

# APPENDIX B

## Cheshire East Local Plan

### Environmental Protection Supplementary Planning Document

#### Report of Consultation on Final Draft SPD

February 2024

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# 1. Introduction

- 1.1 Supplementary Planning Documents (SPDs) add further detail to the policies in the development plan and are used to provide guidance for development on specific sites, or on particular issues. SPDs may be a material planning consideration in planning decisions but are not part of the development plan.
- 1.2 The draft Environmental Protection SPD adds detail to existing development plan policies from the Cheshire East Local Plan Strategy (LPS) (adopted July 2017), Site Allocations and Development Policies Document (SADPD) (adopted December 2022) and 'saved' policies from the Cheshire Minerals Local Plan and the Cheshire Waste Local Plan.
- 1.3 The SPD provides guidance on the council's approach to Environmental Protection issues when considering planning applications. The SPD is limited to matters that fall within the remit of the council's Environmental Protection Team. The specific areas covered in the SPD are:
  - Air quality (including dust pollution)
  - Contaminated land
  - Noise
  - Light pollution
  - Odour pollution
- 1.4 The first draft Environmental Protection SPD was published for six weeks consultation between 18<sup>th</sup> October and 29<sup>th</sup> November 2021. All representations received were considered when preparing the final draft Environmental Protection SPD. A report of consultation on the first draft document was also produced, which detailed all the main issues raised and a council response to those issues.
- 1.5 The final draft Environmental Protection SPD was published for four weeks consultation between 17<sup>th</sup> November and 15<sup>th</sup> December 2023. This report of consultation provides further information on this final draft consultation.

# 2. Consultation documents

- 2.1 In addition to the Final Draft Environmental Protection SPD, a Strategic Environmental Assessment, Habitats Regulations Assessment screening assessment and an Equalities Impact Assessment were published alongside the consultation document for comment.
- 2.2 In addition, a statutory notice and comments form were published to support the consultation.

2.3 The consultation documents remain available to view on the council's consultation portal<sup>1</sup>.

## 3. Document availability

3.1 Electronic copies of the consultation documents were made available online on the council's consultation portal, which could be accessed through the council's website.

3.2 Printed copies of documents were also available at the following locations during opening hours:

- Crewe Customer Service Centre, Delamere House, Crewe
- Macclesfield Customer Service Centre, Macclesfield Town Hall
- Council Offices, Westfields, Sandbach.

## 4. Publicity and engagement

### Consultation notifications

4.1 Notification of the consultation was sent to all active stakeholders on the council's Local Plan consultation database who had not opted out of receiving notifications of new consultations, via printed letters and emails. This consisted of around 200 printed letters and over 2,000 emails sent on 17<sup>th</sup> November 2023. The stakeholders on the database include residents of Cheshire East, landowners, developers, planning consultants, businesses, local groups, and other organisations including the statutory consultees.

4.2 Notifications were also sent to all town and parish councils in Cheshire East, elected members and MPs.

4.3 Examples of notification letters and emails are included in Appendix 1.

### Other publicity

4.4 A number of pages on the council's website provided information and links to the consultation. These pages included:

- The council's homepage (in the 'latest news' section): [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk).
- The consultations page [www.cheshireeast.gov.uk/consultations](http://www.cheshireeast.gov.uk/consultations)

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<sup>1</sup> <https://cheshireeast-consult.objective.co.uk/kse/event/37763>

- The Supplementary Planning Documents page [www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/supplementary-plan-documents](http://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/supplementary-plan-documents)

4.5 An example screenshot of webpages is included in Appendix 2.

4.6 A media release was issued on 10<sup>th</sup> November 2023, which informed people about the consultation. A copy of the media release is included in Appendix 3.

## 5. Submitting comments

5.1 Comments could be submitted in several ways:

- Online: using the consultation portal accessed from the council's website.
- By email to [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)
- By post to Strategic Planning (Westfields) C/O Municipal Buildings, Earle Street, Crewe CW1 2LL.

5.2 Screenshots of the consultation portal are included in Appendix 4.

5.3 Printed copies of consultation response forms were available for people to take away from the locations listed in paragraph 3.2 above. The form could also be downloaded from the consultation portal for completion offline. A copy of the response form is included in Appendix 5.

5.4 Information on how to submit comments was included on the consultation portal and the printed/downloadable response form.

## 6. Representations received

6.1 In total, 34 comments were received from 11 parties.

6.2 The comments received covered a range of topics and issues. A summary of the main issues raised and the council's response (including any changes proposed to the SPD) is set out in the Table below.

6.3 A summary of the representations received at the previous first draft stage and the council's response (including changes made to the SPD) is set included at Appendix 6 for completeness.

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
General comment	The document should address climate change and reducing emissions, as well as climate resilience.	Sarah Coppack	The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental Protection Team and is aimed at preventing or reducing the impact of developments and protecting public health, wellbeing and amenity. Other policies in the development plan related to climate change and emissions will still apply, including Policy SE 8 'Renewable and low carbon energy', Policy SE 9 'Energy efficient development' and Policy ENV 7 'Climate change'. Additional text has been added to paragraph 1.4 of the SPD to confirm its scope.
General comment	Silty run-off during construction can be a significant issue if the run-off is coming from a contaminated site. With regard to risk from contamination sources, the preparation of a CEMP can be an effective management tool to mitigate any potential environmental impact of development during construction, and once operational (e.g. a CEMP can demonstrate how a contamination pathway will be managed during construction and sealed to prevent long term	Canal & River Trust	Noted. Applications are looked at on a site by site basis and depending on the location, due consideration of silty run-off would be addressed in a site specific remedial strategy and/or a CEMP as necessary.

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
	contamination). The SPD should refer to the submission of a Construction Environment Management Plan being appropriate where relevant in the interests of environmental protection.		
General comment	To achieve net zero by 2050 action is needed to support a modal shift away from car travel. Development should offer a genuine choice of transport modes and opportunities to promote walking, cycling and public transport should be taken up.	National Highways Sarah Coppack	The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental Protection Team and is aimed at preventing or reducing the impact of developments and protecting public health, wellbeing and amenity. Other policies in the development plan related to transport will still apply, including Policy CO 1 'Sustainable travel and transport' and Policy CO 4 'Travel plans and transport assessments'. Additional text has been added to paragraph 1.4 of the SPD to confirm its scope.
General comment	Low carbon material and products, innovative design solutions and construction methods should be used to minimise resource consumption. The document should include	National Highways Sarah Coppack	The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
	technical advice on making sure development is carbon neutral or carbon positive.		Protection Team and is aimed at preventing or reducing the impact of developments and protecting public health, wellbeing and amenity. Other policies in the development plan related to transport will still apply, Policy SE 1 'Design', Policy GEN 1 'Design principles' and Policy ENV 7 'Climate change'. Additional text has been added to paragraph 1.4 of the SPD to confirm its scope.
General comment	The number of trees to be felled should be kept to a minimum.	Sarah Coppack	The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental Protection Team and is aimed at preventing or reducing the impact of developments and protecting public health, wellbeing and amenity. Other policies in the development plan related to trees will still apply, including Policy SE 5 'Trees, hedgerows and woodland' and Policy ENV 6 'Trees, hedgerows and woodland implementation'. Additional text has been added to

