



Adrian Fisher
Strategic Planning & Housing Manager
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

10 February 2012

Dear Mr Fisher

CHESHIRE EAST COUNCIL: HOUSING MARKET PARTNERSHIP

Thank you for the invitation to the meeting of the Housing Market Partnership (HMP) on the 9 February. It was very helpful and clarified much with regard to the progression of the Council's Local Plan as well as questions relating to the composition of the SHLAA and the five year housing land supply.

While I welcomed the opportunity to attend the meeting I would like to make it clear that the HBF is not a member of the HMP. I have no knowledge or direct experience of the housing and planning matters in the district and I am not familiar with any of the development sites that are included in the SHLAA. The HBF cannot, therefore, endorse the SHLAA. The Council will need to discuss the composition of the SHLAA with developers and landowners to ensure that the sites identified are realistically deliverable for the five year land supply, and developable for the subsequent 6-15 years.

We briefly debated the calculation of the housing five year land supply. It is clear that there is a difference of opinion between the Council and developers as to how this is calculated. I would like to set out what the HBF understands is the established approach.

The established approach for calculating the five year supply is the overall housing requirement for the plan period minus completions from the base date of the plan divided by the number of years remaining of the life of the plan.

In the case of Cheshire East, we understand that the plan period that the Council is using until it adopts its Local Plan is that which is set out in the North West RS – namely the period 2003-2021. This is an 18 years period

with an annual housing requirement of 1,150 net homes per year. The overall housing requirement for the plan period is $1,150 \times 18 \text{ years} = 20,700$ (the aggregate requirement of the former districts of Congleton, Macclesfield, Crewe & Nantwich).

The Council has stated that there have been 8,550 completions since 2003 to 2011. Deducting 8,550 from 20,700 leaves 12,150 homes left to build.

Measured from 2011 there are 10 years of the plan left to run.

The residual number of homes left to build (12,150). When this is divided by the number of years of the plan period left to run (10 years) this gives a new annual requirement of 1,215. This means that the five year land supply is for 6,075 homes ($1,215 \times 5$).

Shortfall cannot be continuously pushed back into the last few years of the plan as it would make it very difficult to achieve the necessary number of completions for reasons of competition and market saturation in particular locations. Shortfall from earlier years should be reapportioned equally over the remaining years of the plan.

It would be very helpful if the Council could clarify its approach to calculating the five year supply if it is adopting one that differs from the approach I have set out above.

Yours sincerely

James Stevens
Strategic Planner

Email: james.stevens@hbf.co.uk
Tel: 0207 960 1623

DUTTON, Joanne

From: Steve Robinson [Steve.Robinson@wainhomes.net]
Sent: 24 February 2012 15:17
To: DUTTON, Joanne
Subject: 2011 SLHAA
Attachments: 4588_001.pdf

Categories: SHLAA

Joanne response to the above hard copy in the post.

Regards

Stephen Robinson
Managing Director
Wainhomes Developments Limited
Tel: 01925 859650
Fax: 01925 859651
E:mail Steve.Robinson@Wainhomes.Net

From: Canon1@wainhomes.net [<mailto:Canon1@wainhomes.net>]
Sent: 24 February 2012 21:16
To: Steve Robinson
Subject: Attached Image

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Our ref: WD/HMPD SR/DMF

24 February 2012

Mrs J Dutton
Principle Planning Officer
Chester East Council
Westfields
Middlewich Road
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CW11 1HZ



Wainhomes Developments Limited

Cedarwood 2
Kelvin Close, Birchwood
Warrington WA3 7PB
Office: 01925 859650
Facsimile: 01925 859651

Dear Joanne

Housing Market partnership Draft 2011 SHLAA

Further to the meeting of the Housing Market Partnership (HMP) on the 9th February 2012, at the Council Offices, Sandbach and your email asking for comments to be received by 5.00 pm Friday 24 February 2012.

Whilst not involved with the SHLAA, I feel that two weeks to go through this document in detail, and come back with views as to the robustness on the sites contained within the document is not sufficient.

The company is involved in numerous SHLAA working groups with other Councils' and is therefore familiar with the document. However, on initial inspection, it is clear that it is unrealistic in its' assumptions


The reliance on sites that have not got planning permission within the document is totally unrealistic, despite the discounting and their delivery.

More concerning is not including the acknowledged shortfall within the 5 year supply. This gives a false account of the 5 year supply position to members and the public. purporting a housing position to be far better than it actually is. Indeed even now planning reports to planning committee are using the 5 year supply figure without the shortfall from the 2011 SHLAA. This gives the planning committee a false perspective of the 5 year supply position when making decisions on planning applications.

In conclusion, the company is not able to give its support to the 2011 SHLAA. I would hope that the Council will come back to the HMP and work together to get an SHLAA that can be endorsed by the Partnership. This will give it the robustness and credibility for what is a key piece of the Core Strategy Evidence Base.

Yours sincerely

Stephen Robinson
Managing Director



DUTTON, Joanne

From: Steve Robinson [Steve.Robinson@wainhomes.net]
Sent: 21 February 2012 13:10
To: DUTTON, Joanne
Subject: RE: Cheshire East Housing Market Partnership
Categories: SHLAA

Rope lane Shavington SHLAA ref 3379

Joanne ,thanks for the email I can confirm that the above site is under the control of the company ,and it has carried out extensive technical investigations to ensure that it is developable .All the technical reports amongst others these being ,noise ,air quality ,traffic,ecology,ground,drainage ,flooding and Soil classification have fully established there is no impediment to the land being developed for residential. In conclusion the land is available, achievable and deliverable .This is a site which we would build tomorrow if we had a consent .I trust this is sufficient for your needs by all means come back to me if you require any clarification.

Regards

Stephen Robinson
Managing Director
Wainhomes Developments Limited
Tel: 01925 859650
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E:mail Steve.Robinson@Wainhomes.Net

From: DUTTON, Joanne [<mailto:Joanne.Dutton@cheshireeast.gov.uk>]
Sent: 10 February 2012 11:16
To: JEFFREY, Vikki; Carsberg, Karen; SACKFIELD, Anthony; BOFFEY, Amanda; FISHER, Adrian G (Planning & Housing); SIMPSON, Caroline; BAILEY, Rachel (Councillor); MACRAE, Jamie (Councillor); BROWN, David (Councillor); CLARKE, Allan; CORDEN, Daniel; CUNIO, Pam; GIBBS, Kevin; HOUSE, Richard; HOUSE, Stewart; KEMP, Stella; Kidd, Rosemary; LONGMIRE, Jamie; PARRY, Ruth; PENNY, Stuart; SOAMES, Victoria
Subject: Cheshire East Housing Market Partnership

All,

Thank you to everyone who made it the Cheshire East Housing Market Partnership meeting yesterday.

For those of you who weren't able to make it, please find attached a copy of the presentation provided by the Council.

One of the key points to highlight from the meeting was that the Council are giving the Housing Market Partnership two further weeks to make comments on the Strategic Housing Land Availability Assessment (SHLAA). In line with the SHLAA guidance we would be particularly appreciative of comments that provide your expertise and knowledge on the deliverability and developability of the sites, along with the economic viability.

Please note that we would like all your comments before **5pm on Friday 24th February**.

If you wish to make any comments that you would like to remain confidential for commercial sensitivity reasons then please ensure that this is made clear in your comments.

Thank you for your help and co-operation.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council

Westfields
Middlewich Road
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Tel: 01270 686 615

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Your Place

Your Future

Your Say

Place-shaping consultation: help us plan the future of Cheshire East



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DUTTON, Joanne

From: Richard Lee [rlpp@sky.com]
Sent: 24 February 2012 14:09
To: DUTTON, Joanne
Subject: CEC DRAFT SHLAA 2011
Attachments: RLPP Letter.CEC Draft SHLAA 2011.pdf.pdf

Joanne

Please could you forward this email and attached letter to Adrian. I'm having problems sending an email to him direct.

Thanks

Adrian

Please find attach a letter detailing my comments with regard to the draft SHLAA.
Please confirm receipt.

Regards

--

Richard Lee

BA (Hons) MRTPI

Project Planning & Property Consultant

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RICHARD LEE

Project Planning & Property Consultant

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Ref: RLPP.CEC.SHLAA.003

23 February 2012

Dear Adrian

Cheshire East Housing Market Partnership: Draft SHLAA 2011

Having read and commented on the draft SHLAA report and listened to the presentations and discussion at the HMP meeting on 9th March, the purpose of this letter is to set out my concerns as a locally based planning consultant about the way in which the 2011 SHLAA report has been approached.

From the outset I would like to make it clear that I believe the Officer's suggestion at the meeting that the Council would continue to ratify the SHLAA without the support of HMP members was very unhelpful. Given the amount of time and resources already expended by businesses such as mine in contributing to the SHLAA process, this leaves me to seriously question whether I have been wasting my time. The SHLAA will not be considered to be a credible evidence base without the independent ratification of the HMP.

Advice on the preparation of SHLAA's set out in the Department of Communities and Local Government SHLAA Practice Guidance does not cover calculation of the five year housing land supply, so why has the five year supply assessment been included within the report? Surely it would be more appropriate to address the five year supply in the LDF Annual Monitoring Report. The removal of the five year supply assessment section from the SHLAA report will probably remove the majority of objections raised and thereby enable the Council to secure the support of the HMP for the SHLAA.

Notwithstanding the above point, I agree with the concerns raised at the meeting by the HBF and many of the developers present regarding the Council's approach to calculating the five year housing supply. Clearly this must be demonstrated to

be robust and capable of being defended at appeal if necessary. Officers appear to have ignored established practice in assessing the five year supply and have taken a very optimistic view on delivery particularly in respect of the larger sites recently consented/awaiting completion of S106 Agreements and sites requiring a change in policy in order to proceed. Furthermore the release of employment sites for housing development should be resisted as these sites are required for employment uses. Housing supply on existing employment sites without planning for housing should therefore be discounted in full.

Housing delivery assumptions based upon the potential level of delivery stated by developer applicants which differs dramatically from that assumed previously in housing delivery calculations as set out in the agreed "Build Rates" table in the SHLAA report should be treated with great caution. An assessment of housing delivery rates from sites of similar size/locations should at the very least be undertaken to ensure these figures are credible.

With regard to the under supply of housing achieved in previous years, CEC cannot just omit this shortfall from the five year housing supply calculations. Difficult market conditions and low delivery rates continue to have an impact on housing delivery. However there is a continuing, unmet need for both market and affordable housing that should be urgently addressed, rather than ignored.

On a broader point, by focussing upon housing land supply in the context of delivering the RSS requirement of 1,150 dwellings per year, Cheshire East Council is losing sight of the fact that the actual level of housing need shown within the LDF evidence base is circa 4,000 dwellings per year. Whilst I appreciate the political issues raised in pursuing this higher figure, simply choosing to ignore it will not deliver a sound DPD. This aspect needs to be urgently addressed and will require even more sites to be released in the short term in order to address this need.

I trust you will take the concerns I have raised fully into account in your further amendments to the SHLAA.

Yours sincerely

Richard Lee
BA (Hons) MRTPI
Project Planning & Property Consultant

DUTTON, Joanne

From: Stephen Harris [SHarris@epp-planning.com]
Sent: 24 February 2012 15:44
To: DUTTON, Joanne
Subject: Cheshire East SHLAA
Attachments: L38-1008-CEC-SH-jb.pdf

Categories: SHLAA

Dear Joanne,

Please find attached our response to the draft SHLAA.

Regards

Stephen

Stephen Harris
Associate Director

Tel: 01625 442 786
Fax: 01625 511 457



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info@epp-planning.com

Ms Joanne Dutton
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

24 February 2012

EPP ref: L38-1008-SH-jb

Contact: Stephen Harris
Direct dial: 01625 442786
StephenHarris@epp-planning.com

Dear Ms Dutton

**RE: CHESHIRE EAST STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2011
DRAFT**

Further to your email dated 10th February 2012, we set out our position on the draft SHLAA which was circulated in advance of the Housing Market Partnership meeting on 9th February 2012.

