilst Section 5 sets out some procedures that will be applied in determining planning applications. Our comments below relate to both sections.</p>

We do not disagree with the content of the policy chapter (Section 3) in terms of the factual statements set out. However, the Consortia has concerns around how viability is tested in the context of planning obligations and developer contributions within Cheshire East. This is principally because of the sequence and timeframe over which the overall Local Plan has been prepared and changes to national policy and guidance over this period. In short, significant changes have occurred since the preparation and adoption of the Local Plan Strategy, which identifies and allocates the vast majority of development land within the Borough.

The SPD does introduce new requirements over and above what has been tested and examined through the adopted and emerging Development Plan Documents and Community Infrastructure Levy rates for the area.

As such, the SPD proposes additional obligations that have not been thoroughly tested or examined in order to test the deliverability and viability of these sites.

Viability and the Development Plan

Firstly, the Local Plan Strategy (LPS) for Cheshire East, which includes the vast majority of development sites within the Borough, underwent Regulation 19 consultation and was submitted to the Secretary of State in 2014, with its examination stretching over 2014, 2015 and 2016 and was eventually adopted in 2017. It was therefore fully prepared under the 2012 version of the NPPF.

As detailed in sub sections below, the introduction of the 2018 NPPF (also reflected in the 2019 and 2021 versions) removes the level of flexibility allowed for in terms of the testing of viability matters when determining planning application, with the role for viability assessment primarily at the plan making stage, which was not stipulated in the 2012 version of the NPPF. Detailed guidance in relation to these matters is provided within the updated 2018/2019 NPPG, but is not considered within the LPS.

Post the adoption of the LPS, the Council consulted on CIL in 2017 based on evidence within the Council's 2016 Infrastructure Delivery Plan. Viability was clearly explored in detail as part of this process in terms of the delivery of the strategic allocations set out within the LPS. As part of this process, the originally proposed CIL rates were reduced downwards to ensure the policies within the LPS could be achieved (namely the delivery of affordable housing requirements + average S106 contributions + CIL). CIL was eventually adopted in 2019.

Post adoption of the LPS and CIL, the emerging Site Allocations and Development Policies Document (SADPD) was prepared and is at its final stages with the Inspector's Proposed Modifications to make the plan sound recently published. The SADPD was updated in 2020 and removed a significant number of originally proposed allocations for the smaller Local Service Centres. It was accompanied by a '2020 Update and Refresh' Viability Assessment prepared by HDH Planning and Development. This Viability Assessment considered viability matters in the context of the revised viability guidance set out within the 2018 and 2019 versions of the NPPF and relevant updates to the NPPG. However, it is noted in the introduction to that document at paragraph 1.6 that:

It is important to note, at the outset, that the SADPD will sit under the adopted LPS. The approach taken has been to build on the Council's existing viability evidence and update it as required. The policies in the 2017 LPS are not under review and this assessment does not include consideration of the strategic sites allocated under the 2017 LPS.

Moreover, it is noted that at paragraph 1.4 it is confirmed that only 6 representations to the Regulation 19 SADPD were made in relation to viability. We would argue that this low level of representation was due to the fact that the SADPD introduced very few additional development sites for housing and therefore there was limited interest

/ reason for developers to comment on such issues. Indeed, as set out in Table 9.1 of the 2020 Viability Assessment, only 5 residential sites were progressed through the SADPD all with a capacity of less than 100 dwellings and ranging from 25 to 80 dwellings. The expectation for these sites to deliver considerable infrastructure requirements is therefore likely to be very limited.

Whilst we note that the 2020 Viability Assessment did consider a wider range of site typologies and specific allocated sites within the LDS were not tested in terms of their viability as part of the SADPD process. Five of the typologies were indicated to be akin to sites within the LPS in terms of scale, land type and mix of uses but the site allocation policies themselves were not tested. This is pertinent because most of the site allocation policies include a list of criteria that need to be satisfied, some of which place additional burdens/costs on the development over and above what is required by CIL charges and the SPD requirements.

Taking the above into account, it is clear the adopted LPS, which allocates the vast majority of land for housing and employment development across the Borough, was not prepared in accordance with the most up to date viability guidance set out within the NPPF and NPPG. The guidance is clear in that planning obligations should be set out in plans and examined in public, with it not being appropriate to set new formulaic approaches to planning obligations in supplementary planning documents.

It is therefore critical that this SPD does not introduce new areas of cost for development over and above what was examined in more detail as part of the CIL process. However, as we set out in subsequent sections, we consider that this is the case. As such, a full review of the LPS should therefore be undertaken with the inclusion of an up-to-date viability assessment to ensure planning obligations are fully assessed.

Failing that, the Council will have to accept that there are likely to be numerous instances where viability assessments may well be required to support planning application where expectations on affordable housing delivery and other sought developer contributions (over and above CIL contributions) are insisted upon and it should not be assumed that the viability of all sites within Cheshire East has already been scrutinised in full, particularly given the additional burden placed on developers through more recent national planning and building regulations (see comments in subsequent section).

Additional Costs of Housing Delivery

Since the adoption of the Council's CIL charging rates, the UK left the EU, which has had an impact on labour supply within the development industry. In addition, the cost of labour, materials, energy, fuel and professional services have all increased significantly. Most recently, interest rates and inflation has risen, which has a major impact on house sale rates and the risks associated with lending and borrowing for development proposals. There have also been a wider range of additional requirements placed on the housebuilding industry that have increased costs (see sub section below).

Home Builders Federation (HBF) issued a report in November 2022 named 'Building homes in a changing business environment: An assessment of new and forthcoming additional costs of housing delivery' which is included in full at Appendix A. This subsection considers the importance of this paper and its relevance to the considerations highlighted within the draft SPD.

This report identifies 12 new taxes, levies and regulations that, cumulatively pose a serious challenge to the industry's ability to function and deliver new homes. Across all of the 12 areas of additional cost identified in the paper, we estimate an additional cost to the industry of just under £4.5bn per year. Based on recent housing

delivery and likely trends, the HBF have estimated that the average cost per plot of the measures outlined in the report will be within a range of £19,000 to £23,000 per plot.

The cumulative impact of the dozen changes to the regulatory and tax environment for house builders amounts to the equivalent of around £22,000 per new home, more than half of the national average developer contribution value per plot seen in recent years. While land values may flex to absorb some of this, the impact will inevitably be seen in fewer resources being available to provide developer contributions, fewer homes built overall or a combination.

These significant additional costs are an important consideration in the context of the draft SPD, demonstrating a rising financial burden for developers on top of the financial contributions requested by the Council. The level of contributions requested by the Council within the draft SPD should therefore be given careful consideration given the rising financial burden placed on developers and the knock on impacts this may have on the delivery of homes within the Borough.

National Planning Policy Framework (NPPF) (2021)

The NPPF does not provide specific detail on the viability process, but follows the shift within the 2018 and 2019 versions of the NPPF whereby viability testing has moved from the development management stage to the plan-making stage. Paragraph 34 of the NPPF relates to development contributions, stating that plans should set out what development is expected to provide, and that the requirement should not be so high as to undermine the delivery of the plan:

“Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.”

Further guidance in relation to the viability matters is provided within paragraph 58 of the NPPF, with reference to further guidance provided within the NPPG:

“Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”

National Planning Policy Guidance (NPPG)

The NPPG sets out extensive guidance in relation to viability and plan making, with extensive updates to the guidance issued in 2018 and 2019. Paragraph: 001 Reference ID: 10-001-20190509 sets out how plan makers set policy requirements for contributions from development, with our emphasis directed at the need for viability to be informed by appropriate evidence and relevant policies:

“Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).

These policy requirements should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and section 106. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land. To provide this certainty, affordable housing requirements should be expressed as a single figure rather than a range. Different requirements may be set for different types or location of site or types of development.”

Paragraph: 002 Reference ID: 10-002-20190509 of the NPPG is of key importance here, setting out where policy on planning obligations should be set. Our emphasis is focused on how planning obligations should be set out in plans examined by the public, with it not appropriate to set out new approaches to planning obligations within SPDs:

“Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land.

Such policies should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability. This evidence of need can be standardised or formulaic (for example regional cost multipliers for providing school places. See the guidance from the Department for Education on ‘Securing developer contributions for education’. However, plan makers should consider how needs and viability may differ between site typologies and may choose to set different policy requirements for different sites or types of development in their plans.

It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. Whilst standardised or formulaic evidence may have informed the identification of needs and costs and the setting of plan policies, the decision maker must still ensure that each planning obligation sought meets the statutory tests set out in regulation 122. This means that if a formulaic approach to developer contributions is adopted, the levy can be used to address the cumulative impact of infrastructure in an area, while planning obligations will be appropriate for funding a project that is directly related to that specific development.”

The SPD does seek to apply standard formula and this is therefore at odds with the NPPG. Whilst we recognise that it is helpful for developers to have sight of formula so as to broadly gauge what developer contribution might be sort, it must be made clear in each chapter and section of the SPD, that each application will be determined on a case by case basis and that the formula will not be applied rigidly in the case of every planning application (major or minor).

Procedures in testing Viability at the Application Stage

Noting all of the points we make above, it is the Consortia’s position that a number of the Council’s Development Plan policies cannot be regarded as being up to date in terms of the test of deliverability and viability. As such, significant weight should be afforded to developer viability assessments going forward and until such time that a full Local Plan Review (and accompanying viability assessment) has taken place.

We do recognise that the Council stipulate the following at paragraph 5.8 of the SPD in relation to the 2020 Viability Assessment, which we support.

‘The conclusions of this assessment confirm that the Council must continue to engage with site promoters and should consider potentially accepting a lower level of affordable housing or, lower provision of other policy requirements in these areas.’

It is also noted that the following is stated at paragraph 5.9. Whilst we disagree with the first part of the first sentence, we do welcome the Council’s recognition to take a flexible and pragmatic approach and urge that this is applied in practice.

‘Whilst the guidance in this SPD does not present additional requirements over and above those existing policy obligations tested as part of the 2020 Viability Update Assessment, the council recognises the need for flexibility and a pragmatic approach to securing developer contributions in some circumstances. Where developers expect sites are unviable in terms of delivering the full suite of policy obligations, they are invited to submit a viability assessment as part of their planning application.’