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			paragraph 1.4 of the SPD to confirm its scope.
Chapter 1: Introduction (paragraph 1.9)	The Strategic Environmental Assessment screening assessment sounds like a get out clause for not doing an environmental assessment. This should be mandatory as the majority of full planning applications have an environmental impact.	Hatherton and Walgherton Parish Council	The SPD seeks to provide further guidance on the implementation of policies in the development plan, which have already been the subject of Strategic Environmental Assessment. The screening assessment confirms that no further such assessment of the guidance in the SPD is required. As detailed in Chapter 3 of the SPD, the requirement for a planning application to include an Environmental Impact Assessment is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
Chapter 2: Planning policy framework (paragraph 2.3)	Alongside the general term 'pollution', the document should specifically have reference to minimising carbon emissions.	Sarah Coppack	The NPPF does also seek to mitigate and adapt to climate change, including moving to a low carbon economy. The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team but policies in the development plan related to minimising carbon emissions will still apply, including Policy SD 1 'Sustainable development in Cheshire East', Policy SE 1 'Design', Policy SE 8

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			'Renewable and low carbon energy', Policy SE 9 'Energy efficient development', Policy CO 1 'Sustainable travel and transport', and Policy ENV 7 'Climate change'.
Chapter 2: Planning policy framework (paragraph 2.16)	Carbon emissions should be included in the forms of pollution referenced here	Sarah Coppack	The LPS vision and strategic priority 3 do reference the mitigation of climate change and reduction of emissions. The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team but policies in the development plan related to minimising carbon emissions will still apply, including Policy SD 1 'Sustainable development in Cheshire East', Policy SE 1 'Design', Policy SE 8 'Renewable and low carbon energy', Policy SE 9 'Energy efficient development', Policy CO 1 'Sustainable travel and transport', and Policy ENV 7 'Climate change'.
Chapter 2: Planning policy framework (paragraph 2.17)	Carbon emissions should be included in the list of things that developers are expected to minimise and mitigate the effects of	Sarah Coppack	LPS Policy SE 12 relates to pollution, land contamination and land instability, but other policies in the development plan related to minimising carbon emissions will still apply, including Policy SD 1 'Sustainable development

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			in Cheshire East', Policy SE 1 'Design', Policy SE 8 'Renewable and low carbon energy', Policy SE 9 'Energy efficient development', Policy CO 1 'Sustainable travel and transport', and Policy ENV 7 'Climate change'.
Chapter 2: Planning policy framework (paragraph 2.18)	This section should mention climate change and carbon emissions.	Sarah Coppack	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team but policies in the development plan related to climate change and minimising carbon emissions will still apply, including Policy SD 1 'Sustainable development in Cheshire East', Policy SE 1 'Design', Policy SE 8 'Renewable and low carbon energy', Policy SE 9 'Energy efficient development', Policy CO 1 'Sustainable travel and transport', and Policy ENV 7 'Climate change'.
Chapter 2: Planning policy framework (paragraph 2.23)	There are now 38 completed neighbourhood plans (not 37).	Hatherton and Walgherton Parish Council	The SPD has been updated accordingly.
Chapter 3: Making an	Pre-application advice is not currently available.	Hatherton and Walgherton Parish Council	The pre-application service has continued for major applications but normal pre-application services have remained suspended to enable a focus

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
application (paragraph 3.2)		Crewe Town Council	on the delivery of the core statutory requirements of the planning service. As detailed in the Mid-year performance review considered at the Environment and Communities Committee 09/11/23, it is proposed to re-introduce a pre-application service for non major applications in 2024.
Chapter 4: Air quality	Development in and around any of the AQMAs should not have an adverse impact upon the air quality within these areas.	Poynton Town Council	The development plan already includes policies to restrict developments that would cause harm to air quality, including Policy SE 12 'Pollution, land contamination and land instability' and Policy ENV 12 'Air quality'. The SPD adds further guidance to the requirements of these policies and confirms (at paragraph 4.4) that "the council must make sure that development in and around any of the AQMAs will not have an adverse impact upon the air quality within those areas".
Chapter 4: Air quality (paragraph 4.1)	The SPD should say that the UK legal limits for dust - in particular the limits on PM <sub>2.5</sub> , the part that causes lung cancer, must be met by all developments, residential or industrial.	Dr Ken Morris	The air quality objectives from the Air Quality Standards Regulations 2010 are set out in Table 4.1, which includes the objective level for particulate matter (PM <sub>2.5</sub> ). In any areas that are close to

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			the air quality objective, an air quality assessment will be required as set out in the SPD paragraph 4.7. A dust impact assessment will also be required where relevant, as specified in paragraph 4.9.
Chapter 4: Air quality (paragraph 4.20)	Consideration should also be given to how any silty run-off from dust dampening would be contained to prevent run-off to watercourses.	Canal & River Trust	Noted. This would be considered on a site-by-site basis and monitored during the construction of the development.
Chapter 4: Air quality (paragraph 4.23)	Air quality assessments should be mandatory for all large biomass heating system installations.	Hatherton and Walgherton Parish Council	As set out in the SPD (paragraph 4.23), where a proposed development any large biomass heating system, the council may (where appropriate) require an air quality assessment to determine the impact on air quality when compared to similar gas fired systems.
Chapter 5: Contaminated land (paragraph 5.14)	The 'Canal and River Trust should be amended to 'Canal & River Trust' using the ampersand symbol.	Canal & River Trust	The SPD has been updated accordingly.
Chapter 6: Noise	Many developers choose sites adjacent to the motorway network for the construction of new housing. This has the detrimental effect of potentially increasing the number of vehicles on the strategic road network but also exposes new	National Highways	Noted. The SPD provides guidance on matters within the remit of the council's Environmental Protection Team. It does not allocate sites for development, nor direct development to any particular