There are two specific points which we wish to raise, which are:

- addressing the shortfall to date; and,
- a realistic expectation of delivery.

We address each in turn.

Shortfall

By applying the figures in Figure 4.1 of the Council's AMR, the shortfall in housing delivery for the period 2003 to 2011 is 650 dwellings. This represents a shortfall of some 0.45 years. The draft SHLAA in essence writes this shortfall off as no reference is made to it. This shortfall should be made up as soon as possible which in our view should be within the next 5 years. This would equate to 130 dwellings extra per year so the revised requirement would be 1,280 dwellings. On the deliverable supply in the draft SHLAA this would equate to 3.7 years. Addressing the shortfall is a well established principle in appeal decisions and Core Strategy Examinations.

We note that the Council accepts that it cannot demonstrate a 5 year supply and it was stated at the HMP that the precise supply figure does not alter the presumption in favour of development. Whilst this is true at this point in time, when members are making a decision on an application they should be fully informed of the housing land supply position which should take account of the shortfall. For example if supply increases to 5 years in the future without taking account of the shortfall then members may well refuse an application based on paragraph 71 of PPS3. However that decision would not be based on the true supply which is some 0.45 years lower. This is an important distinction and is why we consider that the supply should include the shortfall.

Delivery

We note that the overall supply figure is 4,773 dwellings which represents 4.15 years. This of course assumes that the delivery rates and the suitability and availability of sites are correct. It is difficult in the two weeks available to make comments on the range of sites in the draft SHLAA.

We note that 1,970 dwellings are on sites where no planning permission has been granted. We accept that sites identified in the SHLAA or perhaps sites not included in the SHLAA will come forward and be considered as planning applications. This number of houses from this source should be assessed annually once permission has been granted. Our concern is that having such a large supply from sites without planning permission may frustrate deliverable sites coming forward.

We note your comment at the HMP that around 60% of that supply is in the planning system, which would equate to approximately 1,180 dwellings. A significant proportion of this is from Coppenhall East and north of Parkers Road. We deal with those two sites later.

The lack of a planning permission does not accord with the first bullet point of paragraph 5 of the DCLG SHLAA Practice Guidance requires local planning authorities to:

"identify specific, deliverable sites for the first five years of a plan that are ready for development".

Not having a permission means that a site cannot be ready for development.

Paragraph 54 of PPS3 advises that to be available *"the site is available now"*. Our interpretation of the guidance is that if no planning permission exists the site cannot be available now and should not form part of the 5 year supply. Indeed, the submission of a planning application does not guarantee that permission will be granted.

Therefore the SHLAA should include deliverable housing sites with estimates as to when the site may come forward. However we consider that for the purpose of calculating a 5 year land supply this source should be excluded.

We now assess the practicalities of delivery and how this has been included in the SHLAA. We set out two examples.

Coppenhall East, Crewe

325 dwellings are assumed to be delivered on this site within the first 5 years.

The submitted Planning Statement sets out the anticipated build rate of the development. No completions are assumed in Year 1 with annual completions then being 65 dwellings per annum. This equates to a potential 5 year yield of 260 dwellings. This assumes that construction works will commence in 2011 with completions in 2012. However the Section 106 agreement has yet to be signed and there will be long lead in times including significant infrastructure works prior to the delivery of the first dwelling. Therefore the level of delivery is very much at the maximum and we would not expect any completions until April 2013 at the very earliest, probably much later. Therefore the site would only contribute 195 dwellings at most.

North of Parkers Road, Crewe

400 dwellings are assumed to be delivered on this site within the first 5 years.

The submitted ES states that 80 dwellings are expected from this site per annum. As permission has yet to be issued we consider that there would be no completions from this site until April 2013 at the earliest, which is year 3 of the SHLAA. Therefore the site would only contribute 240 dwellings at most.

Conclusions

Taking account of the shortfall to date and the deliverable supply in the draft SHLAA, the housing land supply is 3.7 years at best. In the time available we have not undertaken a detailed assessment of the individual sites but we have provided two examples of how delivery rates on two large sites based on the information submitted with the application. Not undertaking such an assessment at this stage should not be seen as an acceptance of the delivery of the other sites in the SHLAA.

We trust that the above points assist you in finalising the SHLAA and we look forward to receiving the final draft.

Should you require any further assistance please do not hesitate to contact us.

Yours sincerely

EMERY PLANNING PARTNERSHIP LTD

Stephen Harris BSc (Hons) MRTPI
Associate Director

DUTTON, Joanne

From: Richard Purser [Richard.Purser@dpp-ltd.com]
Sent: 27 February 2012 09:10
To: DUTTON, Joanne
Cc: Taylor, Andrew (DWH North West); Stanley, Paul; Kitchingman, Paul J; Lorraine Davison
Subject: Cheshire East SHLAA Update 2012 - response on behalf of David Wilson Homes North West
Attachments: L004m Encl SHLAA Site 3025.pdf; L004m A Fisher DWHNW SHLAA Update Reps 24.2.12.pdf; L004m Encl SHLAA Proposed Shavington Hall.pdf
Categories: SHLAA

Joanne

Following up our conversation I attach a letter and two plans in response to the Council's SHLAA Update. Thank you for allowing a couple of days grace for sending this through. A hard copy was sent over the weekend to you.

The sites being promoted by DWHNW are:

- Land at Maw Green (existing SHLAA site 3025)
- Land at Shavington Hall (revision to existing SHLAA site 2911) [Note the plan sent by letter on Friday erroneously refers to site 2011, this is corrected in the attached plan]

Please let me know if you have any further questions. Naturally DWHNW will welcome any opportunity to promote the sites and ensure you are content to the availability, suitability, developability and deliverability of the two sites.

Kind regards,

Richard Purser (richard.purser@dpp-ltd.com)
Associate Director
DPP

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Please note that DPP's web and email addresses have changed:

Reference: RP/12603/L004m

Manchester

24 February 2012

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Tel: 0161 238 9150 Fax: 0161 238 9878

Adrian Fisher
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Dear Adrian

**Cheshire East SHLAA 2011 Update
Additional Representations by David Wilson Homes North West**

I write to you on behalf of David Wilson Homes following the invitation at the Housing Market Partnership meeting on 9 February to allow developers to submit further representation to the 2011 SHLAA Update.

David Wilson Homes wishes to make specific representation to support the inclusion of two sites, Land at Shavington Hall, Shavington and Land at Rear of 56-86 Sydney Road, Maw Green, Crewe. Red line plans are enclosed that identify the two sites. David Wilson Homes also wishes to make further general comment on the calculation of housing land requirement in response to the HMP meeting on 9 February.

Land at Shavington Hall, Shavington

The land at Shavington Hall is considered suitable, available, achievable and deliverable in the short-term to provide in the region of 70 units at a rate of 30-35 dwellings per annum. David Wilson Homes has held a pre-application meeting relating to the site and considers that, subject to a subsequent grant of planning permission (application will be lodged in Spring 2012), that development could start within 12 months on site. Delivery can therefore support housing supply within years 2013 and 2014, assisting the Council in meeting its rolling five year housing requirement.

This site is only a proportion of the presently identified SHLAA Site 2911. As it is separate control of David Wilson Homes and can be considered available in the 0-5 year timeframe, it should be separately identified within the SHLAA, as per the enclosed plan.

In summary, David Wilson Homes seeks specific identification of the land at Shavington Hall as a separate site within the SHLAA Update; that it is available, achievable, deliverable and suitable in the short-term 0-5 year period for the capacity of circa 70 dwellings.



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Land at Rear of 56-86 Stanley Road, Maw Green, Crewe

The land at Maw Green is recognised with the SHLAA Update as Site 3025. David Wilson Homes has control of the site and can therefore be considered suitable, available, achievable and deliverable in the short-term 0-5 year period to provide approximately 35 units. Subject to a grant of planning permission units could be delivered within 1-2 years.

David Wilson Homes considers that the constraints set out within the present Site 3025 SHLAA are capable of being addressed for matters of traffic generation and sustainable links within a planning application.

David Wilson Homes supports the continued inclusion of Site 3025 within the SHLAA but updated to reflect the greater certainty on deliverability, completion rate and capacity within the 0-5 year period and not 6-10 years as presently assumed.

Housing land requirement

You will be aware of the letter sent by James Stevens, HBF, dated 10 February 2012 regarding the calculation of the residual housing land requirement for Cheshire East. David Wilson Homes strongly endorses the points made by Stevens, in particular that; *"The established approach for calculating the five year supply is the overall housing requirement for the plan period minus completions from the base date of the plan divided by the number of years remaining of the life of the plan."*

Taking this simple, straightforward calculation and applying it to the current plan period set by North West RS 2003-2021, the five year housing supply, based on the Council's latest net completion figures (8,550) is 6,075 homes or 1,215 homes per annum (net).

Calculation:

Residual requirement (2003-21) 20,700 net LESS completions (2003-11) 8,550 net = 12,150 net
Annualised requirement for 2011-21 (10 years) = $12,150 \div 10 \text{ years} = 1,215 \text{ homes per annum}$
Five year housing requirement = $1,215 \times 5 \text{ years} = 6,075$

Draft National Planning Policy Framework would effectively raise the five year requirement to six years (+ 20% rule) to 7,290 homes. I note that at the HMP presentation your current calculation of housing delivery from SHLAA suitable sites (1,400 sites) is only 4,773 dwellings. This is only 3.9 years supply ($4,773 \div 1,215$). Unequivocally Cheshire East must support additional housing land release to meet its residual plan requirement.

I look forward to receiving acknowledgement of receipt of this letter and that the Council positively updates the SHLAA to reflect the specific housing opportunities.

If you, or your officers, require further clarification or information please do not hesitate to contact me or Lorraine Davison and we will assist you.

Yours sincerely

Richard Purser
(richard.purser@dpp-ltd.com)

DPP

Direct Line: 0161 238 9869

Enc. 2 x Site Plans for SHLAA Update Sites

cc. J Dutton, Cheshire East (email only)
A Taylor, DWHNW
P Kitchingman, DWHNW
L Davison, DPP (email only)

[illegible]

Revision to SHLAA site 2911

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Map Ref: AB279S

Cheshire East SHLAA



DUTTON, Joanne

From: Rebecca Taylor [Rebecca.Taylor@howplanning.com] on behalf of Carol Clarke [carol.clarke@howplanning.com]
Sent: 23 February 2012 15:34
To: DUTTON, Joanne
Cc: Carol Clarke
Subject: DRAFT CHESHIRE EAST SHLAA, FEBRUARY 2012
Attachments: 817a - Dutton 181111.pdf

Categories: SHLAA

Dear Joanne

Please find attached electronic copy of letter which will be posted out this evening for your receipt.

Should you have any queries please do not hesitate to contact Carol Clarke directly.

Kind regards
Becks

REBECCA TAYLOR
PA TO RICHARD WOODFORD

Direct Line: 0161 831 5874

Email: rebecca.taylor@howplanning.com

Web: www.howplanning.com

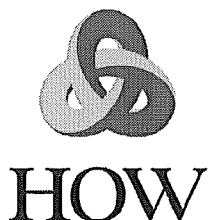


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23 February 2012

Ms J Dutton
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By post and email: joanne.dutton@cheshireeast.gov.uk

Dear Joanne

DRAFT CHESHIRE EAST SHLAA, FEBRUARY 2012

On behalf of Linden Homes and Bloor Homes (the Housebuilders) I am instructed to submit Representations to the Draft Strategic Housing Land Availability Assessment (SHLAA) February 2012.

These Representations relate to three sites and each one is considered in turn.

Reference 3375 Leighton West (North West).

The Housebuilders object to the reference under "Physical Constraints" that states it is located on a potentially contaminated site with potential air quality issues. The site is greenfield and has only previously been used for agriculture, to the Housebuilders knowledge the land is not contaminated and not located in an air quality monitoring zone. The Housebuilders would like Cheshire East Council to remove these references, otherwise justify the statement with evidence, the Environmental Health Officer has advised there is a former pond on site that has low/moderate risk of contamination but has not provided any evidence, notwithstanding this if this is the case this is one small area and the entire site description should not be marred by this statement.