Indexation

As referenced at paragraphs 5.13 to 5.22, we note that all payments will be index linked. Whilst we note that this is typical for CIL and s106 contributions, in light of recent economic events, significant rises in inflation and interest rates, the increase in CIL rates and s106 contributions via indexation is likely to significantly increased over the next year and more. This could have serious implications on the viability of previously approved schemes and therefore we would urge the Council to be alive to this issue in terms of considering revised / resubmitted application proposals and requests to alter legal agreements already signed.

For ease of reference and for monitoring purposes, we recommend that it would be helpful if the Council could publish annually what the latest CIL rates will be for each year in line with the relevant indexation on their CIL webpage. Many LPA’s including South Ribble Council produce this annually.1).

Include files

[R001v7 PL - SPD Representations - Final.pdf](#)

11.10 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	11.10
Consultation Point	Paragraph
Comment ID	DC SPD-12
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	I agree that new developments should be required to contribute to increased costs of providing health services to the additional residents they will add to doctors registers

11.11 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	11.11
Consultation Point	Paragraph
Comment ID	DC SPD-13
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	the calculation should reflect any particular increased demand eg retirement apartments and care/ nursing homes where the residents are likely to require more intense doctors appointments including site visits, prescriptions etc should contribute a greater sum than homes for first time buyers whose demands are likely to be less (evidence to support this can be obtained from local doctors) if necessary

11.12 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	11.12
Consultation Point	Paragraph
Comment ID	DC SPD-24
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The present calculations do not appear to reflect the increased cost of servicing buildings specifically designed for an elderly population
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.12
Consultation Point	Paragraph
Comment ID	DC SPD-109
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	We do not understand the logic of this table. Surely if a one bed unit is allocated approx £600 requirement then a five bed unit requires a minimum of £3000? We think these sums should be simply pro rata and should be rounded up to be easily calculable.
Consultee Surname	Emmerson
Reference Number	11.12
Consultation Point	Paragraph
Comment ID	DC SPD-150
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	These contributions seem incredibly low - again they should be tiered with higher amounts for greenfield sites as these tend to be bigger and put more localised pressure on infrastructure and environment.
Consultee First Name	Natasha
Consultee Surname	Styles

Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	11.12
Consultation Point	Paragraph
Comment ID	DC SPD-186
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Recommendation: Amend para 11.12 so it reads as follows:</p> <p>‘The table below sets out the required financial contributions on 1st April 2022 and will be adjusted annually for inflation. Occupancy assumptions should also be amended for specialist forms of housing such as older persons housing that has an average occupancy of 1.3 persons per unit with the threshold for screening for a full healthcare impact assessment increased accordingly to say 75 units’.</p>

11.13 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	11.13
Consultation Point	Paragraph
Comment ID	DC SPD-110
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We presume that where GP practices dissolve in order to amalgamate then the retrieval process will not apply. NB the recently created Middlewood Partnership.

12 Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-36
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>General Comment on this Section</p> <p>The Parish Council objects to the continuation of policies to place future responsibilities and liabilities for green spaces and play areas on residents. These should be managed by CEC with appropriate S106 contributions. Public Rights of Way upgrades and new provisions should be subject to prior discussion with Town and Parish Councils.</p>
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-195
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Overall supportive but we wish to draw your attention to the suggested modifications made by Transition Wilmslow.
Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-243
Q3 - What is your overall view on this section?	Comment only

Q4 - Your comments on this section:	The basis for the figures provided at paragraph 12.18 requires justification.
Consultee First Name	Valerie
Consultee Surname	Herbert
Consultee Organisation	Prestbury Parish Council
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-217
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Para. 12.11 on page 36 says: "Where all or some of the open space, outdoor sport and green infrastructure connectivity is to be provided off site via a commuted sum, it will be accompanied by a commuted sum for maintenance for a minimum of 20 years". It does not then go on to explain what happens at the end of the maintenance period, nor whose responsibility it is to keep track of the period as it progresses. Does responsibility for the asset pass to the principal authority or a town or parish council? This needs to be clarified.</p> <p>Additionally, we note that this section makes no mention of the Queen Elizabeth II playing fields which were inaugurated in perpetuity. Fields in Trust designated over a thousand play areas, parks and open spaces as QE2 playing fields to recognise the Queen's Diamond Jubilee. Once so designated, they are protected forever. Prestbury has one such field - at Bollin Grove - which is half owned by Prestbury Parish Council and half owned by CEC. It would be reassuring if these QE2 fields were specifically mentioned and a statement made to the effect that they cannot ever be built upon.</p> <p>It also needs to be noted that there are two typos in para. 12.4. At the end of the first line, there should not be an apostrophe in 'its'. And, at the beginning of the second sentence, it should be 'Council', singular. The 's' and the apostrophe need to be removed.</p>
Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-237
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The definition provided for green Infrastructure in the NPPF (2021) (Annex 2; Glossary) refers to blue spaces, which includes the canal waterway network. 'A network of multi-functional green and blue spaces and other

natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.’

As such, in line with the policy provisions of Paragraph 98 of the NPPF, and Policy SE6 of the CELP, our waterways contribute to providing a high-quality network of open green and blue space for recreational provision, supporting healthy lifestyles and the well-being of local communities. The Trust would welcome clarification in the Developer Contributions SPD that ‘Green Infrastructure’ includes ‘blue’ infrastructure and for the definition of GI offered in the glossary of the SPD to be amended to reflect the definition provided in the NPPF (Annex 2: Glossary).

The waterway network has a role to play in enabling outdoor recreation, social interaction and providing access to open space for local communities. Greater access to the waterway network is supported by the Trust, however the increased use of and footfall generated by development near waterways can lead to an increased burden on the waterway infrastructure, resulting in deterioration in the quality and condition of a corridor. We would highlight the importance of enabling any direct impact arising from a proposed development near a waterway to be appropriately mitigated, in line with the tests outlined in CIL regulations 2010 and Paragraph 57 of the NPPF.

Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-227
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Required Contributions (Paragraphs 12.8 – 12.18)</p> <p>Paragraph 12.8 states:</p> <p>“Planning obligations relating to open space, outdoor sport and green infrastructure connectivity will be sought for residential and non-residential developments of 10 units or more, or where the site has an area of 0.5hectares or more. They will also be sought for commercial developments with a floorspace over 1,000sm or site area over 1ha.”</p> <p>The term ‘non-residential developments of 10 units or more’ is confusing and may be a drafting error. The Consortium suggests that this sentence should only refer to ‘residential units of 10 units or more’ and non-residential development should be dealt with in a separate sentence.</p> <p>Paragraph 12.11 states a commuted sum for maintenance will be required for a minimum of 20 years.</p> <p>The above paragraph should clearly set out the where the basis and justification for the 20 year timeframe has come from and how the commuted sum for maintenance will be calculated and justified.</p>

Paragraph 12.12 states a commuted sum for maintenance will be required for a minimum of 25 years. The above paragraph should clearly set out the where the basis and justification for the 25 year timeframe has come from and how the commuted sum for maintenance will be calculated and justified.

Paragraph 12.13 states:

“Where provision is of strategic significance, it should be conveyed to the Council with a commuted sum for maintenance of a minimum of 25 years for countryside areas, or 20 years in all other areas. The Council may work with third party organisations to undertake long term management and maintenance.”

Paragraph 12.13 appears to simply repeat the content of paragraphs 12.11 and 12.12 and should therefore be removed.

Paragraph 12.14 states large-scale major developments are defined in the glossary. The glossary does not include ‘large scale major development’ and this term has not been defined elsewhere in the draft SPD.

Paragraph 12.15 states:

“Planning obligations relating to indoor sport will be sought for residential units of 10 units or more, or where the site has an area of 0.5 hectares or more.”

Paragraph 12.15 refers to “residential units of 10 units or more”. This should be amended to “residential schemes of 10 units or more”.

Paragraph 12.18 contains a table which sets out the calculations for commuted sums in lieu of on-site provision for open space, recreation, allotments, indoor sports, and green infrastructure. The table contains several footnote annotations containing number and asterisks however, there are no footnotes to provide an explanation.

In addition, whilst elements of the table may be based on the content of the LPS, the SPD does not clarify how have the amounts been calculated, whether there has been any consideration of viability and what that consideration was. In particular, there does not appear to be any justification for seeking contributions from non-residential or commercial developments towards:

- Outdoor sport (playing pitches);
- Allotments/growing spaces;
- Indoor sports.

Some of the contributions set out towards the above would appear to threaten the viability of commercial developments in particular. If viability testing was done as part of the LPS or SADPD process, and justification provided elsewhere, the SPD should clearly refer to and signpost it.

Consultee First Name	Jean
Consultee Surname	Hill
Consultee Organisation	Transition Wilmslow

Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-248
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>12.1 Add – “and contribute to the amelioration of climate change” at the end of the first sentence after wellbeing</p> <p>12.3 - Add sentence at the end “it also makes a significant contribution to the amelioration of climate change “</p> <p>12.5 – A paragraph is required to refer applicants to consider appropriate policies in</p> <p>i) Neighbourhood Plans e.g. Wilmslow Neighbourhood Plan LSP ? Sustainable Spaces, and NE5 Biodiversity Conservation and</p> <p>ii) Local Development Frameworks e.g. Royal London Development Framework and the proposal for the Handforth Growth Village.</p> <p>12.9 Relpace “unless otherwise agreed” to say ” will be expected to be provided on site”</p> <p>12.11,12.12, and 12.13 – the use of “minimum periods of 20 or 25 years “in these paragraphs is open to interpretation by developers”. Facilities will need management in perpetuity. Further consideration needs to be given to the ongoing maintenance costs at the end of these periods.</p>
Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	12
Consultation Point	Indoor and Outdoor Sports Facilities, Public Open Space, Play Space and Green Infrastructure
Comment ID	DC SPD-256
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The Consortia accept that the provision of open space and its management on or off site may require the use of s106 agreements. We note that legal obligations will relate to general open space/green infrastructure, play areas, allotments, indoor and outdoor sport and residential and well as commercial development is expected to contribute.</p> <p>In relation to the standard set within the Table after paragraph 12.18 of the SPD, we note that ‘Open Space’ requirements per family home is set at 40 sq m or 20 sq m per bedroom.</p> <p>It is not clear within the SPD if the 40 sq m per family requirement for ‘Recreation and Outdoor Space’, cited later on in the table, is in addition to or the same as the 40 sq m requirement for ‘Open Space’. We note that it does go onto state 30 sq m is for playing pitch sports and 10 sq m is for other outdoor sports suggesting it is in</p>

addition to, but this needs to be clarified and made clearer in the table. Also, the 5 sq m per family home for allotments also appears to be in addition to the 40 sq m of 'Open Space' as does the 20 sq m for 'Green Infrastructure'. However, this could be clarified by an additional summary table to show exactly what is expected of residential development and commercial development across the various open space typologies (such as the example provided below): *ATTACHED*

If the above figures are correct for family homes, the consortia consider 105 sq m per family home is a considerable amount of open space and there should be an allowance for sustainable drainage areas and BNG area to fall within these areas and not be seen to be in addition to. Moreover, there should be scope to overlap some of the above requirements across the typologies rather than these being rigidly adhered to. It should therefore be made clear that where development proposals provide more than the required open space provision set out in the SPD in one or more areas, this could be used to off-set the need to provide alternative forms of open space (or other recreation facilities and contributions such as indoor sport contributions) in order to recognise developments that deliver significant green infrastructure over and above these requirements.