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
	<p>residents to high levels of traffic noise. It is not for National Highways to mitigate this impact post-construction and National Highways will not maintain developer-installed noise fencing.</p>		<p>location. The development plan includes Policy ENV 15 'New development and existing uses' which reflects the 'agent of change' principle and places the responsibility for mitigating the impact of noise or other nuisance firmly on the proposed new development (rather than existing development or uses) to ensure that users or residents are protected from the noise or nuisance.</p>
<p>Chapter 6: Noise (paragraph 6.1)</p>	<p>Why is the definition of noise restricted only to sound. There are other types of noise that are harmful such as radio noise, which is harmful to the Jodrell Bank Radio Telescopes.</p>	<p>Dr Ken Morris</p>	<p>The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental Protection Team and is aimed at preventing or reducing the impact of developments and protecting public health, wellbeing and amenity. Other policies in the development plan seek to prevent harm to the Jodrell Bank telescopes, including Policy SE 14 'Jodrell Bank' and HER 9 'Jodrell Bank World Heritage Site'. The council is also preparing a separate Jodrell Bank Observatory Supplementary Planning Document to provide further guidance</p>

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			on considering the impacts of development on Jodrell Bank.
Chapter 7: Light	There is a requirement for careful consideration of aviation safety and aerodrome safeguarding procedures when planning for lighting proposals and this should be recognised in the SPD.	Manchester Airports Group	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include technical matters related to aircraft safety. Other policies in the development plan will still apply, including Policy GEN5 'Aerodrome safeguarding' and Manchester Airport remains a statutory consultee for certain types of planning applications for developments that require safeguarding to protect the safety of the airport's operation.
Chapter 7: Light	There should be greater emphasis on maintaining dark skies, a strong presumption against allowing upwardly directed lighting, greater emphasis on energy saving and prevention of harm to wildlife caused by unnecessary/inappropriate lighting schemes.	CPRE Cheshire	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include nature conservation or dark landscapes. There are other policies in the development plan to address these issues, including SADPD Policy ENV 14 'Light pollution'.
Chapter 7: Light	Much of the worst light pollution occurs in open countryside where the impacts are on the tranquillity of the night time scene and the effect of light on the night sky. The test is therefore	CPRE Cheshire	The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
	<p>wide ranging and objective and not simply a subjective assessment of neighbouring amenity. This point should be made in paragraph 7.1 and at suitable points in the remainder of the chapter.</p>		<p>remit of the council's Environmental Protection Team and is aimed at protecting public health, wellbeing and amenity. There are other policies in the development plan to address these issues, including SADPD Policy ENV 14 'Light pollution'.</p>
Chapter 7: Light	<p>No light from a development should be aimed directly at the strategic road network.</p>	National Highways	<p>The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental Protection Team. The section on light specifically looks at light pollution but there are other policies in the development plan to address this issue such as Policy ENV 14 'Light pollution' and Policy INF 3 'Highway safety and access'.</p>
Chapter 7: Light (paragraph 7.1)	<p>This paragraph promotes artificial light but it should be positively discouraged. 70% of flying inset biodiversity has been lost in a generation largely due to the increase in unnecessary light pollution around dwellings and businesses. Applications for leisure activities in open countryside must be refused in they need external lighting.</p>	Hatherton and Walgherton Parish Council	<p>The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include nature conservation. The SPD provides guidance on policies in the development plan but does not introduce new policy. Policy RUR 6 'Outdoor sport, leisure and recreation</p>

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			outside of settlement boundaries' confirms that for these types of developments in the open countryside, artificial lighting will be permitted in line with Policy ENV 14 'Light pollution' only where it is visually acceptable and strictly necessary.
Chapter 7: Light (paragraph 7.3)	The document should make it clear that planning permission will normally be required for any engineering operations involved in the installation of ground-based lighting. It is concerning that the document states that it is up to the developer to decide whether planning permission is likely to be required. It should set out when permission will be required and explicitly state that upwardly-directed lighting is unnecessary in almost all circumstances and will not be considered acceptable.	CPRE Cheshire	Paragraph 7.3 does set out a list of types of lighting development that normally require planning permission. Permitted development rights (i.e. rights which allow development without the need for planning permission) are set nationally and are complex. Whether a particular development falls within the permitted development rights depends on a large array of differing factors and it is beyond the scope of a SPD to specify with precision, development that would or would not fall within these permitted development rights. Paragraph 7.4 confirms that developers are responsible for ascertaining whether planning permission is required for a lighting scheme – it does not state that the developer can decide whether permission is required. This is no

Final draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the final draft
			different to any form of development and the SPD confirms that advice can be obtained from the council's Permitted Development Enquiries Service (although this is currently suspended). Paragraph 7.11 of the SPD advises that light should be directed downwards wherever possible to illuminate its target and not upwards.
Chapter 8: Odour (paragraph 8.4)	The guidance should also acknowledge that the odour impact assessment may conclude that the principle of development is not acceptable as the mitigating measures may not be sufficient to overcome any amenity concerns. Odour impact assessments should take account of planned investment at facilities. For example, investment at a wastewater treatment works, which is required in connection with a wastewater undertaker's business plan that is approved by its regulators. Under the heading of 'Odour Impact Assessments', it is clarified that the scope and approach to odour impact assessments should be agreed with the local planning authority and the relevant operator of the facility in question.	United Utilities Water Ltd	The SPD has been updated accordingly with additional text at paragraphs 8.4 and 8.7.

# Appendix 1: Example letters and emails

**From:** [consult@objective.co.uk](mailto:consult@objective.co.uk)  
**To:** [LOCAL PLAN](#)  
**Subject:** Consultation on Final Draft Environmental Protection SPD  
**Date:** 17 November 2023 12:34:20

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**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear SP Team Testing,

Cheshire East Council has launched a new consultation regarding: Final Draft Environmental Protection SPD. The consultation will be open between 17/11/23 12:00 PM and 15/12/23 12:00 AM. Once adopted, this Supplementary Planning Document will provide further guidance on Local Plan policies to be considered when making decisions on planning applications.

For information and to submit a response, please follow the link to the consultation:  
<https://cheshireeast-consult.objective.co.uk/kse/event/37763>

If the link appears to be broken, please try copying the entire link into the address bar of your web browser. For further assistance or advice, please contact the Strategic Planning Team at [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk).

You have received this email as your details are registered with the council's Planning Policy Consultation Portal. If you do not wish to receive future notification emails you can [update your email preferences online](#) or unsubscribe to all messages by sending an email to [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk).