This section should also be amended to reflect that whilst the pylons do cross this site it is only in the southern corner of the site and not a physical constraint to the development of the land, they can be masterplanned and accommodated with ease.

Policy Restrictions – references that the site is within NATs safeguarding zone. This should be amended as demonstrated by the approval of residential development on land off Parkers Road (SHLAA reference 3376) this is clearly not a policy restriction to development and the pro-forma should be amended to reflect this.

Managing Constraints – refers to consultation with the Contamination Officer, this should be removed or justified as per the comments above. Reference to an air quality assessment may be required is incorrectly qualified by the size of the potential development and this should be amended.

+ + + + + + + + + +

Planning and Environmental Advisers

Partners:
Gary Halman BSc FRICS MRTPI
Richard Woodford BA (Hons) BSc BTP MRICS MRTPI
Fiona Woodford
Julie Halman

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Carol Clarke BA (Hons) MTPI MRTPI
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Sustainability – this section should be updated to state “the site is also in walking distance to St Peters Church and Church Hall, Mabllins Primary School on Parkers Road, day to day shopping facilities on Parkers Road and a public house on Bradburns Lane.”

Suitable, achievable and deliverable – the Housebuilders agree the site is suitable, achievable and deliverable.

Availability – the Housebuilders agree the site is available but the pro-forma should be reflected to correct the reference in that it is not owned by developers, developers have a legal agreement to buy the land.

Capacity – the Housebuilders consider the land could be masterplanned to accommodate a greater number of dwellings whilst still accommodating the needs of Leighton Hospital and any potential community facilities and the proposed number of dwellings on the site should be in the region of 400 in the 6-10 year period.

Reference 3376 Land at North off Parkers Road, Leighton.

The Housebuilders object to the reference under “Physical Constraints” that states it is a potentially contaminated site with potential air quality issues. The site has been the subject of a planning application (11/1879N) Members of Committee have since resolved to approve the application subject to the signing of a Section 106 Agreement.

The EIA demonstrated there was no contamination on the land aside from the possibility of material in the in-filled pond. The EIA demonstrated that the proposed residential development would cause insignificant increase in the level of pollutants in the air and no mitigation was required. The pro-forma should be amended to reflect this factual position.

Policy Restrictions – reference to the “that the site is within NATs safeguarding zone” – this should be amended as this was not raised as a policy restriction of concern during the determination of the application on the land. Similarly surface water runoff calculations were not a policy restriction matter and this reference should also be removed.

Managing Constraints – this needs to be amended to reflect that a Transport Assessment has been submitted and agreed, mitigation measures are within the Section 106 and Section 278 will be required. It should be amended as “no further consultation with the Contaminated Land Officer is required. As detailed above an Air Quality Assessment has already been provided as part of the EIA which demonstrates air quality is not a constraint to development, these points should all be amended in the pro-forma.

The EIA demonstrates that the Great Crested Newts in the area can be accommodated. The application retains and upgrades the existing footpath. Neither of these are a constraint to development and their reference in the pro-forma should be removed.

Overall, the submission and approval of the planning application demonstrates there are no physical constraints to development in addition there are no policy restrictions to development.

Sustainability – the site is located in a highly sustainable location the pro-forma should be updated to include the following “it is within easy walking distance of several bus stops, the hospital, Mabllins Primary School, a nursery, local shops and two public houses.” The pro-forma should be reflected to amend this factual position.

Accessibility – the site is highly accessible by car, bicycle, bus and walking as demonstrated in a Transport Assessment submitted with the application, agreed with Highways Officers and approved by Members of the Committee.

The Housebuilders agree the site is suitable, available, achievable and deliverable.

Development Progress – this should be amended to state there is a resolution to approve and it is awaiting the execution of S106 prior to the Decision Notice being issued.

Reference 3377 Leighton West (South West)

Surrounding land uses should be amended to correct the spelling error of “residential”.

Physical Constraints – site reference 3378 sets out this land is a historical land fill, if that is the case, it is correct to state the land is located within 250m but it is not a physical constraint to development for residential. An EIA would simply assess that contaminants from the landfill have not migrated to this site. The Housebuilders object to the reference to potential air quality issues, there is no evidence presented on this matter. The housebuilders object to the reference that contamination is a physical constraint, the Environmental Health Officer has advised there is a former pond on site that has low/moderate risk of contamination but has not provided any evidence, notwithstanding this if this is the case this is one small area and the entire site description should not be marred by this statement.

The Housebuilders object to the reference that the building on site are a constraint to development, these buildings are those of Mile House Farm. If the land surrounding the farmstead is developed this removes the need for the farm buildings. However these could contribute to an appropriate mixed development as many of these buildings would be suitable for a change of use. The pro-forma should be amended to reflect that these buildings are not a constraint to development.

There are limited trees and hedges on the site, none are subject to Tree Preservation Orders and those that are on site, can be accommodated within the development of the land.

The Housebuilders object to the reference that part of the site lies within Leighton West Country Park it is wholly misleading as only a small parcel of the southernmost portion of the land lies within the Country Park and it can be masterplanned as appropriate retained for this use.

Policy Restrictions – as per the comments highlighted under site reference 3375 identifies that the site is within an NATs safeguarding zone. This should be amended as demonstrated by the approval of residential development on land off Parkers Road this is clearly not a policy restriction to development and the pro-forma should be amended to reflect this.

Managing Constraints – clarification as to why an air quality assessment would be required is needed.

The Housebuilders agree with the assessment that the site is suitable, available, achievable and deliverable, however the Housebuilders object to the identification of only 250 dwellings during the 6-15 year period when the “potential capacity” identifies 650 dwellings can be accommodated on the site. This leaves ambiguity as to when the remaining dwellings are likely to come forward, in fact with at least two Housebuilders committed to the delivery of 650 homes, based upon 40 dwellings per annum each, 650 homes could be delivered in approximately 8 years, whilst it is accepted the first year there may be infrastructure

requirements this still allows approximately 320 dwellings to be delivered in years 6-10 with the remaining 330 dwellings delivered in years 11-15.

Site ³³⁷⁸~~3267~~ Leighton West (South)

The housebuilders note the description under physical constraints is incorrect and it states Overhead powerlines as a constraint but there are none on site and this should be corrected.

Support is given the identification that the site is suitable, available, achievable and developable.

Should you have any questions on the points raised in these Representations please do not hesitate to contact me. In any event I look forward to receiving your response and the amended SHLAA to reflect these recommendations and the factual position on each site.

Yours sincerely

**CAROL CLARKE
ASSOCIATE**

Direct Line: 0161 831 5889

Email: carol.clarke@howplanning.com

CC: S Barlow Esq – Bloor Homes
A Byrne Esq – Linden Homes



DUTTON, Joanne

From: Taylor, Andrew (DWH North West) [andrew.taylor@dwh.co.uk]
Sent: 24 February 2012 16:42
To: DUTTON, Joanne
Cc: Stanley, Paul; Stoney, Stephen
Subject: Cheshire East SHLAA - invitation to developers
Attachments: J17 SHLAA support letter 24th Feb 2012.doc

Categories: SHLAA

Joanne,

With reference to your recent invitation to developers to make representations in support of SHLAA sites, please find attached a letter of support in relation to sites 2605 and 2627.

A hard copy of this letter, together with the appropriate plan is in the post, and will be with you early next week.

Please confirm receipt of this e-mail.

Regards,

Andrew

Andrew Taylor BSc (Hons) DipTP MRTPI
Planning Director
David Wilson Homes North West
(a trading name of BDW Trading Limited)
2nd Floor, 303 Bridgewater Place
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Our Ref: AT/912

24th February 2012

Joanne Dutton
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

Dear Joanne

**Re: Cheshire East SHLAA 2011 Update
Additional representations by BDW Trading Ltd**

I write to you on behalf of BDW Trading Ltd following the invitation at the Housing Market Partnership meeting on 9 February to allow developers to submit further representation to the 2011 SHLAA Update.

BDW Trading Ltd comprises both the housing brands of David Wilson Homes and Barratt Homes. We wish to make specific representation to support the inclusion of the strategic sites reference 2605 (land off Heath Road, Sandbach) and 2627 (Land to the rear of and including Capricorn Business Park, Old Mill Road, Sandbach). It should be noted that site 2627 should include the triangular shaped parcel of land adjacent to the motorway slip road, as well as the woodland area to the south (which should not therefore be shown as part of site 2605). I will forward a plan illustrating this in due course.

We consider that the land comprising both sites is suitable, available, achievable and deliverable for housing development. The sites represent an appropriate sustainable extension of Sandbach, capable of delivery in a phased manner.

There is now an identified need in the housing land supply within Cheshire East (at 3.9 years, best case) which requires additional sites to be brought forward to meet this need.

Housing land requirement

You will be aware of the letter sent by James Stevens, HBF, dated 10 February 2012 regarding the calculation of the residual housing land requirement for Cheshire East. BDW Trading Ltd strongly endorses the points made by Stevens, in particular that;

"The established approach for calculating the five year supply is the overall housing requirement for the plan period minus completions from the base date of the plan divided by the number of years remaining of the life of the plan."

Taking this simple, straightforward calculation and applying it to the current plan period set by North West RS 2003-2021, the five year housing supply, based on the Council's latest net completion figures (8,550) is 6,075 homes or 1,215 homes per annum (net).

Calculation:

Residual requirement (2003-21) 20,700 net LESS completions (2003-11) 8,550 net = 12,150 net
Annualised requirement for 2011-21 (10 years) = $12,150 \div 10$ years = 1,215 homes per annum
Five year housing requirement = $1,215 \times 5$ years = 6,075

Draft National Planning Policy Framework would effectively raise the five year requirement to six years (+ 20% rule) to 7,290 homes. I note that at the HMP presentation your current calculation of housing delivery from SHLAA suitable sites (1,400 sites) is only 4,773 dwellings. This is only 3.9 years supply ($4,773 \div 1,215$). It should be stated that this is a conservative figure, with many industry specialists disputing the figures and suggesting that there could be as little as 2-3 years supply.

Unequivocally Cheshire East must support additional housing land release to meet its residual plan requirement, and it is our contention that sites 2605 and 2627 are ideally placed to help meet this requirement.

Yours sincerely
DAVID WILSON HOMES NORTH WEST

Andrew Taylor
PLANNING DIRECTOR

Cc:

DUTTON, Joanne

From: Jonathan Pickthall [jpickthall@morrishomes.co.uk]
Sent: 24 February 2012 18:26
To: DUTTON, Joanne
Cc: Planning Policy Consultation
Subject: Draft CEC SHLAA 2011 Update- Comments
Attachments: Morris Homes SHLAA Comments 24-2-12.pdf

Categories: SHLAA

Joanne,

Please find attached our comments regarding the Draft Cheshire East SHLAA 2011 Update as requested on 9th February 2012 at the Housing Market Partnership Meeting.

Please confirm that these comments have been considered as part of the consultation

Regards

Jonathan

Jonathan Pickthall BSc (Hons) MA | Land Manager
Morris Homes | Morland House | Altrincham Road | Wilmslow | Cheshire | SK9 5NW
Main 01625 544 504 | **Mob** 07833 467 374

<<Morris Homes SHLAA Comments 24-2-12.pdf>>



Our Ref: JP/LOCALPLANNING POLICY/CHESHIREAST/SHLAA2011UPDATE

24 February 2011

Joanne Dutton
Cheshire East Council
Westfields
Middlewich Road
Sandbach
C11 1HZ

Dear Joanne

HOUSING MARKET PARTNERSHIP- DRAFT SHLAA 2011 UPDATE

Thank you for inviting us to the Housing Market Partnership meeting on 9th February and for providing us with an update on the progress of the Local Development Framework and the Strategic Housing Land Availability Assessment (SHLAA).

I believe that the HMP meeting generated worthwhile debate concerning the methodology of the SHLAA and five-year land supply. It was clear that members were in agreement of the fact that is essential for the SHLAA to contain an accurate, robust and most importantly deliverable 5-year land supply. The SHLAA is recognised as a key evidence base for planning policy and is used as such in Appeals.