Finally, we note that the definition of a family home is not provided within this part of the SPD and would suggest this is included in a footnote of glossary to the SPD.

We note the request for 20 year management/maintenance requirements for contributions towards off site open space and 25 years if this is a strategic area of open space/countryside.

We consider this is reasonable but note that 15 years has been utilised by the Council in the past.

Include files

[R001v7 PL - SPD Representations - Final.pdf](#)

12.1 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	12.1
Consultation Point	Paragraph
Comment ID	DC SPD-111
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>We strongly support this objective and we would expect communities to be heavily involved and their views on what is necessary to be taken into account when drawing up agreements for s106 expenditure on such facilities. However we would expect an additional sentence to be added at the end.</p> <p>'Cheshire East will cooperate with local communities and take their views of needs into account when drawing up appropriate agreements with developers and provide facilities to local communities for negotiating an agreed formulation of s106 agreements with developers.</p>

12.2 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	12.2
Consultation Point	Paragraph
Comment ID	DC SPD-113
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	12.2 and 12.3 should logically precede 12.1. We need to define Green infrastructure before setting out its purposes.
Consultee First Name	Neil S
Consultee Surname	Collie
Consultee Organisation	East Cheshire Ramblers
Reference Number	12.2
Consultation Point	Paragraph
Comment ID	DC SPD-132
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Please consider including after 'urban and rural' the words 'and includes the public rights-of-way network.'
Consultee Surname	Emmerson
Reference Number	12.2
Consultation Point	Paragraph
Comment ID	DC SPD-151
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Green infrastructure needs to includes clear definitions for better ongoing management for wildlife including actions such as unmown verges and staged habitat improvements as developments mature into the future. Green infrastructure can often be barren for wildlife and so need to be managed more effectively to increase their value.

3.1 Paragraph

Consultee First Name	Yvonne
Consultee Surname	Lam
Consultee Organisation	Sandbach Town Council
Reference Number	3.1
Consultation Point	Paragraph
Comment ID	DC SPD-206
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Developer's contractual engagement with a local authority should include all the mentioned T's & C's within the document (SPD), with any further additions added.</p> <p>This should include items such as SDP initially, CIL payments, SEA assessments & associated costs, section 106 planning obligations, Section 278 agreements, to name a few.</p> <p>In addition to this the CEC Local Plan Strategy (LPS) and the policies should contained within.</p> <p>(Paragraph 3.13)</p>

12.3 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	12.3
Consultation Point	Paragraph
Comment ID	DC SPD-112
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Green infrastructure is particularly vital in concentrated urban communities to provide all the benefits outlined in paragraph 12.3. particularly for enhanced well-being, outdoor recreation and access, plus simple inexpensive opportunities for enjoyable exercise thereby enhancing physical health.

12.4 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	12.4
Consultation Point	Paragraph
Comment ID	DC SPD-15
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Agreed - where new developments will increase demand for sporting facilities contributions should be made to the provision of NEW facilities
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	12.4
Consultation Point	Paragraph
Comment ID	DC SPD-114
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Surely 12.4 needs to come at the beginning where all the many purposes of the SPD should be set out and any problematical terms defined. Reminders can be set in context in a sentence as the SPD develops.

12.5 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	12.5
Consultation Point	Paragraph
Comment ID	DC SPD-37
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Policy REC 3 – ‘Green space of strategic importance should be conveyed to Cheshire East’. Why should this not apply to other areas of space within developments, with funds transferred to CEC for its upkeep?
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	12.5
Consultation Point	Paragraph
Comment ID	DC SPD-115
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>We are very concerned that whereas much is made of green space little is made of indoor sports facilities and indoor youth facilities which in some cases could be combined. These are mentioned as an objective of this SPD but no real effort is made to provide a policy framework for their creation as a vital part of community infrastructure.</p> <p>We think large developments should expect to provide as well as outdoor play area which are reasonably wide spread indoor facilities for young people and recreation opportunities. There are many occasions when outdoor activities are restricted by weather conditions and therefore indoor facilities of this kind are a very valuable asset that has been sadly neglected. We think this SPD fails to provide for this vital community service.</p>

12.8 Paragraph

Consultee Organisation	Sport England
Reference Number	12.8
Consultation Point	Paragraph
Comment ID	DC SPD-212
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>In relation to paragraph 12.18 of the SPD, Sport England have the following queries:</p> <ul style="list-style-type: none">• How has the standards have been derived?• Which sports would benefit from the standards, e.g. 40sqm for a football pitch?• What is considered to be a family home?• When would the Council use standards and when would the Council use the Sport England Sports Pitch calculator to determine sports provision?• Particularly for mixed use developments, how can the Council be sure that the proposed commercial development does not 'double count' with the proposed residential for the additional demand generated for sport provision?• How will the standards establish a sustainable sporting facility? For example, an 'hub site' with 5 sports pitches with ancillary facilities is preferred to an individual pitch developed for 5 development sites.

12.11 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	12.11
Consultation Point	Paragraph
Comment ID	DC SPD-38
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Why should a commuted sum be provided for off-site provision rather than the same as for on-site provision? See also para 12.13.

12.12 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	12.12
Consultation Point	Paragraph
Comment ID	DC SPD-39
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	“Where the provision of open space, outdoor sport and green infrastructure is on site, management and maintenance in perpetuity will need to be demonstrated and will be secured via S106.” We question whether this “in perpetuity” is feasible. Could there not be alternatives for considering allowing a Town or Parish Council to own/operate the on-site provision and receive funds from the residents of new estates for management and maintenance.

12.14 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	12.14
Consultation Point	Paragraph
Comment ID	DC SPD-40
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	We presume there is a number of houses / size of development criteria to determine major developments?

12.18 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	12.18
Consultation Point	Paragraph
Comment ID	DC SPD-41
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	What formula is to be used for securing a commuted sum for indoor sport and to who will this be paid. How will it be enforced? There is no mention in the table following 12.20 for indoor sport.
Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	12.18
Consultation Point	Paragraph
Comment ID	DC SPD-188
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Section 12 - indoor and outdoor sports facilities, public open space, play space and green infrastructure</p> <p>Paragraph 12.5 provides some background to the topic area and suggests that for section 106 the relevant policies in the local plan or the draft SADPD include REC 1, REC 2 and REC 3. The SADPD has recently been through examination in public and the council has recently received the inspectors report identifying that the plan is sound and can go forward for adoption. This is timetabled for adopting in December 2022 this is therefore a very up to date plan.</p> <p>Policy REC3 (green space implementation) of the SADPD at Point2 states that ‘the presumption will be that green space provision associated with residential and non-residential development schemes will be provided on site. Off-site provision may be acceptable in limited instances, where this meets the needs of the development and achieves a better outcome in terms of green space delivery. This would involve the payment of a commuted</p>

sum to the council'. Point 4 states that 'The provision of, or contribution to, outdoor playing pitch sports facilities will be informed by the Playing Pitch Strategy and Sport England Sport Pitch Calculator. Other outdoor sports provision not covered by the Playing Pitch Strategy will be sought on a site by site basis using 10 sq.m per family home as a benchmark figure'. Para 11.9-11.11 of the SADPD appears to provide clarity to the provision.

Paragraph 12.18 of the draft SPD identifies that 'where provision is not required on site or the council considers a commuted sum lieu of on-site provision is acceptable for all a part of the requirement the following calculations will apply'. Paragraph 12.18 then includes a table that attempts to set the provision in sq m or through a financial contribution for various types of open space and sports provision to be delivered based on the kind of accommodation or for sheltered accommodation the amount of bedspaces. However, this table is not clear and the table appears to go beyond draft SADPD policy REC3. For example, for major residential development this appears to require for open space 40 square metres or 20 square metres per bedroom or requires a financial contribution of £4,500 pounds per family home with Residential homes / supported living /sheltered housing requiring 20 square metres per bed space or a financial contribution of £1,125 pounds per bed space or as negotiated for specific opportunities. For recreation and outdoor sport the table then appears to request a further full requirement is 40m2 per family home. For green infrastructure the table requires 20m2 per family home and for allotments requires 5m2 per family home etc. This would appear to have a total of 105 sq m per family dwelling.

In its setting of requirements for individual green infrastructure typologies and the requirements it has come out with, with little explanation as to how this has been calculated, the draft SPD appears to be going beyond the SADPD and be introducing requirements that could add additional financial burden beyond the SADPD and the section should either be clarified with proper referencing to the relevant evidence base and Development Plan Documents or reconsidered.

The open space needs of older people are much less than that presented in the draft SPD. For older people the quality of open space either on site or easily accessible for passive recreation is much more important than formal open space. The draft SPD should not therefore set area standards or commuted sums for residential homes/ supported living / sheltered housing schemes but consider the quality of the space is negotiated on a site by site basis.

Recommendation:

Reference to providing either a commuted sum or an open space area of 20sq m for Residential homes / supported living /sheltered housing schemes should be deleted from the table at 12.18 as this is not justified. The table should confirm that open space for Residential homes / supported living /sheltered housing schemes will be negotiated on a case by case basis.