**Working for a brighter future<sup>+</sup> together**

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**Email sent to consultees on database**

«Name»  
«Address\_1» «Address\_2»  
«Address\_3» «Postcode»

**Strategic Planning**  
Westfields, Middlewich Road  
Sandbach  
CW11 1HZ

Tel: 01270 885893 (please leave a message)  
Email: [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk)

DATE: 17/11/2023      OUR REF: Final Draft EP SPD

Dear «Name»,

**Cheshire East planning policy document consultation**

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

**Final Draft Environmental Protection Supplementary Planning Document (EP SPD)**

The final draft EP SPD has been published for consultation and provides further guidance on a range of environmental issues that must be addressed in the planning process, including air quality, noise pollution, odour and contamination.

This is the final stage of consultation on the SPD which, once adopted, will be a material consideration in decision-taking.

The consultation will run from **12pm on Friday the 17 of November 2023 to midnight on Friday the 15 of December 2023**. Further information is available on the council's EP SPD consultation webpage below:

<https://cheshireeast-consult.objective.co.uk/kse/folder/29414>

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

Yours sincerely,



Tom Evans  
Neighbourhood Planning Manager

## Appendix 2: Example website screen shot

 🔊 Listen

Enter Keywords

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# Supplementary planning documents

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

## Draft supplementary planning documents

### Final Draft BNG SPD Consultation

The final draft consultation began at **12pm of Tuesday the 31 of October 2023**, and will close at **midnight of Friday the 1 of December 2023**.

You can view the document and the representations made, as well as make your own comments on our [consultation portal](#).

### Final Draft DC SPD Consultation

The final draft consultation began at **12pm of Friday the 17 of November 2023**, and will close at **midnight of Friday the 15 of December 2023**.

You can view the document and the representations made, as well as make your own comments on our [consultation portal](#).

### Final Draft EP SPD Consultation

The final draft consultation began at **12pm of Friday the 17 of November 2023**, and will close at **midnight of Friday the 15 of December 2023**.

You can view the document and the representations made, as well as make your own comments on our [consultation portal](#).

## Other Draft SPDs

SPDs being prepared on a number of topics including:

- [Jodrell Bank Observatory](#); and
- [Sustainable Drainage Systems](#).

Comments on previous consultations are currently being considered and the next steps for each SPD will be published here when available.

**Screenshot: SPDs webpage [www.cheshireeast.gov.uk/planning/spatial-planning/cheshire\\_east\\_local\\_plan/supplementary\\_plan\\_documents](http://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire_east_local_plan/supplementary_plan_documents)**

# Appendix 3: Press release



 [Listen and translate](#)

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/ 10/11/2023 - Cheshire East set to consult on key planning documents



## Cheshire East set to consult on key planning documents

**10 November 2023**

Cheshire East Council wants your views on proposals to help secure environmental protections and financial contributions from developers for community facilities.

The authority is also to prepare an 'issues paper' to provide an initial opportunity for public engagement to help shape the direction of the council's new Local Plan. The Local Plan is the council's proposed 15-year strategic blueprint for the borough.

A developer contributions supplementary planning document (SPD), which sets out how the council will secure funding to provide the range of infrastructure and facilities needed to service new development, has been approved for further public consultation before formal adoption.

The decision by the council's environment and communities committee follows feedback from initial public consultation last autumn, which was used to re-draft the document.

The draft SPD aims to give developers more clarity on how their proposals can meet the policy requirements of Cheshire East's Local Plan via so-called section 106 agreements, which are often financial contributions to be used to secure mitigations from developments – from parks and green spaces to highways and education.

The committee also approved holding a public consultation on the final draft of the council's

environmental protection supplementary planning document. This also underwent a first consultation last autumn.

This SPD provides guidance on the council's approach to environmental protection issues when considering planning applications.

The areas covered in the final draft are air quality (including dust pollution), contaminated land, noise, light pollution and odour pollution. It sets out the relevant technical advice to prevent or reduce the impact of proposed developments on public amenity and the health, wellbeing of people across the borough.

The SPD provides greater clarity to developers, landowners, communities and decision-makers on the council's approach to environmental protection and provides additional guidance to applicants on how they should respond to the policy requirements in the council's Local Plan Strategy and site allocations and development policies document. It also signposts sources of information, including relevant documents and council services.

Councillor Mick Warren, chair of the environment and communities committee, said: "Supplementary planning documents are a recognised way of providing additional guidance on how planning policies should be used – in this case to support local services provision and protect the borough's environment.

"Although not formally part of our statutory development plan, SPDs should be taken into account when deciding a planning application or when considering an appeal against a planning decision.

"Through section 106 agreements (S106), for example, the council receives a wide range of funds to deliver local facilities and services and we want to ensure everyone is clear about what is required in order to secure planning permission."

Since the adoption of the Local Plan Strategy in 2017, more than £15m has been spent on infrastructure projects through S106 financial contributions related to development.



Cllr Warren added: "By providing up-front, up-to-date and clear advice on our planning policies, our aim is to ensure developers and property owners know what's expected of them when they are making relevant planning applications, as well as supporting the council to determine them."

Once feedback has been considered and any appropriate changes made, the SPDs can be formally adopted – to provide important tools to help protect public health and wellbeing and ensure communities benefit from development in their areas.

The committee also recommended that, alongside an issues paper on a new Local Plan, there would be a 'call for sites' and public consultation on draft housing land availability, a sustainability appraisal and settlement hierarchy review. The decision to draft a new Local Plan reflects changed circumstances since the current plan's adoption in 2017.

Cllr Warren said: "The programme to prepare and adopt our new-style, updated Local Plan will include

several rounds of public consultation followed by a public examination overseen by an independent planning inspector.”

Comments on the two SPDs can be made from **Friday 17 November** until the **midnight deadline on 15 December 2023**.

To view the documents and to have your say, visit the [consultation pages online](#)

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

### **Copy of press release**

# Appendix 4: Consultation portal screenshot

Planning Policy Consultation Portal ➔

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**Welcome to Cheshire East Council's Planning Policy Consultation Portal.**

We would love to hear your feedback on new planning policies and guidance, and we use this consultation portal to invite views. You can use the portal to submit comments on current consultations, view the comments submitted for recent closed consultations, and register to receive updates on new consultations. In most cases, you will be asked to log-in or register before submitting comments.

All planning policy consultations are listed below, and you can also view the consultations by topic area:

- [Minerals and Waste Plan](#)
- [Neighbourhood Planning](#)
- [Site Allocations and Development Policies Document](#)
- [Supplementary Planning Documents](#)

To view all current planning policies, please see the [Local Plan](#) pages on the council's website.