Five-Year Land Supply

It is clear that there is a difference of opinion between the Council and developers as to how this is calculated. As the HBF confirmed at the meeting, the established approach for calculating the five year supply is the overall housing requirement for the plan period minus completions from the base date of the plan divided by the number of years remaining of the life of the plan. On this basis, the five-year land supply is for 6,065 homes ($1,215 \times 5$), which generates a significantly greater undersupply than the one that the council is currently estimating. We do not agree that it is appropriate to shift any undersupply to later years of the plan period.

The under provision of housing is of course a great concern given that Cheshire East Council is committed to stimulating growth in Cheshire East. We believe the provision of housing is essential to these growth ambitions.

Morris Homes Limited, Morland House, Altrincham Road, Wilmslow, SK9 5NW

Tel: 01625 544444 Fax: 0845 833 1845 DX 20806 Wilmslow

Registered in England No. 3593639



SHLAA Methodology

Following this consultation, we look forward to reviewing the outcome of comments made by members and provide our final approval of the SHLAA. The final sign off of the SHLAA by members is crucial if the five-year land supply is to be accepted as deliverable.

Whilst this 2 week consultation period is welcomed, we have not been afforded the time to undertake a full site-by-site analysis. Our membership of other SHLAA groups and attendance to their discussion groups across the country has provided us with the opportunity to fully scrutinize numerous draft SHLAAs and resulted in the detailed assessment of the deliverability of sites.

I believe that the production of the 2012 SHLAA should be re-examined to ensure that individual site analysis is undertaken in accordance with the DCLG Practice Guidance and that the methodology is applied consistently, so that the SHLAA is truly accurate and robust. For instance, this would enable us to provide clear and informed feedback on development matters such as build out rates and lead in times, which do not seem to be accurately applied to a number of key sites in the current SHLAA.

Site Specific Comments

Forge Mill, Forge Lane, Congleton (Ref: 2838)

This site is currently classified as 'Not currently developable' in the draft SHLAA. I can confirm that we are progressing plans for the development of at least 58 dwellings on this site. The current occupier is shortly due to leave the site and we believe that the residential development of this brownfield site would provide great betterment to the local area.

This proposal would be consistent with the role of Congleton as a centre for growth as part of the LDF Core Strategy. Although constrained, this site has the ability to accommodate sustainable residential development. In light of the current SHLAA assessment of the site constraints, we have undertaken a Flood Risk Assessment, Highways Assessment, Ecology appraisal and Site Surveys and believe that site constraints can be overcome.

Forge Mill is located close to the settlement boundary and we will continue to demonstrate through the LDF process that it represents an appropriate location for development. We believe that housing on this site could be delivered within the next five years.

24 Church Lane, Sandbach (Ref: 2779)

This site is currently available for purchase and we believe that it has potential for residential development. Although the site is outside the settlement boundary it is that this site should come forward for development given the shortfall in numbers.

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Tel: 01625 544444 Fax: 0845 833 1845 DX 20806 Wilmslow

Registered in England No. 3593639



Council Depot, Newell Avenue, Sandbach (Ref: 2211)

We have been in discussion with the council about the development of this site for a number of months. We have developed the site that lies to the east of this site and it has provided quality housing in a highly sustainable location. We believe that this site could be developed with the five-year period.

I look forward to receiving the findings of this consultation and hope that you allow us further detailed analysis of the sites as suggested above.

Regards I

JONATHAN PICKTHALL BSc (Hons) MA
Land Manager

Morris Homes Limited, Morland House, Allrincham Road, Wilmslow, SK9 5NW

Tel: 01625 544444 Fax: 0845 833 1845 DX 20806 Wilmslow

Registered in England No. 3593639

DUTTON, Joanne

From: Tim Waller [Tim.Waller@jbplanning.com]
Sent: 24 February 2012 16:31
To: DUTTON, Joanne
Subject: RE: Cheshire East Housing Market Partnership
Attachments: 022412, Joanne Dutton.pdf

Categories: SHLAA

Dear Ms Dutton,

Please see attached a letter concerning your draft SHLAA 2011. Please let me know if you would like to discuss this further.

Regards,

Tim

Tim Waller
Senior Planner

J B PLANNING ASSOCIATES LIMITED

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From: DUTTON, Joanne [<mailto:Joanne.Dutton@cheshireeast.gov.uk>]

Sent: 10 February 2012 11:16

To: JEFFREY, Vikki; Carsberg, Karen; SACKFIELD, Anthony; BOFFEY, Amanda; FISHER, Adrian G (Planning & Housing); SIMPSON, Caroline; BAILEY, Rachel (Councillor); MACRAE, Jamie (Councillor); BROWN, David (Councillor); CLARKE, Allan; CORDEN, Daniel; CUNIO, Pam; GIBBS, Kevin; HOUSE, Richard; HOUSE, Stewart; KEMP, Stella; Kidd, Rosemary; LONGMIRE, Jamie; PARRY, Ruth; PENNY, Stuart; SOAMES, Victoria

Subject: Cheshire East Housing Market Partnership

All,

Thank you to everyone who made it the Cheshire East Housing Market Partnership meeting yesterday.

For those of you who weren't able to make it, please find attached a copy of the presentation provided by the Council.

One of the key points to highlight from the meeting was that the Council are giving the Housing Market Partnership two further weeks to make comments on the Strategic Housing Land Availability Assessment (SHLAA). In line with the SHLAA guidance we would be particularly appreciative of comments that provide your expertise and knowledge on the deliverability and developability of the sites, along with the economic viability.

Please note that we would like all your comments before **5pm on Friday 24th February**.

If you wish to make any comments that you would like to remain confidential for commercial sensitivity reasons then please ensure that this is made clear in your comments.

Thank you for your help and co-operation.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

Tel: 01270 686 615

Email: joanne.dutton@cheshireeast.gov.uk

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Place-shaping consultation: help us plan the future of Cheshire East



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24 February 2012

Sent by E-mail

Ms Joanne Dutton
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

Dear Ms Dutton

SHLAA 2011 – Land at Leighton West (Site 3639)

I am writing to you in relation to the above site, on behalf of The Fairfield Partnership, who are promoting the land for residential development. You will recall that I previously wrote to you in December 2010, when you were preparing the previous iteration of the SHLAA.

I have reviewed your draft SHLAA 2011, and I am pleased to see that you have rated my Client's land interest as available, achievable and developable. I can confirm that this assessment is correct. We are currently in discussions with the Council and the owners of the adjoining land over bringing this site forward for development as part of a wider strategic allocation in the Core Strategy. As you will be aware, the land immediately to the south (Site 3376) has recently been granted planning permission for up to 400 houses, which are anticipated to be built within the next 5 years. My Client's land is unconstrained and immediately available for development, and we anticipate that it could begin to deliver housing within around 5 years from now, depending on the rate of progress on the Core Strategy.

I note that the SHLAA estimates that this site could accommodate 50 dwellings within years 6-10, and a further 125 dwellings in years 11-15. As with Site 3376, this land could deliver housing at a far swifter rate than you have estimated, and we are confident that it could be built out completely well before year 10, based on The Fairfield Partnership's considerable experience and a proven track record in delivering housing on greenfield sites such as this.

With regard to the site's capacity, our own initial Masterplanning exercises have suggested that it can accommodate in the region of 400 dwellings, somewhat more than the 175 you have estimated. This assessment is based on technical assessments of issues such as highways, drainage and utilities infrastructure which The Fairfield Partnership have already undertaken. I understand from the recent Housing Market Partnership meeting on 9th February, which I attended, that the Council will include developers' own estimates of capacity and phasing in the SHLAA where these are specified, and so I would be grateful if you could amend the relevant table accordingly.

We see this site coming forward for development as part of a wider development opportunity in this part of Crewe, through the Council's Core Strategy. You may be aware that we have been in discussions with the Council on this matter already, and are soon to participate in further Masterplanning discussions with the Council and adjoining land owners.



For instance, an important aspect of a Masterplan for the area will be a legible access strategy, which will help to deliver all of the land at Leighton West. The SHLAA identifies that these sites have a significant capacity for development, at up to 2,664 dwellings of which 400 (site 3376) have recently been granted permission. We believe that joined-up thinking from all parties can create a well considered masterplan with integrated infrastructure. A north to south spine road could cater for the anticipated traffic movements generated from development at this location, with linkages to the key employment destinations of Leighton Hospital, Bentley and new opportunities to be provided in the development allocations. This road could be located in land which is otherwise sterilised by overhead pylons, providing an efficient and effective use of space. A piecemeal approach to each site would be likely to result in unnecessary routing of traffic on the existing highway network and multiple access points in close proximity, and a less satisfactory form of development for all concerned. A strategic vision for this location is required.

Please let me know if you wish to discuss this further.

Yours sincerely

Tim Waller MRTPI
Senior Planner
tim.waller@jbplanning.com

DUTTON, Joanne

From: Gary Halman [Gary.Halman@howplanning.com]
Sent: 24 February 2012 16:20
To: DUTTON, Joanne
Subject: SHLAA Sites in Knutsford; Observations on behalf of Monckton Properties
Attachments: Observations on the Confidential draft SHLAA for Cheshire East240212.docx; scanner@howplanning.com _20120224_170621.pdf

Categories: SHLAA

Dear Joanne

As promised I am writing to let you have some further observations on certain sites in the current (confidential) draft SHLAA. You should already have received some comments from me in respect of land at Welshmans Lane Nantwich and colleagues have submitted them in respect of sites at Middlewich (per Bellway Homes); Goostrey; Middlewich (per Pochin) and Crewe (per Bloor/Linden Homes). My representations attached are on behalf of the Peover Estate and its associated companies (particularly Monckton Properties) and relate to sites in and around Knutsford.

Please would you acknowledge safe receipt.

With kind regards

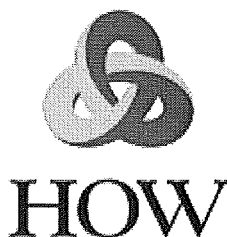
Gary

**GARY HALMAN
PARTNER**

Direct Line: 0161 831 5885

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Web: www.howplanning.com



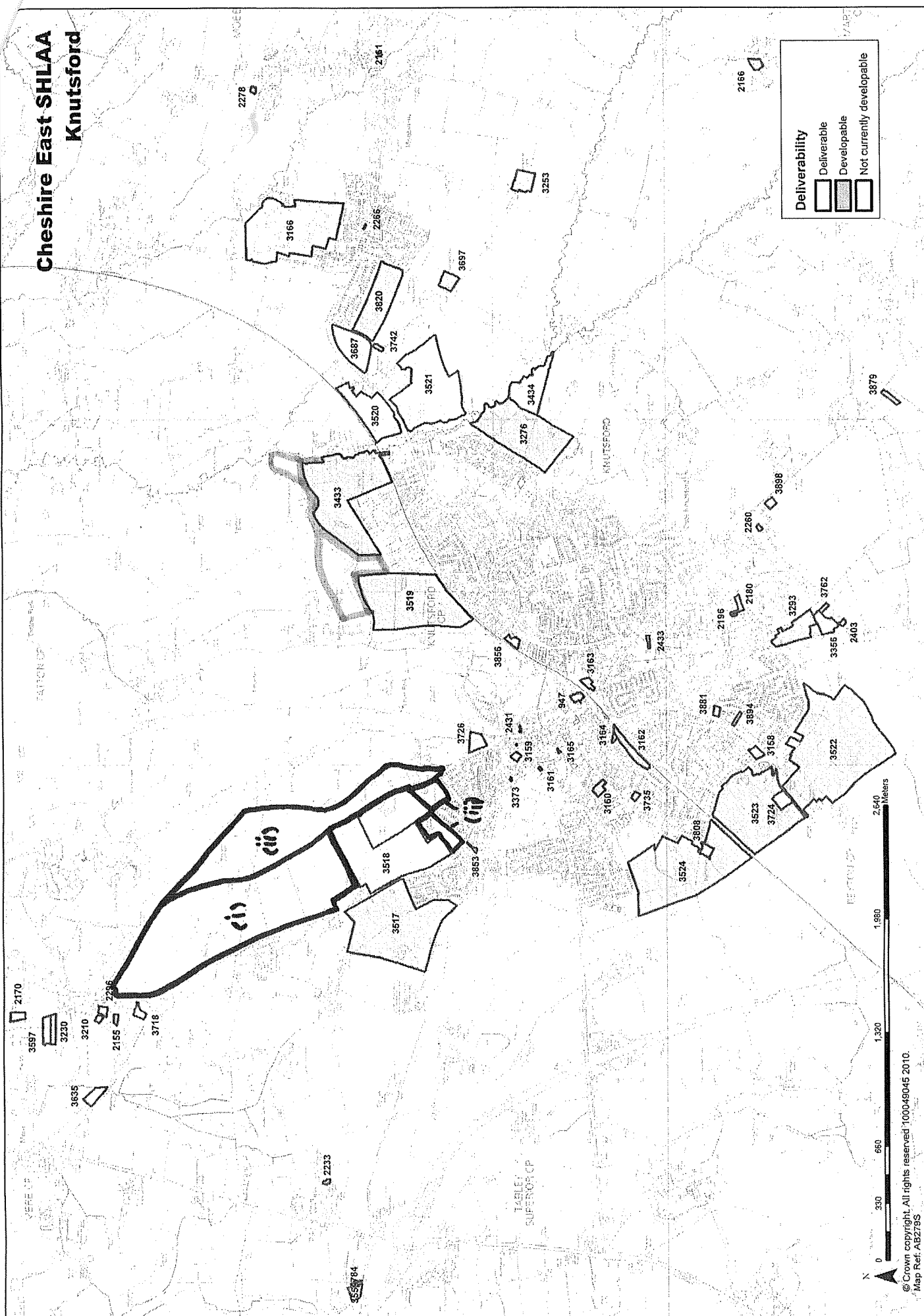
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**Cheshire East SHLAA
Knutsford**