13 Affordable Housing

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	13
Consultation Point	Affordable Housing
Comment ID	DC SPD-16
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>The definition of “ affordable “ needs to be relevant- a discount of 20% to a property valued at £4-500 sq ft does not render it affordable to key workers or most first time buyers</p> <p>Affordable social rented housing is the only way housing is truly affordable</p> <p>Agreed the reduced revenue reduces the land value but that is factored into the purchase price and does not affect the developers ability to undertake the development- it simply reduces the “ windfall “ profit made by the landowner from the grant of planning consent</p>
Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	13
Consultation Point	Affordable Housing
Comment ID	DC SPD-189
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Section 13 – Affordable housing</p> <p>Paragraph 13.2 identifies that the council has produced a Housing SPD adopted July 2022 to provide additional policy guidance focused on local plan policies SC4 (residential mix), SC5 (affordable homes) and SC6 (rural exception housing for local needs). The draft SPD identifies that the Housing SPD aims to give greater clarity to developers landowners and communities focused primarily on affordable housing and specialist accommodation including older persons accommodation.</p>

	<p>Paragraph 13.3 identifies that this Housing SPD includes information on how developer contributions for affordable housing should be calculated and that 'The approach to financial contributions from the Housing SPD is included here. For full information on how the council applies affordable housing policies, please refer to the Housing SPD 2022 available on the Councils Website'.</p> <p>Recommendation:</p> <p>As the Housing SPD is up to date and in order to prevent repetition and ensure that this section and calculations are not scrutinised again this section should purely refer to the housing SPD rather than detailing out the methodology and para 13.4 to 13.22 should be deleted.</p>
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	13
Consultation Point	Affordable Housing
Comment ID	DC SPD-193
Q3 - What is your overall view on this section?	Support
Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Reference Number	13
Consultation Point	Affordable Housing
Comment ID	DC SPD-244
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The Council's formula in relation to off-site contributions requires clarification. Paragraph 3.12 states that 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. However, paragraph 3.13 states that 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. The approach therefore appears to be inconsistent with the cost of delivering affordable housing as referred to in paragraph 3.12.</p>
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist

Agent Organisation	Asteer Planning LLP
Reference Number	13
Consultation Point	Affordable Housing
Comment ID	DC SPD-228
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Paragraphs 13.2 and 13.3 of the draft SPD state:</p> <p>“The Council has produced a Housing SPD (adopted July 2022), 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.</p> <p>13.3 The Housing SPD includes information on how developer contributions to affordable housing should be calculated. The approach to financial contributions from the Housing SPD is included here. For full information on how the council applies affordable housing policies, please refer to the Housing SPD 2022 available on the Councils Website(10).”</p> <p>The remainder of Section 13 of the draft SPD then sets out information that appears to be simply reproduced from the already adopted Housing SPD. There does not appear to be any need to include Section 13 in the SPD and this approach may lead to confusion for applicants and officers. Rather, to simplify and clarify the approach, the content of paragraphs 13.2 and 13.3 should simply be added to the introduction section of this SPD and Section 13 removed.</p>

13.1 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	13.1
Consultation Point	Paragraph
Comment ID	DC SPD-17
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	The council should specify the types and sizes of market sale houses acceptable on certain sites- developers will always seek large5-5 bed houses because they are the units that provide the best profit - but they don't assist the majority of first time purchasers who are looking for terraced or semi detached 2 or 3 bed houses - smaller houses shouldn't only be provided under affordable requirements

3.2 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.2
Consultation Point	Paragraph
Comment ID	DC SPD-67
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Should the relevant sections of the documents referred to be placed as an appendix to the back of the document?

13.6 Paragraph

Consultee Surname	Emmerson
Reference Number	13.6
Consultation Point	Paragraph
Comment ID	DC SPD-152
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	A clear statement is required to state that affordable housing is mandatory and cannot be reduced at an individual development level, a recent large development has had the affordable level reduced to 11% with no public consultation.
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	13.6
Consultation Point	Paragraph
Comment ID	DC SPD-205
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	What scrutiny is there of a viability assessment submitted by a developer. Assessment should be an independent assessor appointed by CEC (paid for by the developer) ... See 13.18
Consultee First Name	Roger
Consultee Surname	Bagguley
Consultee Organisation	Residents of Wilmslow
Reference Number	13.6
Consultation Point	Paragraph
Comment ID	DC SPD-178
Q3 - What is your overall view on this section?	Support

Q4 - Your comments on this section:

Very supportive of rounding up to achieve the required number of affordable homes. Good to read the assertion on the part of the council that the number of homes required should be met on site. There is a need to assert "Pepper Potting" across a site too. CELPS Policy SC5 is clear. Failure to meet all of the criteria is an equality issue.

13.7 Paragraph

Consultee Surname	Emmerson
Reference Number	13.7
Consultation Point	Paragraph
Comment ID	DC SPD-153
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	See earlier comment - this level of housing requirement needs review as it is too high being based on old projections and the increased level of windfall housing.

13.8 Paragraph

Consultee Surname	Emmerson
Reference Number	13.8
Consultation Point	Paragraph
Comment ID	DC SPD-155
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	There should be an ambition to increase the level of affordable housing above 30% on most developments being that this is the kind of housing most in demand, it should not be treated as a bare minimum and in most developments it should be set higher.
Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	13.8
Consultation Point	Paragraph
Comment ID	DC SPD-60
Q3 - What is your overall view on this section?	Comment only

13.10 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	13.10
Consultation Point	Paragraph
Comment ID	DC SPD-116
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	We would prefer in developments where types of housing are already mixed in tenures affordable housing was pepperpotted throughout the development and standards should be maintained. Indeed we would like to see detailed standards for affordable housing clearly established and stated by the Cheshire East Planning Authorities.
Consultee Surname	Emmerson
Reference Number	13.10
Consultation Point	Paragraph
Comment ID	DC SPD-154
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	This statement should not be accepted within this document - ALL developments should have the affordable housing provision on-site.

13.11 Paragraph

Consultee Surname	Emmerson
Reference Number	13.11
Consultation Point	Paragraph
Comment ID	DC SPD-156
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	A financial contribution should not be used in any circumstance - if it cannot be achieved then the development proposal should be refused.

13.12 Paragraph

Consultee Surname	Emmerson
Reference Number	13.12
Consultation Point	Paragraph
Comment ID	DC SPD-157
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	A financial contribution should not be an option - the development should be refused if the targets are not achievable.

3.3 Paragraph

Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	3.3
Consultation Point	Paragraph
Comment ID	DC SPD-197
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>S106 Payments are being retained, unspent, by CEC for far too long. These payments were made for the benefit of the residents, generally local to the development – not intended to be an interest free loan to shore up the LA finances.</p> <p>S106 agreements need to be such that developers make payment at a specific date which cannot be such that delays in payment benefit the developer. An example of a bad S106 agreement on office development “payment shall be due on the date when the development is fully let” – meaning that the developer can have 80% or more occupancy for years without making the S106 payment.</p>

13.17 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	13.17
Consultation Point	Paragraph
Comment ID	DC SPD-18
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	The example is unrealistic- where is a market value of a new house £100,00” The example should be worked on the basis of a price £250,000 minimum
Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	13.17
Consultation Point	Paragraph
Comment ID	DC SPD-58
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Given CEC will have examples of contributions generated for off-site provision, can they use that data to generate an average fixed offer price developers can sell S106 affordable units to RPs on sites where provision is to be on site?

13.18 Paragraph

Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	13.18
Consultation Point	Paragraph
Comment ID	DC SPD-57
Q3 - What is your overall view on this section?	Comment only

13.21 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	13.21
Consultation Point	Paragraph
Comment ID	DC SPD-117
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We support but would include a sentence ensuring that ward councilors and any relevant local council would be involved in the discussion and completion of the s106 agreement as it is their residents that they represent who will be impacted by the development.

1.1 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1.1
Consultation Point	Paragraph
Comment ID	DC SPD-61
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The concept of 'a material planning consideration' needs to be explained. The phrasing is not self-explanatory yet the whole purpose and weight of an SPD depends on its status as a 'material planning consideration. Since there are many considerations that the general public thinks are material yet are not an additional element of explanation would help people understand why an SPD is so important. This particularly important as the sentence starts with how the SPDS are not part of the adopted development plan.</p> <p>An example would be even more helpful.</p>

14 Cheshire Constabulary

Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	14
Consultation Point	Cheshire Constabulary
Comment ID	DC SPD-170
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The draft SPD sets out that contributions will be sought towards staff set up, vehicles and premises. The Council should ensure that any planning obligations towards these items are in accordance with CIL Regulations – that is, the three tests – and that there are no other funding streams available so that developments are not subject to an unnecessary burdensome scale of obligations.
Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	14
Consultation Point	Cheshire Constabulary
Comment ID	DC SPD-190
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Section 14 Cheshire Constabulary para graph 14.2 states that where the scale, nature and significance of proposals may place a demand on the police service, a contribution to police and fire infrastructure may be required to mitigate the impacts of development.

	<p>This is beyond the remit of section 106 contributions as both the police and fire authorities claim a precept through council tax and this should be the means by which the increase demand for services is provided for. In addition this would be a new charge that is not discussed in the local plan or SADPD and therefore add unnecessarily to the financial burdens on development so would be contrary to PPG.</p> <p>Recommendation: Section 14 should be deleted as the requirement is beyond the remit of section 106 contributions.</p>
Consultee First Name	John
Consultee Surname	Coxon
Consultee Organisation	Emery Planning Partnership
Reference Number	14
Consultation Point	Cheshire Constabulary
Comment ID	DC SPD-245
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The proposed contributions appear to include various aspects relating to staffing equipment that cannot be attributed to a proposed development and should be funded by other means such as Council Tax. Developer contributions should be limited to where a development is so large that it requires the provision of new premises. The approach is therefore not justified or consistent with the CIL Regulations. Furthermore, the approach should be set out within a policy before any contributions are sought.
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	14
Consultation Point	Cheshire Constabulary
Comment ID	DC SPD-229
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	There is no specific policy in either the LPS or the SADPD that refers to policing and there does not appear to be any specific policy basis for the contributions set out in Section 14 of the draft SPD. The 'required contributions' paragraphs (14.7 – 14.29) of the draft SPD relate to staff set up, vehicles and premises. Not all of these costs, and specifically costs for staff set-up and vehicles relate to infrastructure in the context of Policies IN 1 and IN 2 of the LPS and should not therefore be included in the SPD.

Furthermore, contributions would be at risk of failing the tests set out at Regulation 122 of the CIL Regulations if they overlapped with anything provided for by Council tax receipts as they would not be necessary to make the development acceptable in planning terms. In addition, it is not at all clear how costs such as uniforms, body work cameras, and start up recruitment would be 'directly related' to any development. Once again, there is no specific policy within either the LPS or SADPD to justify this. The inclusion of the contributions set out in the draft SPD towards Cheshire Constabulary seems completely unfounded and unreasonable and should be removed.