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<h3>Final Draft Biodiversity Net Gain Supplementary Planning Document</h3> <p>🗨️ 3</p> <p>The Biodiversity Net Gain SPD provides guidance for all parties involved in the planning application process, explaining how BNG should be achieved in development proposals across the Borough.</p> <p>closed</p> <p>31/10/2023 12:00PM    22/12/2023 11:59PM</p> <p><a href="#">LEARN MORE</a>    <a href="#">GO TO EVENT</a></p>	<h3>Final Draft Developer Contributions SPD</h3> <p>🗨️ 142</p> <p>Consultation on the final draft SPD. This will provide guidance on contributions to (or provision) of infrastructure, facilities and services and how these will be sought through planning obligations.</p> <p>closed</p> <p>17/11/2023 12:00PM    15/12/2023 11:59PM</p> <p><a href="#">LEARN MORE</a>    <a href="#">GO TO EVENT</a></p>	<h3>Final Draft Environmental Protection SPD</h3> <p>🗨️ 34</p> <p>Consultation on the final draft SPD. This will provide guidance on a range of health-related environmental issues that must be addressed through the planning process.</p> <p>closed</p> <p>17/11/2023 12:00PM    15/12/2023 11:59PM</p> <p><a href="#">LEARN MORE</a>    <a href="#">GO TO EVENT</a></p>
<h3>Weston &amp; Basford NDP (Modification) Regulation 16</h3> <p>🗨️ 13</p> <p>The Weston &amp; Basford NDP (Modification) regulation 16 submitted plan consultation webpage.</p> <p>closed</p> <p>29/08/2023 12:00PM    23/10/2023 07:00PM</p> <p><a href="#">LEARN MORE</a></p>	<h3>Final Draft Sustainable Drainage Systems SPD</h3> <p>🗨️ 23</p> <p>Consultation on the final draft SPD. This will provide guidance on how applicants can integrate sustainable drainage systems in their proposals.</p> <p>closed</p> <p>04/09/2023 12:00PM    02/10/2023 07:00PM</p> <p><a href="#">LEARN MORE</a></p>	<h3>Draft Minerals and Waste Plan</h3> <p>🗨️ 285</p> <p>Consultation on the Draft MWP. This will allocate sites/areas for the provision of minerals and the management of waste. It will also set policies to guide decisions on planning applications.</p> <p>closed</p> <p>09/11/2022 07:00AM    21/12/2022 05:00PM</p> <p><a href="#">LEARN MORE</a>    <a href="#">VIEW THE DOCUMENT</a></p>
<h3>Call for Minerals Sites and Areas</h3> <p>🗨️ 0</p> <p>Invitation to put forward sites for future minerals related development. This information will be used to help inform land allocations in the Minerals and Waste Plan.</p> <p>closed</p> <p>09/11/2022 07:00AM    21/12/2022 05:00PM</p>	<h3>Call for Waste Sites</h3> <p>🗨️ 0</p> <p>Invitation to put forward sites for future waste related development. This information will be used to help inform land allocations in the Minerals and Waste Plan.</p> <p>closed</p> <p>09/11/2022 07:00AM    21/12/2022 05:00PM</p>	<h3>Draft MWP Interim Sustainability Appraisal</h3> <p>🗨️ 4</p> <p>The interim Sustainability Appraisal assesses the extent to which the Draft MWP will help to achieve relevant environmental, economic and social objectives, when judged against the alternatives.</p>

Consultation portal screenshot 1

## Supplementary Planning Documents Consultations

### Final Draft Environmental Protection SPD

INFORMAL SUBMISSION - CLOSED

Consultation on the final draft SPD. This will provide guidance on a range of health-related environmental issues that must be addressed through the planning process.

**INFORMATION**    PROPOSAL    WHAT PEOPLE SAY

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More Information ▲

Strategic Planning Team

Cheshire East Council

📞 0300 123 5014 (Please ask for Strategic Planning)

✉ [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk)

Supporting Files ▲

- 📄 Final Draft EP SPD Comments Form.pdf
- 📄 Final Draft EP SPD Statutory Notice.pdf
- 📄 Final Draft EP SPD EqIA.pdf
- 📄 Final Draft EP SPD SEA HRA Screening.pdf
- 📄 Final Draft EP SPD.pdf
- 📄 First Draft EP SPD Report of Consultation.pdf

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- [Andrew Leyskens](#)
- [Kate McDowell](#)
- [Rebecca Wyllie](#)
- [Sarah Coppack](#)
- See [What People Say](#)

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The Environmental Protection SPD provides guidance on a range of environmental issues that must be addressed in the planning process, including air quality, noise pollution, odour and contamination.

Responses are invited on the Final Draft EP SPD between **12pm on Friday the 17th November 2023** and **midnight on Friday the 15th December 2023**.

**Consultation document**

The Final Draft EP SPD is available to download on this consultation portal:

- [Final Draft EP SPD \(PDF file\)](#)
- [Final Draft EP SPD EqIA Form \(PDF file\)](#)
- [Final Draft EP SPD SEA HRA Screening \(PDF file\)](#)
- [Final Draft EP SPD Report of Consultation \(PDF file\)](#)

A screening exercise has been carried out to determine whether the draft document gives rise to the need for further Strategic Environmental Appraisal or Appropriate Assessment (under the Habitats Regulations). This screening concludes that further such assessment is not necessary. *This can be found under Appendix C of the SPD.*

An Equalities Impact Assessment ('EqIA') has also been published and this concludes that the Draft EP SPD will not have a significant adverse impact on persons sharing any of the characteristics protected under the Equality Act 2010. Copies of published EIAs can be found on the Council's [website](#) .

For the duration of the consultation, the document can also be viewed at public libraries in Cheshire East upon request. Opening hours are on our [website](#) or telephone the 24 hour library information service on 0300 123 7739.

**Submit your views**

To comment online using this consultation portal, please log-in or register and then click the 'view document' button below. This is our preferred method of submitting responses, but you can also respond by email ([planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk)) or in writing (Strategic Planning Westfields, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ).

Alternatively, you can download this [Final Draft EP SPD Comment Form \(PDF file\)](#) and return it by email or by post to the relevant address above.

Whichever method used, please make sure that your comments reach us by **midnight on Monday the 15th December 2023**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal information will be processed in line with our [Strategic Planning Privacy Notice](#) and your name and comments will be published on this consultation portal.

**Further information**

We have also published a formal notice of publication for the SPD: [Final Draft EP SPD Statutory Notice \(PDF file\)](#).

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

## Consultation portal screenshot 2

# Appendix 5: Consultation response form



## Cheshire East Local Plan Final Draft Environmental Protection Supplementary Planning Document - Comments Form

The purpose of this SPD is to provide information on a range of environmental issues that must be addressed in the planning process, including air quality, noise pollution, odour and contamination.