Observations on the Confidential draft SHLAA for Cheshire East, February 2012

On behalf of Monckton Properties

Site 3433

This site is partly owned by Monckton Properties Ltd and has the benefit of an allocation for employment development and a resolution in favour of a major B class employment scheme, together with associated access arrangements and open space/ecological mitigation. This is subject to a s106 agreement which has not yet been executed. A further area (but still forming part of 3433) is owned by Cheshire East Council (CEC). This has partly been developed for a car showroom (Bentley Motors) and small B1 office units.

There are issues associated with accessing the remaining undeveloped parts of the land which involve the provision of an under bridge beneath the railway line. The provision of this infrastructure is, at least for the present, seen as key to unlocking the remaining allocated/consented employment land.

The land referenced 3433 which lies to the north of the Parkgate Industrial Estate (which is the portion owned by our client) has a net developable area of some 11 ha (27.17 acres) excluding the landscape buffer land and has the benefit of an alternative access via Parkgate Lane, to the west which does not require the under bridge. It is open land which either on its own, or in conjunction with site ref 3519 (see below) could be laid out as a high quality housing site. Agree mitigation measures relating to landscape, ecology and the like are equally referable to a housing scheme and would ensure that this development could be carried out with minimal impact on its surroundings. A scheme of medium density family housing (of 2 storey homes) would be likely to be *less* impactful than that approved for employment use.

This land is available for development and the SHLAA reference which notes it as "marginal/uncertain" should be amended accordingly. The SHLAA notes the site is achievable and developable, assessments with which we concur. In consequence we suggest the site, which is already identified and indeed effectively approved for development (albeit for employment use) should be coloured red on the Town Map as Deliverable.

The site is acknowledged by the Council to be sustainably located and is within walking distance of local shops, with all the facilities of Knutsford only a short cycle or bus ride away. It is demonstrably well suited to release for housing. The SHLAA reference does not include confirmation of the site's sustainability, and we request that this be remedied.

Reference to the Highways Agency being likely to require an assessment of impact on the trunk road network is not understood, as no such assessment was required for the major employment development proposals, and the nearest trunk road is remote from the site.

Technical studies can confirm the sites suitability in relation to noise and the interface with the adjoining employment uses; suitable mitigation measures can be deployed (if required) and there is a substantial site available the layout of which can appropriately respond to adjoining uses. The rail line is beyond the existing employment area and has no impact on our clients land.

If and to the extent that residential development of this land was considered to give rise to the need for further land to be identified in the area for employment use, this can be promoted by the Council through the Core Strategy/DPD process. Our clients are extensive landowners in the Knutsford area and are keen to work with officers to identify such sites for allocation, which could be arguably much better located in relation to the primary road network and for access to the M6/M56 motorways compared to the Parkgate extension land (access to which requires cross town movements to join the motorways).

Finally other land within the immediate vicinity of 3433 is also within the ownership of our clients and could logically be added to that site if considered appropriate. This is shown highlighted pink on the attached plan.

Site 3518 (3519)

This site is owned by the same clients. The SHLAA recognises it as achievable and developable, but suggests its availability as "marginal/uncertain". This should be corrected to recognise its immediate availability, as the land is unconstrained in these terms.

For the reasons set out above in relation to site 3433 this land should also be regarded as a good candidate site for housing, subject to a policy change (which constraint affects virtually all potential sites in the Knutsford area).

This site is also sustainable located, and the SHLAA should recognise this.

In light of the above this site should also be coloured red on the Town Map.

Site 3518

This site is owned by the same clients. The SHLAA describes it as "not suitable" and its availability as "marginal/uncertain". The latter is not an accurate representation of the land, which is most certainly available for development and we would request the SHLAA be amended accordingly.

It is also described as "not currently developable" for reasons which are not understood. This should be corrected. We note that Site ref 3517 (opposite) is referenced as developable and there is no reason to distinguish the two in this way so far as we can see.

Site 3518 is capable of being extended by the inclusion of additional land running along Manchester Road which is in our client's ownership. This also extends to the south and is coloured blue on the attached plan. We would ask you to consider extending the designation in the SHLAA to embrace these additional areas. Further information on these additional sites can be provided on request.

There are a number of further areas of land in our clients ownership which we wish to bring to the Councils attention, and which do not presently feature in the draft SHLAA. Information about these sites will be forwarded in due course.

HOW Planning LLP

24 February 2012

DUTTON, Joanne

From: Angela Chester [Angela.Chester@emerson.co.uk]
Sent: 24 February 2012 16:08
To: DUTTON, Joanne
Subject: HOUSING MARKET PARTNERSHIP - MEETING REGARDING DRAFT STRATEGIC
HOUSING LAND AVAILABILITY ASSESSMENT 2011
Attachments: 24.02.12 Letter to C.East re. Housing Market Partnership - Draft SHLAA.pdf
Categories: SHLAA

Dear Joanne,

Please find attached comments made on behalf of Jones Homes.

Regards,

David Short
Group Planning Divisional Director

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ANGELA D CHESTER

Our ref: DWS/Planning

24th February 2012

Sent Via E-mail Only

Dear Joanne,

**RE: HOUSING MARKET PARTNERSHIP – MEETING REGARDING DRAFT
STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2011.**

I refer to the above and to the meeting held on 9th February where a useful exposition of matters relating to strategic housing, Local Plan update and the evolution of the SHLAA was given.

There was also an interesting, and quite lengthy, question and answer session at which various views and concerns were aired.

On behalf of Jones Homes I would like to make the following comments.

The content of the SHLAA is both informative and will be important as a major background document that will be used in the Local Plan and in determining planning applications. As such it is essential that the document is considered to be acceptable to all those who have contributed to it.

A major concern is that it should be viewed as fit for purpose by its contributors otherwise the spectre of planning by appeal could well occur in the future which would not be a desirable outcome.

To an extent the fact that the SHLAA will be reviewed and updated, I think on an annual basis, does mean that the opportunity to "get things right" can be taken at regular intervals. However the SHLAA, in terms of the sites included, have to take a generally long term view and so it becomes more critical that a 5 year housing land supply going forward is agreed.

Concern is expressed as to including any sites without planning permission within the 5 year supply, because, as things stand, they are not deliverable. As and when they come forward this can be reflected in the annual reviews of the SHLAA as well as the Annual Monitoring Review.

There is also concern regarding the shelving of the shortfall of completions for the time being.

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~ Continued Page 2 ~

I have seen the submission by the Home Builders Federation dated 10th February 2012 and agree with the methodology contained in that letter and that the shortfall currently existing should be, at least, reappportioned equally over the remaining years of the plan.

Another concern relates to those employment sites included in the SHLAA in that there is no Employment Land Review available as yet and if the vision for Cheshire East includes employment led growth should any significant reliance be given to employment sites at this stage?

Finally, there is the point about lead in times and build out rates on sites that have been or may in future be approved. They are often, if not always, affected by the need to complete Section 106 Obligations. These can take some time. Additionally the feasibility of achieving the build rates expected by the Interim Policy on Housing Supply within 5 years is suspect.

Appreciation is given to the amount of time and effort that has been put into producing this update of the SHLAA but consider that the above points should be given further consideration prior to signing off the document.

I trust that the views set out above are of assistance.

Yours sincerely

David Short
Group Planning Divisional Director

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DUTTON, Joanne

From: FISHER, Adrian G (Planning & Housing)
Sent: 24 February 2012 16:07
To: DUTTON, Joanne
Subject: FW: Cheshire East Draft 2011 SHLAA
Attachments: 000tp2873.cheshireeast230212.pdf
Categories: SHLAA

Joanne

See attached

Adrian

Adrian Fisher
Strategic Planning & Housing Manager
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire CW11 1HZ
Tel 01270 686 641

From: Haydn Jones [<mailto:Haydn.Jones@pegasuspg.co.uk>]
Sent: 24 February 2012 10:07
To: FISHER, Adrian G (Planning & Housing)
Subject: Cheshire East Draft 2011 SHLAA

Dear Mr Fisher,

Please find attached correspondence on behalf of Muller Property in respect of their concerns about the Draft 2011 SHLAA.

I have also put a hard copy in the post.

Regards,

Haydn Jones

Associate

Pegasus Planning Group

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E-mail: haydn.jones@pegasuspg.co.uk

23 February 2012

Mr Adrian Fisher
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

Dear Mr Fisher

Cheshire East Draft SHLAA 2011

As you are aware Muller Property are members of the Housing Market Partnership (HMP); and further to the HMP meeting of the 9th February 2012, at which Muller representatives were present, we have been instructed by the company to make representations in respect of their concerns about the draft 2011 SHLAA.

Failure to Account for Historical Undersupply

The draft SHLAA contains a five year assessment, and notwithstanding concerns over certain elements that make up the Council's suggested supply, it fails to take into account previous under-supply within the Local Plan period.

It is universally recognised, including by the Secretary of State, planning inspectors, local planning authorities and the private sector, that five year supply assessments need to take into account any historical over or under-supply within the relevant Plan period. There is now a significant body of appeal decisions where this has been established. The draft 2011 SHLAA is therefore out of step with this approach.

Commonsense says that if one continually overlooks under-supply from previous years then a local planning authority will simply not achieve their housing requirement. Some appeal decisions have suggested that such an approach is a failure to manage housing land. The particular circumstances within Cheshire East are that the Council has been under-supplying since April 2008. Although earlier completions meant that the supply was generally balanced until March 2010, since that point in time Cheshire East has been significantly under-providing. Even if the Council do move the Local Plan base date to April 2010 this still means that the significant recent under-supply will be within the new Plan period and needs to be taken into account.

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Whilst it appears the Council are suggesting that any under-supply will be caught up with in the Local Plan this is simply not good enough because we understand that the timetable has slipped again and that no public consultation is expected until early 2013. Even if this new timetable remains on track it is likely that the Plan would not be adopted for a further year (2014) and therefore it could well be by that time the Plan period is already four years old, of which at least two of these will have a significant undersupply and perhaps all four years. Clearly under-supply needs to be taken into account now.