Notwithstanding the consortium's comments on the principle of including contributions towards Cheshire Constabulary within the SPD, the remainder of Section 14 is poorly drafted and totally unclear. Specific examples are referred to below.

Objective and Background (Paragraphs 14.1 – 14.6)

The paragraphs in this subsection are confusing. For example, despite the section title being 'Cheshire Constabulary', Paragraphs 14.1 and 14.2 mentioning 'Cheshire Fire Service' and 'a contribution to police and fire infrastructure'. The remainder of the draft SPD makes no mention of 'fire service' or 'fire infrastructure' but simply refers to police costs throughout.

This appears to be a drafting error, which should be corrected. If however, the intention is that contributions towards the 'fire service' will be sought, then the draft SPD provides absolutely no detail on the justification and/or methodology for calculating and/or collecting them. As with the consortium's comments at Error! Reference source not found. - 0 above, there is no policy basis for including such contributions within the SPD.

Required Contributions (Paragraphs 14.7 – 14.29)

The paragraphs in this sub-section are extremely unclear and difficult to follow. Paragraphs 14.9-14.29, appear to set out a methodology for calculating costs/contributions but there is no introductory text explaining this.

Furthermore:

- Paragraph 14.13 refer to 2011 Census data - Will this data be updated to reflect the findings of the 2021 Census?
- Paragraph 14.14 provides table 14.1 which sets out the basic set-up costs of equipping and recruiting staff - however, there is no reference to where these figures have been sourced from or evidenced.
- Paragraph 14.20 states:

"For example, if 100 vehicles serve Cheshire East the net average value would be $100 \times 16,255$ (£1,625,500)."

It is not clear why an example figure of 100 is used or an average value of £16,255 is used, or where these have been sourced from. Furthermore, the £1,625,500 figure is not the "net average value" but rather the 'net total value' in this example.

- Paragraph 14.23 states:

"For a proposed new development, this equates to £4.07 x population of new development, to give an 8-year life of provision."

It is unclear if this is an actual amount or just theoretical worked example. This should be set out clearly therefore be amended accordingly. If these are just example figures, where will the actual figures come from and what evidence will they be based on?

- Paragraph 14.25 states ‘a contribution is not being sought towards premises costs for the centralised policing staff generated by the development’.

It is not therefore clear what ‘premises’ paragraphs 14.26-14.29 relate to; where the information has been sourced/evidenced from; and/or, how any requested contributions will be linked to a particular development proposal.

Summary of comments on Section 14

Contributions towards Cheshire Constabulary (and indeed the Fire Service if that is the intention) are not supported by any specific policy in the LPS and/or SADPD. As such, they should not be included in the SPD.

Notwithstanding this, Section 13 of the draft SPD is poorly drafted and it is therefore not possible to fully understand and comment on:

- What the Council’s proposed methodology for calculating requested contributions from developments is;
- Where the information on which calculations will be based is/will be sourced from or evidenced;
- How such contributions will be necessary and directly related to developments (in order to pass the tests at Regulation 122 of the CIL Regulations).

Consultee First Name	Tatton Estate, Bloor, Taylor Wimpey
Agent First Name	Joe
Agent Surname	Davis
Agent Organisation	Pegasus Planning Group Ltd
Reference Number	14
Consultation Point	Cheshire Constabulary
Comment ID	DC SPD-257
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Section 14 of the draft SPD relates to contributions towards Cheshire Constabulary for policing. The SPD details that where development is proposed, the Constabulary will seek to deploy additional staffing and infrastructure at the same level that is required to deliver policing to the locality. Financial contributions are set out based upon staff-set up and police vehicles. Contributions are not currently being sought for additional premises given the recent shift in work approaches.</p> <p>Police funding is primarily from central government via a centralised grant supplemented by council tax precept. We therefore consider that policing is matter which should be dealt with at central government level, with it not being appropriate to request contributions at a local level from residential developers to fund policing. This is deemed particularly the case where residential developments are located within/adjacent to existing settlements</p>

where there is existing policing provision and the burden of providing new infrastructure should not be as great compared to a new settlement location.

Developer costs towards such services were not examined during the production of the LDS or SADPD. However, we do note that they were considered as part of the CIL process. Within the 2018 CIL baseline IDP report it was noted at paragraph 12.10 that the Levy could be used to provide improvements to police facilities if such needs are identified through the infrastructure planning process. However, at paragraphs 12.9 and 12.12, the following was stated:

‘Cheshire Constabulary have advised that there are no capacity issues at present time.’

There are no specific capacity constraints for the police force at the present time. Nonetheless, the possibility of co-location with other public services is or has been investigated in Congleton and Poynton. ‘

In light of this the CIL 123 list does not include payments or infrastructure for Cheshire Constabulary. If that position has now altered and new facilities are required, this should be added to the Council's CIL 123 list and/or explored and examined through a new Local Plan rather than added as a potential developer contribution through this SPD.

Include files

[R001v7 PL - SPD Representations - Final.pdf](#)

3.5 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	3.5
Consultation Point	Paragraph
Comment ID	DC SPD-26
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	This states that pooling of CIL money is now allowed. Could some way be found to pool S106 money as well?
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.5
Consultation Point	Paragraph
Comment ID	DC SPD-68
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	We think the concept of pooling planning obligations needs further explanation at this point or earlier for the SPD to be clear in meaning for non-planners to understand. Perhaps a separate paragraph?

14.13 Paragraph

Consultee First Name	Richard
Consultee Surname	Hovey
Reference Number	14.13
Consultation Point	Paragraph
Comment ID	DC SPD-47
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Figures are provided for Cheshire and Cheshire West & Chester - please confirm what the figures are for Cheshire East - since this relates to a Cheshire East Policy.

National Policy Context

Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Consultation Point	National Policy Context
Comment ID	DC SPD-180
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Thank you for the opportunity to comment on the Cheshire East Draft Developer Contributions SPD (the SPD). McCarthy Stone is the leading provider of specialist housing for older people for sale. It is noted that the council has an adopted Local Plan (adopted July 2017) as well as a revised draft Site Allocations and Development Policies Document (SADPD) that that is likely to be adopted by the council in December 2022 having been through examination in public and subject to some modifications. The draft SPD should be updated to reflect the new SADPD together with its main modifications.</p> <p>Para 16 b) of the NPPF requires plans to be, amongst other elements, ' b) be prepared positively, in a way that is aspirational but deliverable'. Planning Practice Guidance addresses Supplementary Planning documents and at Paragraph: 008 Reference ID: 61-008-20190315 states that 'Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development'.</p> <p>As confirmed in para 3.4 of the draft SPD and reiterated in PPG on Planning Obligations (Paragraph: 002 Reference ID: 23b-002-20190901), planning obligations must be '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'.</p>

3.6 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.6
Consultation Point	Paragraph
Comment ID	DC SPD-123
Q3 - What is your overall view on this section?	Support

15 Other Matters

Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Reference Number	15
Consultation Point	Other Matters
Comment ID	DC SPD-238
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Paragraph 15.4 refers to potential impact on the PROW network. We welcome the reference to 'canal towpath works' in Paragraph 15.5, however not all canal towpaths are defined as a Public Rights of Way and yet may require improvement/enhanced access as mitigation of an impact arising from development.
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	15
Consultation Point	Other Matters
Comment ID	DC SPD-230
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Public Rights of Way (Paragraphs 15.4 – 15.8)</p> <p>Paragraph 15.7 states:</p> <p>“There may be a degree of overlap with regards to contributions towards transportation improvements, particularly in urban areas, see ‘Highways and Transport’ section.”</p> <p>Paragraph 15.7 must address how the overlap will be addressed to prevent double counting in order to pass the tests for collecting contributions.</p> <p>Flood Risk and Sustainable Drainage Systems (Paragraphs 15.9 – 15.16)</p> <p>Paragraph 15.13 states CEC will provide an assessment of the proposed developments potential impacts on the drainage network.</p> <p>The Local Lead Flood Authority (LLFA) should provide an assessment of the potential impacts on the drainage network and the above paragraph should be amended as according.</p>

15.2 Paragraph

Consultee First Name	Natasha
Consultee Surname	Styles
Consultee Organisation	McCarthy Stone
Agent First Name	Natasha
Agent Surname	Styles
Agent Organisation	The Planning Bureau
Reference Number	15.2
Consultation Point	Paragraph
Comment ID	DC SPD-191
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Section 15 addresses a number of other matters that can be subject to developer contributions. This includes a section on heritage. This section identifies that 'many of the potential impacts of development on heritage assets can be addressed through design scheme but there may be circumstances where this cannot be satisfactorily controlled by a condition' however many of the examples identified such as securing the investigation and protection of archaeological remains in advance of development should be able to be secured through condition rather than addition the additional cost of section 106 and therefore this section should be reconsidered as to which areas can and can't be addressed through condition rather than S106.</p> <p>Recommendation</p> <p>Reconsider para 15.2 as to which areas can and can't be addressed through condition rather than S106 as many of the requirements identified in the paragraph are easily implemented via condition.</p>

3.7 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.7
Consultation Point	Paragraph
Comment ID	DC SPD-69
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Is further guidance on how viability assessments are to be made and by whom required? Surely viability assessments should be made by independent professionals who can be trusted by both developers and the planning decision makers. Should not this requirement be specified in policy?

15.4 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	15.4
Consultation Point	Paragraph
Comment ID	DC SPD-19
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Agreed

15.6 Paragraph

Consultee First Name	Yvonne
Consultee Surname	Lam
Consultee Organisation	Sandbach Town Council
Reference Number	15.6
Consultation Point	Paragraph
Comment ID	DC SPD-210
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<ul style="list-style-type: none">• Taking into consideration all the contents of the SPD, policing of the agreements tied to KPI's are Vital. <p>An example is the Construction of 5 dwellings near to St. John's Church, Sandbach Heath. The development was started, with an agreement a footpath was to be installed and completed prior to the 2nd dwelling of 5 being constructed. This footpath was never completed. The development of the further 4 dwellings was completed and the builder sold the 5 dwellings. Subsequently the Builder ceased trading, hence no money was available to complete the footpath.</p> <ul style="list-style-type: none">• The introduction of KPI's, if installed and monitored, may have avoided this situation.• Staff shortages contributed to this.

15.8 Paragraph

Consultee First Name	Neil S
Consultee Surname	Collie
Consultee Organisation	East Cheshire Ramblers
Reference Number	15.8
Consultation Point	Paragraph
Comment ID	DC SPD-133
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Para 15.8 line 2: consider adding ' have a direct' in line two. '....schemes are likely to have a direct impact on a public right of way.'