Consultation on the final draft SPD will take place between **12pm on Friday the 17 of November 2023 and midnight on Friday the 15 of December 2023.**

### Consultation document

The consultation document can be viewed online at

<https://cheshireeast-consult.objective.co.uk/kse/folder/29414>

A screening exercise has been carried out to determine whether the draft EP SPD gives rise to the need for further Strategic Environmental Appraisal or Appropriate Assessment (under the Habitats Regulations). This screening concludes that further such assessment is not necessary. The screening report is also available for consultation. An Equalities Impact Assessment ("EqIA") has also been published and this concludes that the Draft EP SPD will not have a significant adverse impact on persons sharing any of the characteristics protected under the Equality Act 2010. Copies of published EqIAs can be found on the Council's website.

For the duration of the consultation, the document can also be viewed at public libraries in Cheshire East during opening hours. For information about opening hours see [www.cheshireeast.gov.uk/libraries](http://www.cheshireeast.gov.uk/libraries) or telephone 0300 123 7739).

### Submit your views

The council's online consultation portal is our preferred method of submitting responses (<https://cheshireeast-consult.objective.co.uk/kse/folder/29414>) but you can also submit responses or return this form by email or post to:

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

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

Please make sure that your comments reach us by **midnight on Friday the 15 of December 2023**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Strategic Planning Privacy Notice, which is available on the council's website:

[https://www.cheshireeast.gov.uk/council\\_and\\_democracy/council\\_information/website\\_information/privacy\\_notices/spatial-planning-including-neighbourhood-planning-team-privacy-notice.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/council_information/website_information/privacy_notices/spatial-planning-including-neighbourhood-planning-team-privacy-notice.aspx)

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



# Cheshire East Local Plan

## Final Draft Environmental Protection Supplementary Planning Document - Comments Form

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

**Please return by:** Midnight on Friday the 15 of December 2023

This comment form has two parts:

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

### Comments Form Part A: Personal Details

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

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

## Comments Form Part B: Final Draft Environmental Protection SPD Comments Form

Name and  
Organisation:

Office Use Only:

PIQ:

RIQ:

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

Page / Chapter / Paragraph / Figure

(please delete as appropriate and state which): \_\_\_\_\_

**Q2. What is your overall view on this section? (please tick one box)**

Support

Object

Comment only

**Q3. Please set out your comments or views on this section:**

**Extract from comments form (not including the duplicated part B forms)**

## Appendix 6: Representations from the previous first draft stage

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
General comment	Whilst the SPD considers human health aspects only, the majority of environmental impacts covered in the document are also applicable to ecological receptors. The SPD should include detail on ecological receptors or signpost to the relevant document	Natural England	The SPD seeks to provide further guidance on the implementation of policies in the development plan. Its scope is limited to matters within the remit of the council's Environmental Protection Team and is aimed at preventing or reducing the impact of developments and protecting public health, wellbeing and amenity. Existing policies in the development plan related to environmental impacts will still apply.
General comment	The document is disappointing and could be improved in a number of aspects. Of the 56 pages, only 23 relate directly to the five subject areas covered. There are inconsistencies in the nature and type of supporting material for each subject area. The glossary is extremely limited and does not include many of the key terms expected of such a document.	Poynton Town Council	The SPD does not introduce new policy, but rather adds details to give guidance on the implementation of existing policies. The document gives guidance on common issues relevant to each subject area and provides signposts to a range of technical documents that provide additional detail where relevant. It does not follow a generic standardised approach to each of the different subject areas as the issues involved are very different.

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
General comment	Specific regard should be made to the purposes of the Peak District National Park during the consideration of the topics covered by the SPD as per S62 of the Environment Act 1995. For example, if a lighting scheme is considered on the edge of the National Park, then due regard would be made to its setting.	Peak District National Park Authority	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team. LPS Policy SE 15 'Peak District National Park Fringe' already restricts development that would affect the setting of the Peak District National Park where it compromises its purposes.
General comment	Other than the dust mitigation section, there is a lack of other references to the construction phase and how environmental pollution risks should be identified and mitigated. The SPD should reference the submission of a Construction Environment Management Plan and the inclusion of planning conditions to produce such a plan.	Canal & River Trust	¶4.20 considers air quality during the construction phase, covering traffic, plant machinery and burning of materials in addition to dust. The SPD also includes guidance on noise (¶¶6.22-6.24 in the first draft, ¶¶6.23-6.25 in the final draft) and light (¶7.15 in the first draft, ¶7.17 in the final draft) during the construction phase.
General comment	The SPD should reference Policy ENV 17 of the SADPD and explain the need to prevent pollution to groundwater source protection zones and drinking water supplies. It should advise applicants to contact the planning team at United Utilities where development is located in a groundwater source protection zone so that the requirements of Policy ENV 17 can be discussed, and the information needed to support an application agreed.	United Utilities	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include protection of groundwater. The adopted Policy ENV 17 is part of the development plan and will apply to all applications where relevant. However, additional information has been added to new ¶5.15 in the final

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
			draft SPD and United Utilities contact details added to Appendix B.
General comment	Development proposals on water catchment land can have an impact on water supply resources and the SPD should refer to the need to engage with the statutory undertaker for water to determine whether any proposal is on land used for public water supply catchment purposes. The first preference should be for proposals to be located away from land used for public water supply purposes. Careful consideration should be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures. It is particularly important to avoid the location of new wind turbines on deep peat land.	United Utilities	Information added to new ¶5.15 in the final draft SPD and United Utilities contact details added to Appendix B.
Chapter 2: Planning policy framework (local policy)	Criterion 5 of LPS Policy SE 12 'Pollution, land contamination and land instability' should refer to "all cases" instead of "most cases". Threats from contamination and land instability must always be mitigated, otherwise development should not be permitted.	Bollington Town Council	LPS Policy SE 12 is an adopted development plan policy. The purpose of the SPD is to give further guidance on the implementation of policies, but it is beyond the scope of a SPD to amend adopted development plan policies.
Chapter 2: Planning policy	The content of the SPD must supplement policies set out in an adopted DPD. ¶2.28 confirms that draft policies in the SADPD are directly relevant. Until the SADPD is adopted, consultation on the	Pegasus Planning Group	As set out in ¶1.2, the first draft SPD supplemented development plan policies from the Local Plan Strategy and saved policies from the previous local plans.