Not only does the 5 year assessment fail to take into account under-supply but it also uses a period between 2012 and 2017, and as such does not include the current year. However, this approach seems to be contradicted by the reference in Paragraph 2.2 of the draft SHLAA where it says that the baseline date is the 31st March 2011 and that the phased release of sites will be over periods of five years from this base date. In addition Paragraph 3.14 states that the previous five years ran from April 2006 to March 2011. Both of these references would appear to indicate that the next five year period should be from 2011 to 2016 as opposed to 2012 until 2017.

The 2011 SHLAA needs to take a pragmatic approach to the five year supply situation whereby the historical undersupply is taken into account. Without this (or indeed a realistic assessment of the actual supply) the Council will continue to struggle to defend their position at appeals.

Crewe Delivery Rates

As the Council is aware Muller and other members of the HMP has reservations about the Coppenhall East and Leighton West sites. Clearly the proposed delivery rates in the draft SHLAA for these two sites conflict with the SHLAA methodology.

It became apparent at the HMP meeting that these are the only two sites where the draft SHLAA has departed from the delivery rate methodology and the Council's evidence for this is simply based on the view of the sites' developers. No account appears to have been taken of the fact that neither planning permissions have been granted at the current time, the infrastructure lead-in times needed or that bringing so many dwellings onto the market at the same time in such a small geographical area will have an impact on sales.

The point of having a delivery rate methodology in the SHLAA is so that all sites are assessed on the same basis. There is no justification for departing from this and if the 2011 SHLAA continues to use these much higher completions for the two sites then the whole concept of a methodology simply lacks any credibility.

Sites without Permissions and Small Sites

At the HMP meeting there was concern over the reliance in the housing supply on sites without planning permission and small sites.

On the basis of the draft SHLAA's five year requirement (although as noted above we disagree with it as it fails to take into account the under-supply), over a third of the supply is made up of sites without permission. It is interesting to note that in an appeal decision issued this week in Solihull the Inspector, in granting permission, dismissed sites proposed in the draft Local Plan from the five year land supply position. This was on the basis that the emerging Solihull Local Plan was only draft, yet to be subject to further consultation, representations and an EiP. At the time of the Inquiry the draft Solihull Local Plan was at a stage between Issues and Options and Pre-Submission (the document was called 'Emerging Core Strategy') so it was actually one stage ahead of the current Cheshire East situation.

As the Council will be aware Pegasus Planning Group act for Richborough Estates in their Hind Heath Road appeal. We note that contrary to the 20% discounting of small sites agreed at that Inquiry, the draft SHLAA uses a figure of 10%. It is not clear as to why the SHLAA now uses a different figure to that agreed by the Council's witness in front of the Hind Heath Road Inspector.

Existing Employment Sites

Muller are concerned about the redevelopment of good quality employment sites for residential development.

These form part of the overall mix of land uses within an area and are a valuable part of the local economy. Current policy seeks to protect good quality employment sites; and their release, and any subsequent inclusion into the housing land supply, should not been seen as an easy 'win' simply because they are previously developed.

In conclusion it is considered that in its current format the draft SHLAA is not a robust document that would stand up to future scrutiny. It has a base date of 31st March 2011 but it cannot have escaped the Council's notice that we are fast approaching the 31st March 2012, which presumably will be the base date of the next version of the SHLAA. It is suggested that the draft 2011 SHLAA should have been signed off months ago.

We understand that if the HMP members cannot agree on a finalised 2011 SHLAA the Council may seek to recover ownership of the document. If this indeed turns out to be the case then in our view this will remove any independent verification of not only this version but future SHLAA's, which in turn will only undermine its status.

I trust these comments will be taken into account and the draft SHLAA amended to reflect them.

Yours sincerely

HAYDN JONES
Associate

c.c. Colin Muller – Muller Property

✓

DUTTON, Joanne

From: Philip Bentley [PhilipBentley@vwbarchitects.co.uk]
Sent: 24 February 2012 11:05
To: DUTTON, Joanne
Cc: Admin Department
Subject: 2660 - Cheshire East Housing Market Partnership

Categories: SHLAA

Joanne

Land at Lower Heath Congleton – Congleton Inclosure Trust / Whittaker and Biggs
SHLAA ref 2320

The continued inclusion of this site within the SHLAA is welcomed, subject to the following comments :-

- 1) The on going shortfall on the RSS targets should not be ignored, as is being proposed.
- 2) The Interim Planning Policy should be reviewed to bring forward sites Borough wide to reflect the sites favoured in the Neighbourhood consultations.
- 3) If sites as this are available, unconstrained, supported by the Neighbourhood and acknowledged as developable, they should be advanced to "Deliverable" status.
- 4) If SHLAA sites are to be included within the LPA Housing Land Supply figures they must be promoted to "Deliverable" status.
- 5) Your recommendation for approval of application 11/4434C – Residential development at Tudor Way - a Greenfield site outside the settlement zone line of Congleton- vindicates the foregoing.

Regards

Philip N Bentley

From: DUTTON, Joanne [mailto:Joanne.Dutton@cheshireeast.gov.uk]
Sent: 10 February 2012 11:16
To: JEFFREY, Vikki; Carsberg, Karen; SACKFIELD, Anthony; BOFFEY, Amanda; FISHER, Adrian G (Planning & Housing); SIMPSON, Caroline; BAILEY, Rachel (Councillor); MACRAE, Jamie (Councillor); BROWN, David (Councillor); CLARKE, Allan; CORDEN, Daniel; CUNIO, Pam; GIBBS, Kevin; HOUSE, Richard; HOUSE, Stewart; KEMP, Stella; Kidd, Rosemary; LONGMIRE, Jamie; PARRY, Ruth; PENNY, Stuart; SOAMES, Victoria
Subject: Cheshire East Housing Market Partnership

All,

Thank you to everyone who made it the Cheshire East Housing Market Partnership meeting yesterday.

For those of you who weren't able to make it, please find attached a copy of the presentation provided by the Council.

One of the key points to highlight from the meeting was that the Council are giving the Housing Market Partnership two further weeks to make comments on the Strategic Housing Land Availability Assessment (SHLAA). In line with the SHLAA guidance we would be particularly appreciative of comments that provide your expertise and knowledge on the deliverability and developability of the sites, along with the economic viability.

Please note that we would like all your comments before **5pm on Friday 24th February**.

If you wish to make any comments that you would like to remain confidential for commercial sensitivity reasons then please ensure that this is made clear in your comments.

Thank you for your help and co-operation.

Kind regards

Joanne Dutton MRTPI

Principal Planning Officer

Cheshire East Council

Westfields

Middlewich Road

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Tel: 01270 686 615

Email: joanne.dutton@cheshireeast.gov.uk

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DUTTON, Joanne

From: Debbie Smith [debbie.smith@harrislamb.com] on behalf of Simon Hawley [simon.hawley@harrislamb.com]
Sent: 24 February 2012 09:42
To: DUTTON, Joanne
Cc: rlpp@sky.com; carl.davey@btinternet.com
Subject: Cheshire East Draft Strategic Housing Land Availability Assessment
Attachments: let J Dutton 23.2.12.pdf

Please see attached for your information.

Kind regards.

On Behalf of

Simon Hawley BA (Hons) MA MRTPI
Associate

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Dear Joanne

Cheshire East Draft Strategic Housing Land Availability Assessment

Thank you for providing Harris Lamb Planning Consultancy (HLPC) with the opportunity to submit further representations to the Cheshire East Draft Strategic Housing Land Availability Assessment 2011 (SHLAA). HLPC are instructed to submit representations to this document by Muller Property Group. Muller Property Group have a significant number of land interests in Cheshire East and will play a key role in assisting the Council in delivering its strategic housing target.

As you are aware, the Cheshire East Housing and Market Partnership (HMP), of which HLPC and Muller Property are both members, have expressed a number of significant concerns with the draft SHLAA. We share a number of these concerns, particularly the way in which the SHLAA deals with the five year housing and land supply position in Cheshire East. Set out below are our principal concerns with the document and our suggestions on how the SHLAA can be amended to address these issues.

Five Year Land Supply Calculation

Chapters 3 and 4 of the SHLAA seek to identify the Council's five year housing land supply position. It is concluded that the Council has approximately 4.15 years supply of housing land. This is based upon the review of potential sources of housing land supply identified by the SHLAA. We do not agree with this figure and the methodology in general for the five year land supply calculation.

Set out below are our key concerns with the approach the SHLAA adopts in the five year land supply calculation:-

- 1) As you are aware, the DCLG SHLAA Practice Guidance does not include a methodology for undertaking the five year housing land supply calculation. There has, however, been a DCLG guidance note published on this matter. The DCLG Guidance Note - Advice Produced by Communities and Local Government – Demonstrating a Five Year Supply of Deliverable Sites, can no longer be found on the Planning Inspectorate website. It has, however, formed the basis for undertaking five year housing land supply calculations

since its removal from the PINs website and its methodology supported by an Inspector at appeal. HLPC used this guidance note as the basis for calculating the five year land supply position in Wychavon District in support of a residential development in the village of Badsey (Appeal Reference APP/H1840/A/10/2124085). It is therefore, necessary to consider this guidance when considering a five year land supply position.

The Guidance Note requires any housing shortfall or over supply since the start of the plan period to be factored into five year housing land supply calculation. The concept of including any under supply in the housing land supply calculation has also been endorsed at a number of appeals, including the Brewers Lane, Badsey appeal, referred to above. In addition, the Secretary of State has recently granted planning permission for the development of land at Pickey Peace, Andover for a scheme of 530 dwellings (Appeal Reference APP/C1760/1/10/A/2140962). In considering the five year housing land supply position the Secretary of State was minded to include historic levels of under supply within the land supply calculation.

It is also useful to note that at the Cardway Premises, Linley Lane, Alsager, appeal (Appeal Reference APP/R0660/A/09/2105034) Cheshire East Council and the Inspector endorsed a five year housing land supply calculation that included historic shortfall levels.

In our opinion it is, therefore, completely inappropriate for the five year housing land supply calculation in the SHLAA not to take into account past levels of undersupply. This is contrary to the DCLG Guidance Note on undertaking a five year supply calculation and a number of Inspector and Secretary of State's decisions.

- 2) I understand from the HMP meeting on 9th February that the Council are not including the shortfall within the five year housing land supply calculation as it is the Council's intention to address this shortfall later in the plan period. This is on the basis that the Council expect that the housing market will be more buoyant later in the plan period. It is completely inappropriate for the Council to adopt this approach in the SHLAA. The SHLAA is not a policy document and the phasing of housing delivery should not be predetermined by a SHLAA. This is a strategic matter that must be dealt with properly in a DPD such as the emerging Local Plan, which is subject to full public consultation and examination.
- 3) The DCLG guidance note regarding the five year housing land supply calculation identifies the sources of housing land supply that can be properly included within a five year land supply calculation. These are:-
 1. Site allocated for development in the Development Plan.
 2. Sites that have an existing planning permission.
 3. Specific, unallocated sites that have the potential to make a significant contribution to housing delivery during the five year period. Such unallocated brownfield sites would normally have been identified by the local authority as being suitable for housing use and will have made sufficient progress in the planning process at the time of the assessment to be able to be considered deliverable in terms of Paragraph 54 of the PPS3.

The five year housing land supply calculation in the SHLAA places a significant reliance on sites without the benefit of planning permission to provide housing in the short term.

The DCLG Guidance Note advises that "allocated sites that have the potential to make a significant contribution to housing delivery during the five year period" can be included in the five year land supply calculation. Small sites will not make a "significant" contribution and it is, therefore, inappropriate for them to be included within the five year land supply calculation.

The DCLG guidance note also refers to specific unallocated sites being brownfield. Therefore, all greenfield sites should be removed from the land supply calculations.

- 4) The draft SHLAA has been prepared to be in conformity with the DCLG SHLAA Practice Guidance. The purpose of a SHLAA, as defined by the Practice Guidance, is to identify sites that have potential for housing, to assess this potential and determine when they are likely to be delivered (paragraph 6). The assessment provides an evidence base to inform plan making "but does not in itself determine whether a site should be allocated for housing development" (paragraph 7). If a site is not suitable for a housing allocation, this suggests that residential planning applications should not be supported on the site.