Flood Risk and Sustainable Drainage Systems

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Consultation Point	Flood Risk and Sustainable Drainage Systems
Comment ID	DC SPD-42
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Linked to the water quality issues - looking at the impact of additional development on water pressure to existing housing. Are improvements/upgrades needed in order to maintain required pressure and quality as the demand increases?

3.8 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.8
Consultation Point	Paragraph
Comment ID	DC SPD-70
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Again how will the plus element of the EUV+ be determined and by whom?
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	3.8
Consultation Point	Paragraph
Comment ID	DC SPD-198
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The language used lacks clarity. The last sentence, in particular, needs to be broken down into shorter sentences to improve understanding.

15.11 Paragraph

Consultee Surname	Emmerson
Reference Number	15.11
Consultation Point	Paragraph
Comment ID	DC SPD-158
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Requirements in depth studies on flooding risk caused by proposed developments should be mandatory for all new developments and used as reasonable grounds for refusal. Too many recent housing and road developments have results in exacerbating current flooding risks where there were previously none.

16 Glossary

Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	16
Consultation Point	Glossary
Comment ID	DC SPD-59
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	On affordable housing definition for affordable rent, would you want to go on that rents including service, estate charges should be capped at LHA?
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	16
Consultation Point	Glossary
Comment ID	DC SPD-120
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We welcome the addition of this very full and helpful glossary.
Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Reference Number	16
Consultation Point	Glossary
Comment ID	DC SPD-239
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The Trust request that the definition of 'Green Infrastructure' is amended to the definition provided in the Glossary (Annex 2) of the NPPF (2021).

3.9 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.9
Consultation Point	Paragraph
Comment ID	DC SPD-71
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>The level of development for affordable housing but how do you prevent developers from breaking up developments into units of less than 10 houses to avoid affordable housing obligations?</p> <p>Also, the affordable housing proportions of development should be strictly applied. Too often viability issues are produced that compromise the policy. How can the SPD prevent that from happening?</p>

3.10 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.10
Consultation Point	Paragraph
Comment ID	DC SPD-124
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	We would expect in any legislation a strong role to be protected for the local communities directly affected by the operation of the joint CIL/s106 'Infrastructure Levy and if not clear guidance in an amended SPD to ensure that happens at the local level before CIL and s106 negotiations are completed. We would expect the views of communities especially if expressed through 'made' Neighbourhood Plans to be a 'material consideration'.

3.11 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.11
Consultation Point	Paragraph
Comment ID	DC SPD-72
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Very pleased to see 'made' Neighbourhood Development Plans integrated into the Statutory Development Plan.

Appendix 3: Cheshire East Council Parking Standards

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Consultation Point	Appendix 3: Cheshire East Council Parking Standards
Comment ID	DC SPD-121
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Is A2 Financial Services 1 per 30 m correct? Should it be 1 per 30 metre ² Similar with Storage and Distribution

17.36 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	17.36
Consultation Point	Paragraph
Comment ID	DC SPD-119
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	We strongly support this Section and Policy 17.36 for ensuring major new developments provide opportunities for healthy living through a formal assessment. We particularly support the specific statement encouraging (the minimisation of social isolation and creation of of inclusive communities and would ask for the policy to specifically apply to the distribution and planning for affordable housing.

3.15 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.15
Consultation Point	Paragraph
Comment ID	DC SPD-73
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>Very pleased to see Neighbourhood Development plans specifically referred to in this document.</p> <p>We hope to see detailed recommendations as to how Local Councils with 'made' development plans are involved in consultations over the CIL and S106 agreements for planned development in their areas. We would expect paragraphs on this process of local consultation to be included in this SPD.</p>
Consultee First Name	Yvonne
Consultee Surname	Lam
Consultee Organisation	Sandbach Town Council
Reference Number	3.15
Consultation Point	Paragraph
Comment ID	DC SPD-207
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Neighbourhood & local plans to be consulted and implemented where necessary.

Supplementary Planning Documents

Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Consultation Point	Supplementary Planning Documents
Comment ID	DC SPD-233
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The Canal & River Trust (the Trust) recognises and values the important role of planning policy and Supplementary Planning Documents (SPDs) in not only protecting its network of inland waterways and reservoirs from inappropriate development, but also in unlocking the potential of inland waterways to bring multiple benefits to local communities.</p> <p>The multifunctional nature of waterways means that our infrastructure has the potential to deliver a wide range of benefits including the provision of:</p> <ul style="list-style-type: none"> - Access to open space and green and blue infrastructure for recreational opportunities, and as a community resource for health and well-being benefits; - Opportunities to create and maintain ecological habitats and green corridors to support biodiversity and networks of green/blue infrastructure; - A strategic and local infrastructure performing multiple functions (e.g land drainage, utilities infrastructure, and a water resource; and - Functions to support climate change, carbon reduction and environmental sustainability e.g. Alternative travel routes (walking, cycling) and urban cooling. <p>The Trust therefore broadly encourages policies which seek to:</p> <ul style="list-style-type: none"> • protect the environmental and recreational value of waterways, green and blue infrastructure and to safeguard them against inappropriate development; • support their ability to deliver economic, social and environmental benefits to local communities and the nation as a whole; and • secure the long-term sustainability of the inland waterway network, their corridors and adjoining communities. <p>The Trust welcomes the overall principle of adopting an updated SPD on Developer Contributions. We would seek to highlight the diverse roles our waterways can play and ensure that appropriate contributions can be sought to mitigate the direct impact of development on our waterways and maximise the opportunities they present to delivering the Council's objectives and benefits to the wider community.</p>

3.16 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.16
Consultation Point	Paragraph
Comment ID	DC SPD-125
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	The adopted SPDs do not always specify the process for local consultation with communities through Local Councils. Where this is the case and where consultation is appropriate and it will be appropriate whenever the local community is impacted by development these SPD's should be amended. Such information needs to be included in the SPD.

1.3 Paragraph

Consultee First Name	Amanda
Consultee Surname	Stott
Reference Number	1.3
Consultation Point	Paragraph
Comment ID	DC SPD-3
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	I feel that when the original S106/CIL legal document is drawn up and comes into force if the application is passed the terms of the agreement must bear in mind the period of time that these agreements cover - which can mean that a current situation in a community is temporary and won't be something to consider when it comes to applying the terms of the agreement. Thank you
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1.3
Consultation Point	Paragraph
Comment ID	DC SPD-62
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>This could be expanded to include examples e.g. SPD....contributions towards</p> <ul style="list-style-type: none"> a) infrastructure e.g a roundabout, a new school or an addition to school buildings b) facilities e.g. a play area, a footpath c) services e.g. a supplement to a local bus service d) the circumstances where infrastructure provision, including financial contributions, will be sought e.g.to new sports facilities, and community buildings. <p>The phrase 'planning obligations' needs further explanation. what are the range and nature of 'planning obligations? Which ones will probably trigger financial contributions?</p>

3.18 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.18
Consultation Point	Paragraph
Comment ID	DC SPD-77
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	This statement should make clear that this guidance now applies to the whole of Cheshire East and not just Congleton if that is the case.
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	3.18
Consultation Point	Paragraph
Comment ID	DC SPD-199
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	See comments at 3.3 above

3.22 Paragraph

Consultee Surname	Emmerson
Reference Number	3.22
Consultation Point	Paragraph
Comment ID	DC SPD-134
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	The emerging Site Allocations and Development Policies Document (“SADPD”) need review once again as it is using out of date figures for housing need. This is allowing developers to pick out the most profitable greenfield sites in preference to forcing them to prioritise brownfield sites, see more information in the attached document.
Include files	set-up-to-fail-why-housing-targets-based-on-flawed-numbers-threaten-our-countryside.pdf

3.25 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	3.25
Consultation Point	Paragraph
Comment ID	DC SPD-8
Q4 - Your comments on this section:	<p>Developers will always overestimate costs and underestimate revenue to produce viability reports justifying reduced contributions- the authority does not have market informed expertise to challenge these - it is essential that that council engage at the applicants expense it's own independent expert to assess the applicants viability</p> <p>And in the case of redundant buildings allowances adopt a robust view on which buildings should be taken into account and where buildings or uses have been abandoned to the extent that the allowance is not applied</p>
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	3.25
Consultation Point	Paragraph
Comment ID	DC SPD-74
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Policy Rec 3. What is the basis of 10sq m. per family for recreational space? Surely the measure should relate to the number of people expected to be accommodated on the development as a whole?
Consultee First Name	Stuart
Consultee Surname	Kinsey
Consultee Organisation	Wilmslow Civic Trust
Agent First Name	Stuart
Agent Surname	Kinsey
Reference Number	3.25
Consultation Point	Paragraph
Comment ID	DC SPD-200
Q3 - What is your overall view on this section?	Comment only

Q4 - Your comments on this section:

Ultimate sentence should read: " contributions to off-site provision should be made, prioritising the locality of the development.

1.4 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1.4
Consultation Point	Paragraph
Comment ID	DC SPD-63
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	This is a welcome paragraph describing a very useful adjunct to the adopted local plan for developers and local community organisations as well as local Councils.