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
framework (local policy)	SPD is not meaningful because the baseline policy position is yet to be agreed and cannot be fully understood by stakeholders. Therefore, the consultation proves fails a basic legal test and further full consultation will be needed once the SADPD has been adopted.		Whilst a number of policies in the (now adopted) SADPD are also of relevance to Environmental Protection, the first draft SPD supplemented policies in the then existing, adopted development plan. The final draft SPD has been amended to refer to the now adopted SADPD policies.
Chapter 2: Planning policy framework (local policy)	Once adopted, SADPD Policy GEN 5 'Aerodrome safeguarding' will also be of relevance to Environmental Protection and should be added to the list of draft policies at ¶2.28.	Manchester Airports Group	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include aerodrome safeguarding. The adopted Policy GEN 5 is part of the development plan and will apply to all applications where relevant.
Chapter 3: Making an application	¶3.1 should specify which LPS policies the SPD supports and also that the geographical coverage excludes the Peak District National Park. Section 3 only provides guidance for some Environmental Protection matters and not others, such as climate change.	David Whitworth	Relevant policies are set out in the "Local policy" section in Chapter 2. The Peak District National Park Authority is the planning authority in the national park and any applications in the national park will be determined by the park authority in accordance with their own policies. The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team. Other matters including climate

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
			change are addressed by other policies in the development plan.
Chapter 4: Air quality	Policies to tackle air quality can potentially have an unintended impact on farm businesses where air quality is not an issue (such as some policies in the Greater Manchester Clean Air Strategy). The main pollutant associated with agriculture is ammonia and it is noted that this is not seen as a significant issue in Cheshire East. The policy should not be implemented in such a way it prevents essential investments in farm infrastructure or investments in renewable energy.	National Farmers Union	The SPD does not introduce new policy, but rather adds details to give guidance on the implementation of existing policies. The guidance does not introduce new policy requirements, nor is it intended to prevent investment in agriculture or renewable energy.
Chapter 4: Air quality	¶4.10 should clarify that the adequacy of an assessment is the responsibility of the applicant. Should it be carried out by an experienced and qualified person applying a validated methodology.	David Whitworth	¶4.10 notes the importance of agreeing the methodology and data sets in advance with the council's Air Quality Team. The adequacy of submitted assessments will be considered in the determination of the application.
Chapter 4: Air quality (air quality during the construction phase)	For air quality during the construction phase, ¶4.20 should also require construction materials to be damped down and/or covered to prevent wind whipping. Consideration should also be given to how any silty run-off from dust dampening would be contained to prevent run-off to watercourses. Any temporary storage of hazardous wastes (e.g., asbestos) should be stored within locked containers which not only will prevent unauthorised	Canal & River Trust	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team and these matters would be considered by other agencies, such as the Environment Agency or Health and Safety Executive. Development plan policies SE 12 'Pollution, land contamination and land

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
	access but also any potential for dust generation whilst the material is on site awaiting removal.		instability' and ENV 12 'Air quality' will apply to all applications where relevant.
Chapter 4 Air quality (heating appliances)	Biomass burning wood chip for heat and generating electricity emits more CO2 than natural gas and planting replacement trees will not recapture that CO2 for 30-100 years. Wood burners should not be approved because of PM emissions. The mention of air quality assessments implies that further PM emissions would not be allowed if air quality is already bad. However, PM emissions are much more noticeable to people in clean air areas. There should be a presumption against planning approval for any appliance (large or small) that will emit PM in any location.	Trevor Boxer	As set out in the draft SPD (¶4.23), where a proposed development includes domestic wood burners or open fires, the council may require an air quality assessment to determine the impact on air quality when compared to similar gas fired systems. Often, the installation of wood burners or open fires in domestic settings does not require planning permission but is covered by other regimes, such as Building Regulations. A presumption against planning approval for any appliance would constitute new policy and is beyond the scope of a SPD.
Chapter 5: Contaminated land	The agricultural industry is already very heavily regulated and any potential pollution to land is addressed in a number of ways, such as through the Nitrates Directive, the Farming Rules for Water, the upcoming Clean Air Strategy and the Environmental Permitting Regulations. Farmers provide a service to the utilities sector in allowing treated sewage sludge to be spread to land. If this was not permitted, then the only option available to the utilities companies would likely be incineration which would be worse for the environment.	National Farmers Union	The SPD does not introduce new policy but adds details to give guidance on the implementation of existing policies.  The SPD guidance and the development plan policies related to contaminated land are concerned with the remediation of contaminated land associated with new development. The regulation of any industry that may contaminate the land in

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
	Developments associated with agriculture may involve potential pollutants being spread to land in a regulated targeted way. The council should not look to put in extra conditions over and above those considered to be needed by the Environment Agency.		the first instance is beyond the scope of a SPD.
Chapter 5: Contaminated land	Much of the land in Bollington is contaminated and all planning should be rejected on such land.	Lindsay Reade	The NPPF requires planning policies to support appropriate opportunities to remediate contaminated land. The SPD gives further guidance on the implementation of development plan policies related to contaminated land and in line with LPS Policy SE 12, development will only be allowed where contamination issues can be appropriately mitigated and remediated.
Chapter 5: Contaminated land	¶5.13 should be expanded to refer to other stakeholders who may also be consulted on such matters, including the Canal & River Trust in protecting the watercourse that it owns and manages.	Canal & River Trust	Reference added (now ¶5.14 in final draft SPD).
Chapter 5: Contaminated land	¶5.9 should include further explanation that contaminated land can also arise from farming, land raising, existing and historic fuel tanks etc and therefore is not solely linked to industrial heritage.	Canal & River Trust	¶5.1 (and elsewhere) acknowledges that contamination can arise from a variety of sources, including those referenced. Additional text added to ¶5.9 (now ¶5.10 in final draft SPD) to re-iterate this.

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
Chapter 6: Noise (noise sensitive developments)	Paragraph 6.9 refers to the government’s planning practice guidance on noise and there should be a reference.	David Whitworth	A reference to the national planning practice guidance is given in Chapter 2 (planning policy framework) at ¶2.13.
Chapter 6: Noise (noise sensitive developments)	¶6.11 infers that the bulleted design levels for noise are the De Facto SOAELs for residential development, which, if mitigation could not control noise to levels below this, would result in an application being recommended for refusal (as per point 3 of ¶6.10). With respect to daytime external amenity spaces, BS8233 recognises that it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. However, it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity	The Crown Estate	In line with SAPDP Policy ENV 13, external amenity spaces that are intended to be used for relaxation should not exceed 55dB LAeq,16hour across a reasonable proportion of the space. Additional text (at ¶6.12 in the final draft SPD) has been added to clarify that the requirement applies “to a reasonable proportion” of the space.