In short, whilst the site may have been identified as having housing potential in the SHLAA, it does not follow that it should be allocated for housing or granted planning permission. It is, therefore, inappropriate to rely on SHLAA sites which are identified as being deliverable as potential sources of housing land supply when undertaking the five year housing land supply calculation. The SHLAA's five year housing and land supply calculation is therefore, flawed, as it fails to recognise the status of SHLAA sites.

You will be aware that there is no requirement for the five year housing land supply calculation to be included in a SHLAA. It is, therefore, suggested that the five year land supply calculation is removed from the document in its entirety. If the Council so wishes, it can prepare a separate document setting out what it believes the five year housing land supply position to be. Removing the five year land supply calculation from the SHLAA is likely to remove a significant proportion of the HMP's objection to the document. It is, however, recommended that if the Council are minded to prepare any five year housing land supply update document in the future, careful consideration is given to the appeal decisions referred to above and the DCLG guidance note on undertaking the five year land supply calculation.

Sources of Housing Land Supply

We now turn to consider some of the specific sites which have been referred to in the five year housing land supply assessment.

SHLAA Sites 3376 – Leighton West and 2895 Copenhall East, are reported to deliver 400 and 325 dwellings respectively in the first five years of the SHLAA period. This is completely unrealistic. This level of provision is significantly in excess of the 25 dpa average build rate for large sites set out in the table on page 12 of the draft SHLAA. Assuming that it will take at least three years for these sites to obtain planning permission and development to commence, as suggested by the Build Rates table on page 12 of the SHLAA, the build rates of these sites would need to be in excess of 150 dpa for this level of development to be achieved. This is completely unrealistic.

It is understood that the high build rates for these sites have been included in the SHLAA because they have been advocated by the site's promoters. It is, however, necessary to consider how realistic this suggestion is. We would suggest the local authority examine other large sites in Cheshire East to see what the average completion rates are. Whilst we have not

undertaken this exercise ourselves, we would be surprised if there are any sites within Cheshire East delivering even one third of the proposed build rate suggested for these sites.

The Council are relying on a significant number of sites to come forward in the short term, that have a resolution to grant planning permission, however, the Section 106 agreement has not been signed. The point was made at the HMP meeting that the Council are still in negotiations with the site promoters on a number of Section 106 agreements. It must be called into question whether all of the Section 106 agreements will be completed as suggested by the SHLAA. Given that a number of these resolutions are approximately three years old, we would call in to question whether these sites are genuinely deliverable housing sites.

A number of potential housing sites in the SHLAA, but which do not have the benefit of planning permission, are identified as being suitable for housing "subject to a policy change". For example, there are sites which are currently protected for employment purposes but are identified as being suitable for residential development. It is not appropriate to rely on such sites as a source of housing land.

If, for example, a residential planning application was submitted on an employment site there would be a presumption against it being redeveloped for housing as such sites are protected for employment purposes by adopted Local Plan policies. However, in a number of instances such sites are identified as being suitable five year housing sites subject to a policy change. Whilst the sites may well be technically suitable for housing use, it is inappropriate for such sites to be included within the five year housing land supply calculation as there is a current policy presumption against their development.

The approach of identifying protected employment sites as a source of housing land supply is completely inappropriate. If a planning application were to be submitted proposing residential development on a protected employment site we would expect the authority to determine the application in conformity with the Development Plan and resist the planning application. However, the SHLAA suggests that the local authority will support all residential planning applications on such sites. This is in direct conflict with the various protection of employment land policies. Quite clearly this approach is inappropriate and therefore all employment sites should be removed from the five year land supply calculation.

We are conscious of the fact that the local authority are in the process of preparing a new Local Plan. It is acknowledged that this document could be completed within the five year period and that the policy position may change in relation to some of these sites. However, the plan is unlikely to be adopted for at least 2 years, meaning that these sites cannot form part of the supply for at least that period. It will then take another 18-24 months for the site to start to deliver housing completions. This is assuming that these sites are free from constraints. Furthermore, it has not yet been established through the statutory plan preparation process whether all of these sites are suitable and desirable housing sites. It is therefore, premature to immediately assume that the Core Strategy will allocate all the sites for housing and that they should be included in the 5 year supply calculation.

Cheshire East Council have been in the process of preparing the Core Strategy/Local Plan for a number of years. Whilst it is the Council's intention to have the emerging Local Plan adopted by the end of 2013 it is questionable whether this is realistic. The timetable we have seen for the preparation of this document is very ambitious. Historically, there have been a significant number of delays with DPD preparation. It must therefore, be acknowledged that there is considerable doubt whether this timetable will be achieved.

To: Ms J Dutton

Date: 23rd February 2012

Accordingly all sites identified as having housing potential subject to a policy change, should be removed from the five year land supply calculation.

I trust you have found these representations useful. We would welcome the opportunity to discuss this matter further with you. If you have any questions regarding your submission, please do not hesitate to contact me.

Yours sincerely

Simon Hawley BA (Hons) MA MRTPI
Associate
simon.hawley@harrislamb.com
DIRECT DIAL: 0121 213 6015

Cc: Carl Davey – Muller Property Group
Richard Lee – Richard Lee Project Planning And Property Consultant

DUTTON, Joanne

From: brian wood [brian.wood2011@live.co.uk]
Sent: 10 February 2012 19:20
To: DUTTON, Joanne
Subject: SHLAA sites re-confirmation

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Joanne

Further to Thurs meet I just wish to confirm the 5 year availability of the following SHLAA sites -

2905
2911
2951
2954

You will already be aware of the my Community Hub design for 2905 / 2911 and I now have outline housing layouts for the other two.

I thought that the meeting went very well despite the 'Barristers' from Roxborough Estates! They should have been thinking more along the lines of justifying the sustainability / viability of SHLAA sites never being pendantic on RSS shortfalls which I thought was well covered by your statements.

Best regards

Brian Wood
Planning Consultant
Microscript Services Ltd

07949 438434

DUTTON, Joanne

From: brian wood [brian.wood2011@live.co.uk]
Sent: 13 February 2012 18:14
To: DUTTON, Joanne
Subject: RE: SHLAA sites re-confirmation

Hi Joanne

many thanks for your feedback.

As for site 2911 please can discuss with Richard who has the complete site development proposals. Please note the differences in boundaries with regards to the land immediately south as this is currently in the hands of David Wilson Homes who wish to build 69 3/4 bed executive houses on it. I think that the site numbers must have merged at some stage! Are you able to adjust at this late stage?

Also ref 2951 is it all possible to extend the boundaries eastwards (same width) upto Shavington Lodge boundary? Again Richard has had site an initial development proposal for this site.

Best regards

Brian

From: Joanne.Dutton@cheshireeast.gov.uk
To: brian.wood2011@live.co.uk
Date: Mon, 13 Feb 2012 10:05:46 +0000
Subject: RE: SHLAA sites re-confirmation

Hi Brian,

All four of the sites are currently down as 'developable', but site 2911 currently has its availability as 'marginal / uncertain' the other 3 are all considered to be 'available'.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ
Tel: 01270 686 615
Email: joanne.dutton@cheshireeast.gov.uk
Your Place
Your Future
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Place-shaping consultation: help us plan the future of Cheshire East



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From: brian wood [<mailto:brian.wood2011@live.co.uk>]
Sent: 10 February 2012 19:20
To: DUTTON, Joanne
Subject: SHLAA sites re-confirmation

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Best regards

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DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 14:54
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: Land adjacent Old Knutsford Road, Church Lawton SHLAA ref: 3506
Categories: SHLAA

Joanne,

Whilst this is a larger scheme, we have completed an appraisal and feasibility study and have been appointed as architects on the project, and area holding a pre-application meeting with Steve Irvine to take the project forward as part of the land appears to have been previously granted planning and some of the land forms a PS7 area for infill.

We have records of a previous planning consent for the land which was in fact enacted. Our client is keen to progress an application and is doing so on the anticipation that the allocation will be made.

Kind regards
Jay Ashall



Jay Ashall Associates
Chartered Architects

108 London Road
Holmes Chapel
Cheshire
CW4 7BD

Tel: 01477 534897
Fax: 01477 532175
Web: www.jayashall.co.uk

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DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 14:54
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: Land Adjacent to Sandyacre, Goostrey - SHLAA ref; 3876
Categories: SHLAA

Hi Joanne,

As you will see from previous documentation and conversation with Ben Haywood, a feasibility study has been completed on the site but our client is preparing a letter which we will forward to you confirming that he has appointed us as architect on the project and intends to progress the scheme immediately the allocation has been made.

Kind regards
Jay



Jay Ashall Associates
Chartered Architects

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DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 14:53
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: Tall Ash Farm, Buglawton - SHLAA refs: 2548, 3892

Categories: SHLAA

Joanne,

We confirm that we have been appointed as architects on the project, and are acting on behalf of the landowner as we do not deal with developers. They will be progressing a planning application on the site as soon as an allocation has been made.

The landowner has requested we write to you to ensure that the site remains on the SHLAA and that a planning application will be submitted within the next 12 months if the allocation is unchanged.

Because of the site of the site, close liaison with the local authority will be completed to provide a mixed use development including residential, commercial employment and community facilities. Rather than submitting an application without consultation we will liaise with the local authority, establish your requirements for the development of that part of Congleton and ensure that any proposals area in line with the long term aim for the development of Congleton Town.

Regards
Jay Ashall



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Chartered Architects

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DUTTON, Joanne

From: Debbie Smith [debbie.smith@harrislamb.com] on behalf of Simon Hawley [simon.hawley@harrislamb.com]
Sent: 23 February 2012 09:16
To: DUTTON, Joanne
Cc: Eugene O'Brien (eugene@obrien-consultants.co.uk); Charles Collier (charlescollier@bovale.co.uk); Joannecarwardine@bovale.co.uk; Patrick Downes
Subject: Cheshire East Draft Strategic Housing Land Availability Assessment
Attachments: let J Dutton SH 21.2.12.pdf
Categories: SHLAA

Dear Joanne,

Please see attached updated letter to replace one sent to you yesterday.

Kind regards,

On Behalf of

Simon Hawley BA (Hons) MA MRTPI
Associate

DDI: +44(0)121 213 6015

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Our Ref: P535/SH/SJ
Date: 21st February 2012

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Ms J Dutton
Cheshire East Council
Special Planning
West Fields
Norwich Road
Sandbach
Cheshire
CW11 1HZ

T 0121 455 9455 F 0121 455 6595
E info@harrislamb.com

Dear Joanne

Re: Cheshire East Draft Strategic Housing Land Availability Assessment

Thank you for providing Harris Lamb Planning Consultancy (HLPC) with the opportunity to submit further representations to the Cheshire East Draft Strategic Housing Land Availability Assessment 2011 (SHLAA). HLPC are instructed to submit representations to this document by Bovale Limited. Bovale Ltd have a significant land of interest in Middlewich, part of which forms the Midpoint 18 Phase 3 development.

As you are aware, the Cheshire East Housing and Market Partnership (HMP), of which HLPC are a member, have expressed a number of significant concerns with the draft SHLAA. We share a number of these concerns, particularly the way in which the SHLAA deals with the five year housing and land supply position in Cheshire East. Set out below are our principal concerns with the document and our suggestions on how the SHLAA can be amended to address these issues.

Five Year Land Supply Calculation

Chapters 3 and 4 of the SHLAA seek to identify the Council's five year housing land supply position. It is concluded that the Council has approximately 4.15 years supply of housing land. This is based upon the review of potential sources of housing land supply identified by the SHLAA. We do not agree with this figure and the methodology in general for the five year land supply calculation.

Set out below are our key concerns with the approach the SHLAA adopts in the five year land supply calculation:-

- 1) As you are aware, the DCLG SHLAA Practice Guidance does not include a methodology for undertaking the five year housing land supply calculation. There has, however, been a DCLG guidance note published on this matter. The DCLG Guidance Note - Advice Produced by Communities and Local Government – Demonstrating a Five Year Supply of Deliverable Sites, can no longer be found on the Planning Inspectorate website. It has, however, formed the basis for undertaking five year housing land supply calculations since its removal from the PINs website and its methodology supported by an Inspector at appeal. HLPC used this guidance note as the basis for calculating the five year land

supply position in Wychavon District in support of a residential development in the village of Badsey (Appeal Reference APP/H1840/A/10/2124085). It is therefore, necessary to consider this guidance when considering a five year land supply position.