4 Planning Obligations

Consultee First Name	Richard
Consultee Surname	Hovey
Reference Number	4
Consultation Point	Planning Obligations
Comment ID	DC SPD-49
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	The SPD does not appear to cover enforcement of Planning Obligations - There seem to be many examples around Sandbach where developers are not fulfilling their obligations e.g. Church Lane Development in Sandbach Heath where the provision of a new footpath was to be completed before the first house was occupied, Bovis Development on Hind Heath Road where the link footpath through to the Barratts/Linden Homes development has failed to be constructed.
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4
Consultation Point	Planning Obligations
Comment ID	DC SPD-79
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>This section is vital for local communities that experience the impact of development.</p> <p>There should be clear guidance as to how local communities and their representatives, CE Ward Councillors and Parish and Town councils, can be involved in discussions as to what S106 agreements are created, what community facilities will be required to mitigate development and how these will be managed over time.</p> <p>There is a potential conflict of interest between the major Planning authority with its general infrastructure requirements and local communities that suffer the direct impacts of the development. Any such conflicts need to be resolved with direct negotiation with the local communities involved and the focus of the S106 agreements in particular should be clearly focussed on community needs.</p>
Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate

Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	4
Consultation Point	Planning Obligations
Comment ID	DC SPD-164
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>In considering the relationship between the Community Infrastructure Levy (CIL) and planning obligations, the draft SPD notes that CIL Regulation changes came into effect September 2019. These changes, amongst other things, removed the previous restrictions on using planning obligations and CIL to fund the same piece of infrastructure. Planning Practice Guidance (PPG) (ID: 23b-003-20190901) sets out that: “Authorities can choose to pool funding from different routes to fund the same infrastructure provided that authorities set out in infrastructure funding statements which infrastructure they expect to fund through the levy.” The draft SPD, at paragraph 4.7, directs readers to the Cheshire East Infrastructure Funding Statement.</p> <p>Whilst the Infrastructure Funding Statement is accessible on the Council’s website, this focuses on contributions received, and for details on infrastructure projects and potential funding streams refers the reader to the Council’s Medium Term Financial Strategy (MTFS), and specifically Annex A, which forms part of a report pack to the Council meeting of 17th February 2021. This does not, however, provide details of funding streams for all infrastructure, for example highway schemes for the Knutsford Area are costed but funding is “TBC”.</p> <p>In line with PPG (ID: 23b-034-20190901), greater clarity and transparency is required, for both developers and communities, on future spending priorities and, to ensure that there is no over provision, the extent to which the Council intends to fund the infrastructure type or projects by planning obligations, CIL and/or other funding streams. In respect of the latter, the draft SPD should also set out that the Council will seek to identify all other sources of funding available to deliver infrastructure required as part of its overall approach, for example, Government funding streams.</p>
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	4
Consultation Point	Planning Obligations
Comment ID	DC SPD-220
Q3 - What is your overall view on this section?	Comment only

Q4 - Your comments on this section:

Paragraph 4.7 states:

“Prior to the CIL Regulation changes coming in on the 1st of September 2019, s106 Obligations requiring payments were limited to site specific development impacts and not related to projects or types of infrastructure that will be funded by CIL. The CIL regulations required Councils to avoid “double dipping” and produce clear guidance of infrastructure needs and projects funded through s106 Obligations and the Community Infrastructure Levy. The Cheshire East Infrastructure Funding Statement provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Cheshire East and identifies infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the authority has made about how these contributions will be used.”

The drafting of this is confusing. For clarity, an additional sentence should be added (before the current final sentence) that explains that the CIL Regulations changes removed Regulation 123, and with it the Regulation 123 Lists, replacing them with a requirement for Annual Infrastructure Funding Statements.

4.1 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.1
Consultation Point	Paragraph
Comment ID	DC SPD-78
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>It is in this section that a more detailed description of a set of typical conditions for planning obligations to be created should be described. And it would be helpful if reference could be made to a set of examples. also in the following statements clarity is required on what is meant by 'owners'. The obligation is a contract with developers. Can the obligation be passed on collectively to the householders who become the owners once the individual dwellings are sold off?</p> <p>In this section there should be reference to local councils. A sentence like.</p> <p>After 'developer' after detailed consultation with relevant Local Councils.'</p>

4.2 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.2
Consultation Point	Paragraph
Comment ID	DC SPD-80
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	This section is very unclear to a layperson like myself and as a Councillor representing others. As a householder buying into a freehold development and owning a new house do I take on the responsibilities of the developer who entered into obligations based on the viability of the whole development and the profits to be made? Residents need clarity.

4.4 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.4
Consultation Point	Paragraph
Comment ID	DC SPD-81
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Can we be clear about the relationship between S106 agreements which relate to the direct impact of the development on the local community where they are situated and the CIL which seems to be a more general charge for infrastructure? Do they both now obtain? If so it is vital that local community representatives are involved in the S106 negotiations for larger planning developments i.e. those over 10 dwellings (though we think 5 would be a more appropriate number.) Currently the local planning authority is making serious errors in its decisions because it is not listening to the articulated needs of the local community in some instances and is imposing its own demands unnecessarily wasting time and money.</p>

1.5 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1.5
Consultation Point	Paragraph
Comment ID	DC SPD-64
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	CIL needs explaining if only in a footnote as this is the first time it has been mentioned. Perhaps a reference to a glossary would help. This document will be of interest to a wide range of community leaders and activists and needs to be accessible to them.

4.7 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.7
Consultation Point	Paragraph
Comment ID	DC SPD-82
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	There should be a statement here as to how these policies, procedures and outcomes were consulted on with residents on whom these infrastructure projects will impact. And if there has been no consultation should they not be reviewed?

4.8 Paragraph

Consultee First Name	Amanda
Consultee Surname	Stott
Reference Number	4.8
Consultation Point	Paragraph
Comment ID	DC SPD-4
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Whilst I appreciate the background to the provision of cycle provision - not all areas are suitable and investment in the smooth movement of road traffic might be a better investment - slow traffic creates poor air quality which is counter-productive.
Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	4.8
Consultation Point	Paragraph
Comment ID	DC SPD-27
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>For paras 4.8 & 4.9</p> <p>As written, these are ineffective. As demonstrated in the S106 for Bluebell Green, CEC recommended the sum of £550k for a roundabout to replace the traffic lights at the A54/A50 junction. This has proved to be an insignificant sum when CEC Highways have said that a cost of £2-3m is required for this work. Bearing in mind the time delays between agreeing a S78 Agreement and commissioning the work, a much-improved estimating process is required and needs to be stated in the SPD.</p> <p>Reference should also be made to para 8.21 which should be amended to specifically exclude local needs as described above from the assessment shown as an example.</p>

4.9 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.9
Consultation Point	Paragraph
Comment ID	DC SPD-83
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>Again there is no reference to the involvement of local community representatives in the negotiation of s278 Agreements. This involvement at the local level is vital and a full and detailed explanation needs to be given of the arrangements made by an s278 agreement and local views taken seriously into account.</p> <p>In areas heavy traffic as perceived by the local community when new development causes an increase in traffic flows there needs to be serious attention paid to pedestrian access and safety. This is not currently the case in some areas at least.</p> <p>There is also a need to specify there is joined-up consultation between Cheshire East Highways decision makers, the contractor, Ringway Jacobs and local community representatives to ensure pedestrian and vehicle safety is taken fully into account in these agreements and plans and expected outcomes are clearly understood by all interested parties. This guidance needs to specify the need for such early negotiation and the process by which it is to be achieved. So far there have been failures on that front. Strong guidance is required.</p>

4.10 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.10
Consultation Point	Paragraph
Comment ID	DC SPD-126
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The control of development through 'planning conditions' needs to be described in more detail and the examples given extended. Understanding the range of conditions possible and the concept of a 'planning condition' to ensure the viability of a development from the point of view of the local community impacted by the development is vital to those like Local Councils who have the responsibility of responding to development plans as Statutory Consultees.
Consultee Surname	Emmerson
Reference Number	4.10
Consultation Point	Paragraph
Comment ID	DC SPD-135
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Requirements should go further than just sewers, it should also cover increased capacity at water treatment works, no river in the UK is currently classed as being in good overall health mainly due to damage caused via raw untreated sewage

4.11 Paragraph

Consultee First Name	Amanda
Consultee Surname	Stott
Reference Number	4.11
Consultation Point	Paragraph
Comment ID	DC SPD-5
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Please can planning conditions be enforceable and subsequently enforced.
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.11
Consultation Point	Paragraph
Comment ID	DC SPD-84
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>The section should read: Planning conditions are 'required' not 'imposed'.</p> <p>The word imposed implies an arbitrary restriction whereas the restriction is necessary to ensure the development is acceptable to the community from the point of view of the public interest as opposed to the private interest of profit-taking developers.</p> <p>The NPPF is poorly phrased in this respect and exposes the underlying wish of the government for development at any cost. Again the word 'required' needs to be used rather than 'imposed'. .Imposed. is value loaded 'required' is neutral.</p> <p>Again you need to state why in general terms conditions are required. In general terms, they are for 'the overall benefit of the community as well as the development.' Please add something along those lines. Planning conditions are a positive asset to the community, to developers and to the eventual residents or business users for whom the development is taking place.If they are not then they should not be required!</p>

4.12 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	4.12
Consultation Point	Paragraph
Comment ID	DC SPD-85
Q3 - What is your overall view on this section?	Support

5 Procedures

Consultee First Name	Yvonne
Consultee Surname	Lam
Consultee Organisation	Sandbach Town Council
Reference Number	5
Consultation Point	Procedures
Comment ID	DC SPD-209
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Paragraph 5.1</p> <ul style="list-style-type: none"> • Pre application discussions are vital and the KPI's should be inserted into the contract with milestones discussed, agreed, met, achieved and with audits and checks being done at agreed stages of programme / milestone dates. <p>Paragraph 5.2</p> <ul style="list-style-type: none"> • Agreeing on the priorities prior to development for the allocation of funding by the involvement of both the town /parish council and CEC Councillor(s) for the local area should be made before the approval of application. <p>Paragraph 5.24 Monitoring and Enforcement</p> <ul style="list-style-type: none"> • Monitoring progress on developer contributions once development has been approved, e.g. timing of payments, completion of works etc should be in place. Builders will employ their own RICS members who will run the contract to their own advantage, so monitoring of KPI's is not only vital to the local authority, but it will keep a health check on progress, cost control and compliance. • Also an open register (visible from the planning website) showing what monies have been paid so far and what has been used up for a given development would be necessary.
Consultee First Name	Steve
Consultee Surname	Melligan
Consultee Organisation	The Crown Estate
Agent First Name	Stephenie
Agent Surname	Hawkins
Agent Organisation	Barton Willmore LLP
Reference Number	5
Consultation Point	Procedures
Comment ID	DC SPD-165

Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Viability</p> <p>It is welcomed that the Council, at paragraph 5.9, recognises the need for flexibility and a pragmatic approach to securing planning obligations. However, this is caveated as applicable in “some circumstances”, with wider text suggesting that this applies to medium and low value areas. However, the economic viability and deliverability of all developments should be considered.</p> <p>The draft SPD sets out that the LPS and, more recently the emerging Site Allocations and Development Policies Document (SADPD) have been subject to viability testing, with the 2020 update to support the emerging SADPD confirming the assumption of an average contribution of £5,202 per unit towards infrastructure. However, it is unclear whether this is inclusive or exclusive of CIL contributions and/or makes allowances for works such as utility upgrades and connections, and the key findings of the viability work, noted at paragraph 5.10 as being included at Appendix 2, are not available. Fundamentally, it should be borne in mind that any contributions above this average, taking account of the assumptions underpinning it, may ultimately impact on the viability of development.</p> <p>Furthermore, the draft SPD text should reflect that site and development specific circumstances may impact on viability and mean an average contribution based on modelled sites is not always applicable. The text should set out that in considering the appropriateness of reduced developer contributions from a scheme the wider sustainability benefits and overall importance of the scheme coming forward will be taken into account.</p> <p>Monitoring</p> <p>It is noted that the Council intends to charge monitoring fees in relation to the delivery of planning obligations. The draft SPD should include a methodology for calculating the fee. The PPG (ID:23-b036-20190901) suggests that this could be a fixed percentage of the total value or a fixed amount for in-kind contributions. In line with the PPG the draft SPD should also set a cap to ensure fees are not excessive.</p>
Consultee First Name	Barratt Homes (North West), David W
Agent First Name	Paul
Agent Surname	Nellist
Agent Organisation	Asteer Planning LLP
Reference Number	5
Consultation Point	Procedures
Comment ID	DC SPD-221
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>Viability (Paragraphs 5.5 – 5.10)</p> <p>Paragraph 5.5 refers to NPPF paragraph 57.</p> <p>This reference is incorrect and should be amended to ‘paragraph 58’.</p>

Paragraph 5.9 states:

“Where developers expect sites are unviable in terms of delivering the full suite of policy obligations, they are invited to submit a viability assessment as part of their planning application.”