<b>First draft SPD section</b>	<b>Summary of the main issues raised</b>	<b>Representors</b>	<b>Council response including any changes proposed to the first draft.</b>
	spaces, but should not be prohibited. This should be reflected in ¶6.11.		
Chapter 6: Noise	Where works are nearby or adjacent to waterways that have permanent residential moorings then any noise assessment should ensure that boaters are considered as sensitive receptors to noise and mitigated accordingly.	Canal & River Trust	Text added to ¶6.3 to give examples of noise sensitive receptors, including permanent residential moorings.
Chapter 6: Noise	Any acoustic consultant should be suitably qualified and experienced.	David Whitworth	Text added to ¶6.16.
Chapter 6: Noise	Does the Department of Transport technical memorandum: Calculation of Railway Noise (1995) include consideration of high speed trains.	David Whitworth	The technical memorandum is applicable to all types of railway vehicles.
Chapter 7: Light	The SPD should include guidance to advise of the potential for lighting to impact on aircraft safety if not designed appropriately, and of the statutory consultation requirement with the Aerodrome Safeguarding Authority for Manchester Airport under the terms of Circular 1/2003 during the planning application process.	Manchester Airports Group	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include technical matters related to aircraft safety. Manchester Airport remains a statutory consultee for certain types of planning applications and aerodrome safeguarding is addressed by Policy GEN 5 in the SADPD.
Chapter 7: Light	It would be helpful to include light pollution under the environmental issues being considered.	Andrew Greenwood	Chapter 7 addresses light pollution.

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
Chapter 7: Light	The SPD is heavily focussed on the impact on people but omits the significant issue that lighting and light pollution has on the environment. The environment should be referenced in ¶7.1. NPPF requires development to take into account the likely effects on the natural environment and “limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”. The SPD excludes consideration of nature conservation and dark landscapes.	Canal & River Trust	The scope of the SPD is limited to matters within the remit of the council’s Environmental Protection Team, which does not include nature conservation or dark landscapes. There are other policies in the development plan to address these issues, including SADPD Policy ENV 14 ‘Light pollution’.
Chapter 7: Light	Lighting engineers preparing lighting reports should be suitably experienced.	David Whitworth	Text added at ¶7.7.
Chapter 7: Light (planning conditions)	For some uses such as industrial premises or farm buildings, ‘SSL Lighting Guide 21: Protecting the night-time environment’ does not advise limiting or switching off lighting because some lighting must be provided around these buildings to carry out the normal operations of those types of building, and for the safety of the workforce. The use of dimming in conjunction with photocells, presence detectors and time clocks should be used instead. This aligns with the NPPF and PPG and should be reflected in the planning conditions section.	The Crown Estate	Additional text added as new ¶7.14 in the Final Draft SPD to reflect this, and also referred to in ¶7.13 (¶7.15 in the final draft).

<b>First draft SPD section</b>	<b>Summary of the main issues raised</b>	<b>Representors</b>	<b>Council response including any changes proposed to the first draft.</b>
Chapter 7: Light (lighting assessments)	The SPD should stipulate that lighting assessments must demonstrate that the lighting scheme has no adverse impact on the safety of aircraft operations.	Manchester Airports Group	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include technical matters related to aircraft safety. Manchester Airport remains a statutory consultee for certain types of planning applications and aerodrome safeguarding is addressed by Policy GEN 5 in the SADPD.
Chapter 7: Light (lighting assessments)	The lighting assessment should also refer to environmental receptors.	Canal & River Trust	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team. There are other policies in the development plan to address lighting and environmental receptors, including SADPD Policy ENV 14 'Light pollution'.
Chapter 7: Light (mitigation measures)	The mitigation measures should also consider the environment and sensitive ecological receptors, such as angling/cowling any lighting to prevent any spillages to sensitive environmental receptors. NPPF requires development to take into account the likely effects on the natural environment and "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation". The SPD excludes	Canal & River Trust	The scope of the SPD is limited to matters within the remit of the council's Environmental Protection Team, which does not include nature conservation or dark landscapes. There are other policies in the development plan to address these issues, including SADPD Policy ENV 14 'Light pollution'.

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
	consideration of nature conservation and dark landscapes.		
Chapter 7: Light (mitigation measures)	The clarify the definition of “minimum required” in ¶7.8, the SPD should reference BS EN 12464-2:2014 Light and lighting – Lighting of work places - Outdoor work places; BS 5489-1:2020 Design of road lighting - Lighting of roads and public amenity areas; BS EN 13201-1-5:2014/2015 Road lighting; and SSL Lighting Guides.	The Crown Estate	References added.
Chapter 8: Odour	Increasing production efficiency as well as renewable energy are both cornerstones of the pathway for agriculture to reach its net zero ambition by 2040 and can also help the council achieve its own net zero ambition by 2025. This is an area which is already very heavily regulated and local planners should not look to put extra conditions on agricultural developments. Developments which help increase agricultural production efficiency and tackle climate change should be supported and facilitated.	National Farmers Union	The SPD does not introduce new policy, but adds details to give guidance on the implementation of existing policies.
Chapter 8: Odour	A wastewater treatment works is a 24 hour industrial operation which can result in odour and noise emissions, attract flies, and involve vehicle movements from large tankers. The SPD should emphasise that it is more appropriate to avoid development being located close to such facilities, in line with the ‘agent of change’ principle set out in	United Utilities	¶8.1 recognises that whilst odour generating and odour sensitive uses should be separated, this is not always possible. Additional text added at new ¶8.4 in the final draft SPD to refer to the agent of change principle in relation to odour. Reference to Institute of Air

First draft SPD section	Summary of the main issues raised	Representors	Council response including any changes proposed to the first draft.
	<p>the NPPF. The draft SADPD includes Policy ENV 15 in relation to development and existing uses; whilst the SPD ¶6.5 refers to the agent of change with reference to noise. The agent of change principle also applies to odour impacts and should be referenced in this section. It places a duty on any potentially odour sensitive development proposed near to existing businesses or community facilities to incorporate suitable mitigation to prevent the odour, from such premises, causing disamenity to future occupants. This must be taken into account in any submitted application and where necessary, an odour impact assessment must have been undertaken and all proposed mitigation measures incorporated into the proposed development. The odour impact assessment should also take account of new developments under construction or with planning permission. The SPD should also reference the Guidance on the Assessment of Odour for Planning 2018 v.1.1 which is produced by the Institute of Air Quality Management. This document provides guidance on the approach to odour in the planning system. The SPD should also reference the need to engage with the planning team at United Utilities to discuss any proposal in proximity to a wastewater treatment works.</p>		<p>Quality Management’s Guidance on the Assessment of Odour for Planning has been added. United Utilities contact details added to Appendix B.</p>

<b>First draft SPD section</b>	<b>Summary of the main issues raised</b>	<b>Representors</b>	<b>Council response including any changes proposed to the first draft.</b>
Odour (requirements for hot food premises)	¶8.4 could also reference waste disposal	Cllr Ashley Farrall	Reference added (¶8.5 in final draft SPD).