The above paragraph is fairly vague. Instead, reference should be made to specific policies in the LPS and SADPD (e.g. SADPD policies GEN 4, GEN 7, and HOU 3) which include specific wording allowing Applicants to submit viability assessments where schemes aren't viable. The SPD should make clear that the statement at Paragraph 5.9 provides an opportunity for applicants to submit viability assessments in relation to other considerations where they are not directly identified in a specific adopted policy.

The SPD should also refer to the clawback position set out Policy GEN 7 'Recovery of planning obligations reduced on viability grounds' of the SADPD to make clear that any reduction in contributions in the context of Paragraph 5.9, will be subject to re-assessment against future trigger points.

Index Linking (Paragraphs 5.13 – 5.22)

Paragraph 5.14 states:

“Whilst the contribution amounts set out in this SPD are not governed by the CIL Regulations, the indexation that will be used both to calculate the initial agreement amounts and any post-agreement changes prior to payment, will reflect the approach contained within the CIL regulations to ensure that obligations provide for the actual costs of the infrastructure for which they are levied.”

In the context that Paragraph 5.14 states that contributions are not governed by CIL Regulations, whilst the CIL Regulations may provide a reasonable model to use, the SPD should not simply refer to the CIL Regulations but should include within the document itself, the Council's formula for calculating indexation. This is necessary to avoid a situation, as alluded to in Paragraph 3.10 of the Draft SPD, where CIL guidance is changed and/or removed and therefore leaves a vacuum in terms of methodology/guidance for calculating indexation of contributions in Cheshire East.

Paragraph 5.21 states:

“ii) Index linked appropriately to reflect increases in costs between the date the agreement is signed, and the payment is made towards the actual delivery date of the service or facility.”

The word “increases” should be removed and replaced with ‘changes’ so that any reduction in costs can be taken into account.

Monitoring and Enforcement (Paragraphs 5.24 – 5.26)

Paragraph 5.26 states:

“All monitoring fees will be subject to indexation and payable on commencement of the development.”

The Draft SPD does not set out what the monitoring fee is going to be. Monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. The Council should also set a cap to ensure that any fees are not excessive.

Furthermore, unlike the approach to indexation of contributions themselves (set out at Paragraphs 5.13-5.22 of the SPD), there is no detail on how monitoring fees will be index linked (i.e. to what index/sources of information).

The SPD should provide this detail. Without such, it is not possible for the Consortium to provide any further comments.

Pre-Application Discussions

Consultee First Name	Rebecca
Consultee Surname	Wyllie
Consultee Organisation	Canal & River Trust
Consultation Point	Pre-Application Discussions
Comment ID	DC SPD-234
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	<p>The Trust welcome the recommendation that pre-application advice is sought before making a planning application to help inform discussions regarding planning obligation requirements. In support of these discussions, the Trust would be happy to provide pre-application advice and information with regard to the access and condition of any relevant waterway network. The Trust provide free pre-application advice for developments in proximity to waterways.</p> <p>https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice</p>

1.6 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	1.6
Consultation Point	Paragraph
Comment ID	DC SPD-65
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Not good enough to refer to another area of the website. A brief explanation of CIL needs to be included in this SPD at this point. After all it is a crucial element in ameliorating development for the community as a whole.

5.1 Paragraph

Consultee First Name	Amanda
Consultee Surname	Stott
Reference Number	5.1
Consultation Point	Paragraph
Comment ID	DC SPD-6
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	I feel that it is important to involve ward councillors in any pre-planning meetings/discussions. This doesn't always happen I am afraid.
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.1
Consultation Point	Paragraph
Comment ID	DC SPD-86
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Support but with the addition of a paragraph that states: When a development will have a noticeable impact on a particular local community developers should be prepared to provide opportunities very early in the pre-application process for the community to appreciate the nature and benefits of the development so community contributions can be taken into account as the planning application develops.

5.3 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.3
Consultation Point	Paragraph
Comment ID	DC SPD-127
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Reference to another website is not good enough. There needs to be a clear if brief description of the pre-application process including ,of course, the position of Local councils in that process and the expectation for them to be consulted.

5.4 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.4
Consultation Point	Paragraph
Comment ID	DC SPD-128
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	As above the role of Local Councils in the pre-application process for large developments needs to be specified in this SPD.

5.5 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.5
Consultation Point	Paragraph
Comment ID	DC SPD-87
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	Support BUT please make clear who the decision maker is e.g. the Planning Authority, the individual planning officer assigned to the application. Who is it? the 'decision maker' is too vague. It looks like an abdication of responsibility.

5.6 Paragraph

Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	5.6
Consultation Point	Paragraph
Comment ID	DC SPD-55
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	It's the wording fair and reasonable. Isn't it about being flexible. Frustrated at the moment being asked to justify a reduced S106 payment on a 100% affordable housing scheme. We have provided some evidence which has been dismissed out of hand. We now have to formally appoint consultants to do this work, adding additional expense and delay on a 100% affordable scheme. In other LPAs we have had constructive conversations to expedite matters and mitigate delays and expense.
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.6
Consultation Point	Paragraph
Comment ID	DC SPD-88
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Support with the addition of 'and Made Neighbourhood Plans ' after SADPD. These plans must also be taken into account by developers and the Local Planning authorities.

5.7 Paragraph

Consultee First Name	Tina
Consultee Surname	Cartlidge
Consultee Organisation	Holmes Chapel Parish Council
Reference Number	5.7
Consultation Point	Paragraph
Comment ID	DC SPD-28
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	This assumes a contribution of £5,202 per unit regardless of location – urban, rural. Not clear if a maximum or average or typical sum. Would this figure be impacted by inflation?
Consultee Surname	Emmerson
Reference Number	5.7
Consultation Point	Paragraph
Comment ID	DC SPD-136
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	Can a 2 tier system not be put in place to charge a higher amount for greenfield sites? this would be on the basis they often tend to be bigger and so put much more localised impact in infrastructure where they are built, presumably this difference has already been investigated in preparing this draft?
Consultee First Name	Marc
Consultee Surname	Hourigan
Consultee Organisation	Hourigan Planning
Reference Number	5.7
Consultation Point	Paragraph
Comment ID	DC SPD-161
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Paragraphs 5.7 - 5.10 of the draft Developer Contributions (DC) SPD refer to the contents of the 2020 Viability Update Assessment and confirms that it has informed the SPD but does not present additional requirements over and above those policy obligations which have already been tested as part of the CELPS and SADPD.

Hourigan Planning act on behalf of some clients which specialise in the provision of 100% affordable housing schemes.

Neither the 2020 Viability Update Assessment or the draft DC SPD make reference to such schemes and we would request that the Council consider the implications of this in the draft DC SPD.

5.8 Paragraph

Consultee First Name	Alan
Consultee Surname	Murdoch
Reference Number	5.8
Consultation Point	Paragraph
Comment ID	DC SPD-9
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	<p>The viability has as a constituent part a base land value - this should be related to the undeveloped value of the land (ie previous use without planning)</p> <p>Use of an inflated base land value will erode the ability of the development to contribute to the community thus giving the landowner a double benefit of the planning consent</p>
Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.8
Consultation Point	Paragraph
Comment ID	DC SPD-129
Q3 - What is your overall view on this section?	Object
Q4 - Your comments on this section:	<p>The provision of the amount, quality, nature, and distribution of affordable housing is of vital interest to major planning authorities and local communities.</p> <p>The particular and detailed explanation is required of how the provision of affordable housing and the viability of overall large development projects interact need much fuller treatment than par 5.8 provides. This para. needs to be cut out completely and a new one inserted stating the strength of the Planning Authorities commitment to the appropriate provision of affordable housing according to policy requirements and how viability assessments need to be of high quality strongly evidence based and are not a material consideration.</p>

5.9 Paragraph

Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	5.9
Consultation Point	Paragraph
Comment ID	DC SPD-53
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	Flexibility is key. We are struggling to engage with officers on viability and other matters. We seem to get a standard reply. This is leading to additional and unnecessary expense, leading to delays on matters, in an expensive market. Examples include matters which other LPAs where we work, have worked have taken a more pragmatic approach. How can we cut through, unlock this? We are not trying to get out of paying our share, jump the queue. We just want to be heard. Where something is obvious, we hope the Council can take a pragmatic view to help expedite matters.

5.13 Paragraph

Consultee First Name	Ken
Consultee Surname	Edwards
Consultee Organisation	Bollington Town Council
Reference Number	5.13
Consultation Point	Paragraph
Comment ID	DC SPD-130
Q3 - What is your overall view on this section?	Support
Q4 - Your comments on this section:	The indexation principle is vital to maintaining the true value of developer financial contributions and the indices chosen appear fair to the authorities and to developers.

5.15 Paragraph

Consultee First Name	Ian
Consultee Surname	Kershaw
Reference Number	5.15
Consultation Point	Paragraph
Comment ID	DC SPD-54
Q3 - What is your overall view on this section?	Comment only
Q4 - Your comments on this section:	The BCIS forecasted rates from last November will not have captured price increases experienced this year. Is this the best and or only mechanism, especially within a volatile market?