This Guidance Note requires any housing shortfall or over supply since the start of the plan period to be factored into five year housing land supply calculation. The concept of including any under supply in the housing land supply calculation has also been endorsed at a number of appeals, including the Brewers Lane, Badsey appeal, referred to above. In addition, the Secretary of State has recently granted planning permission for the development of land at Pickey Peace, Andover for a scheme of 530 dwellings (Appeal Reference APP/C1760/1/10/A/2140962). In considering the five year housing land supply position the Secretary of State was minded to include historic levels of under supply within the land supply calculation.

It is also useful to note that at the Cardway Premises, Linley Lane, Alsager, appeal (Appeal Reference APP/R0660/A/09/2105034) Cheshire East Council and the Inspector endorsed a five year housing land supply calculation that included historic shortfall levels.

In our opinion it is, therefore, completely inappropriate for the five year housing land supply calculation in the SHLAA not to take into account past levels of undersupply. This is contrary to the DCLG Guidance Note on undertaking a five year supply calculation and a number of Inspector and Secretary of State's decisions.

- 2) I understand from the HMP meeting on 9th February that the Council are not including the shortfall within the five year housing land supply calculation as it is the Council's intention to address this shortfall later in the plan period. This is on the basis that the Council expect that the housing market will be more buoyant later in the plan period. It is completely inappropriate for the Council to adopt this approach in the SHLAA. The SHLAA is not a policy document and the phasing of housing delivery should not be predetermined by a SHLAA. This is a strategic matter that must be dealt with properly in a DPD such as the emerging Local Plan, which is subject to full public consultation and examination.
- 3) The DCLG guidance note regarding the five year housing land supply calculation identifies the sources of housing land supply that can be properly included within a five year land supply calculation. These are:-
 1. Site allocated for development in the Development Plan.
 2. Sites that have an existing planning permission.
 3. Specific, unallocated sites that have the potential to make a significant contribution to housing delivery during the five year period. Such unallocated brownfield sites would normally have been identified by the local authority as being suitable for housing use and will have made sufficient progress in the planning process at the time of the assessment to be able to be considered deliverable in terms of Paragraph 54 of the PPS3.

The five year housing land supply calculation in the SHLAA places a significant reliance on sites without the benefit of planning permission to provide housing in the short term. The DCLG Guidance Note advises that "allocated sites that have the potential to make a significant contribution to housing delivery during the five year period" can be included in

the five year land supply calculation. Small sites will not make a "significant" contribution and it is, therefore, inappropriate for them to be included within the five year land supply calculation.

The DCLG guidance note also refers to specific unallocated sites being brownfield. Therefore, all greenfield sites should be removed from the land supply calculations.

- 4) The draft SHLAA has been prepared to be in conformity with the DCLG SHLAA Practice Guidance. The purpose of a SHLAA, as defined by the Practice Guidance, is to identify sites that have potential for housing, to assess this potential and determine when they are likely to be delivered (paragraph 6). The assessment provides an evidence base to inform plan making "but does not in itself determine whether a site should be allocated for housing development" (paragraph 7). If a site is not suitable for a housing allocation, this suggests that residential planning applications should not be supported on the site.

In short, whilst the site may have been identified as having housing potential in the SHLAA, it does not follow that it should be allocated for housing or granted planning permission. It is, therefore, inappropriate to rely on SHLAA sites which are identified as being deliverable as potential sources of housing land supply when undertaking the five year housing land supply calculation. The SHLAA's five year housing and land supply calculation is therefore, flawed, as it fails to recognise the status of SHLAA sites.

You will be aware that there is no requirement for the five year housing land supply calculation to be included in a SHLAA. It is, therefore, suggested that the five year land supply calculation is removed from the document in its entirety. If the Council so wishes, it can prepare a separate document setting out what it believes the five year housing land supply position to be. Removing the five year land supply calculation from the SHLAA is likely to remove a significant proportion of the HMP's objection to the document. It is, however, recommended that if the Council are minded to prepare any five year housing land supply update document in the future, careful consideration is given to the appeal decisions referred to above and the DCLG guidance note on undertaking the five year land supply calculation.

Sources of Housing Land Supply

We now turn to consider some of the specific sites which have been referred to in the five year housing land supply assessment.

SHLAA Sites 3376 – Leighton West and 2895 Copenhall East, are reported to deliver 400 and 325 dwellings respectively in the first five years of the SHLAA period. This is completely unrealistic. This level of provision is significantly in excess of the 25 dpa average build rate for large sites set out in the table on page 12 of the draft SHLAA. Assuming that it will take at least three years for these sites to obtain planning permission and development to commence, as suggested by the Build Rates table on page 12 of the SHLAA, the build rates of these sites would need to be in excess of 150 dpa for this level of development to be achieved. This is completely unrealistic.

It is understood that the high build rates of for these sites have been included in the SHLAA as they have been advocated by the site's promoters. It is, however, necessary to consider how realistic this suggestion is. We would suggest the local authority examine other large sites in Cheshire East to see what the average completion rates are. Whilst we have not undertaken this exercise ourselves, we would be surprised if there are any sites within Cheshire East delivering even one third of the proposed build rate suggested for these sites.

The Council are relying on a significant number of sites to come forward in the short term, that have a resolution to grant planning permission, however, the Section 106 agreement has not been signed. The point was made at the HMP meeting that the Council are still in negotiations with the site promoters on a number of Section 106 agreements. However, it must be called into question whether all of the Section 106 agreements will be completed as is suggested by the SHLAA. Given that a number of these resolutions are approximately three years old, we would call in to question whether these sites are genuinely deliverable housing sites.

A number of potential housing sites in the SHLAA, but which do not have the benefit of planning permission, are identified as being suitable for housing "subject to a policy change". For example, there are sites which are currently protected for employment purposes but are identified as being suitable for residential development. We do not believe that it is appropriate to rely on such sites as a source of housing land.

If, for example, a residential planning application was submitted on an employment site there would be a presumption against it being redeveloped for housing as such sites are protected for employment purposes by adopted Local Plan policies. However, in a number of instances such sites are identified as being suitable five year housing sites subject to a policy change. Whilst the sites may well be technically suitable for housing use, it is inappropriate for such sites to be included within the five year housing land supply calculation as there is a current policy presumption against their development.

We are conscious of the fact that the local authority are in the process of preparing a new Local Plan. It is acknowledged that this document could be completed within the five year period and that the policy position may change in relation to some of these sites. However, the plan is unlikely to be adopted for at least 2 years, meaning that these sites cannot form part of the supply for at least that period. It will then take another 18-24 months for the site to start to deliver housing completion, assuming that sites are free from constraints. Furthermore, it has not yet been established through the statutory plan preparation process whether all of these sites are suitable and desirable housing sites. It is therefore, premature to immediately assume that the Core Strategy will allocate all the sites for housing and that they should be included in the 5 year supply calculation.

Cheshire East Council have been in the process of preparing the Core Strategy/Local Plan for a number of years. Whilst it is the Council's intention to have the emerging Local Plan adopted by the end of 2013 it is questionable whether this is realistic. The timetable we have seen for the preparation of this document is very ambitious and historically, there have been a significant number of delays with DPD preparation. It must therefore, be acknowledged that there is considerable doubt whether this timetable will be achieved.

Accordingly all sites identified as having housing potential subject to a policy change, should be removed from the five year land supply calculation.

Glebe Farm

Glebe Farm, located in Booth Lane, Middlewich, is identified as SHLAA site 3195. It is identified as an available and developable housing site. The SHLAA does, however, advise that it will not deliver houses until years six to ten of the SHLAA period. The site is capable of delivering housing within the first five year period and this should be reflected in the SHLAA.

The site is in a sustainable location immediately adjacent to the built up edge of Middlewich. It is currently identified as an area of open countryside by the Congleton Local Plan, however, it performs no visual role. The development of this housing will provide new homes adjacent to the Midpoint 18 employment site. In addition, the development of this site will make a significant contribution towards the development of the Midpoint 18 Phase 3 proposal.

As you will be aware, Midpoint 18, Phase 3, has the benefit of planning permission for the development of a B1, B2 and B8 scheme with associated uses capable of delivering 143,000 sq.m of development. This planning permission is conditioned to require the construction of a bypass through the site before any of the proposed floorspace can be occupied.

During the course of the last three years there have been a number of conversations with the Council regarding the funding of the bypass. The Council has published its own independent report on possible funding streams. It has been concluded that the only realistic way of generating the necessary funds for the bypass will be with a financial contribution from a developer of the Glebe Farm site.

On 22nd June 2011 planning permission was granted to extend the life of planning permission 07/0323/OUT that grants planning permission for the development of Midpoint 18 Phase 3. This planning permission is conditioned to require development to have commenced before the expiration of five years from the date of permission, or before three years from the date of the approval of the last Reserved Matter. As such this planning application's time expires in June 2016. It is not possible for the life of this planning permission to be extended again, as this is not allowed for by the Town and Country Planning (General Development Procedure) (Amendment No 3) Regulations. It will therefore, be necessary for the development of Midpoint 18, Phase 3, to have commenced within the SHLAA five year housing land period, or shortly after, depending upon the timing of the submission of any Reserved Matters applications.

The only way of delivering Midpoint 18, Phase 3, would be with a financial contribution from the development of Glebe Farm. It will, therefore, be necessary for the Council to grant planning permission for the development at Glebe Farm within the five year SHLAA period for this significant strategic employment site to move forward. The SHLAA must, therefore, confirm that residential development will come forward on Glebe Farm within the first five years of the SHLAA period. It is suggested that Glebe Farm can deliver 100 dwellings during this period.

I trust you have found these representations useful. We would welcome the opportunity to discuss this matter further with you. If you have any questions regarding your submission, please do not hesitate to contact me.

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Yours sincerely

Simon Hawley BA (Hons) MA MRTPI
Associate
simon.hawley@harrislamb.com
DIRECT DIAL: 0121 213 6015

To: Ms J Dutton

Date: 21st February 2012

Cc: Eugene O'Brien
Charles Collier – Bovale Ltd
Patrick Downes – Harris Lamb Ltd

DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall [Jay.Ashall@jayashall.co.uk]
Sent: 20 February 2012 16:12
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: FW: Tall Ash Farm, Buglawton - SHLAA refs: 2548, 3892, 2549, 2550
Attachments: SHLAA- Tall Ash Letter.tif

Categories: SHLAA

Joanne,

Please see attached letter from landowner in support of the SHLAA allocation of the land.

Kind Regards
Jay



Jay Ashall Associates
Chartered Architects

108 London Road
Holmes Chapel
Cheshire
CW4 7BD

Tel: 01477 534897
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From: Nicola Watts **On Behalf Of** Jay Ashall
Sent: 14 February 2012 14:53
To: 'Joanne Dutton (Joanne.Dutton@cheshireeast.gov.uk)'
Subject: Tall Ash Farm, Buglawton - SHLAA refs: 2548, 3892

Joanne,

We confirm that we have been appointed as architects on the project, and are acting on behalf of the landowner as we do not deal with developers. They will be progressing a planning application on the site as soon as an allocation has been made.

The landowner has requested we write to you to ensure that the site remains on the SHLAA and that a planning application will be submitted within the next 12 months if the allocation is unchanged.

Because of the site of the site, close liaison with the local authority will be completed to provide a mixed use development including residential, commercial employment and community facilities. Rather than submitting an application without consultation we will liaise with the local authority, establish your requirements for the development of that part of Congleton and ensure that any proposals area in line with the long term aim for the development of Congleton Town.

Regards

Jay Ashall



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Chartered Architects

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DUTTON, Joanne

From: Mike Jones [mike@RichboroughEstates.co.uk]
Sent: 21 February 2012 16:35
To: FISHER, Adrian G (Planning & Housing)
Cc: DUTTON, Joanne; HOUSE, Richard; Paul Campbell
Subject: Draft 2011 SHLAA :
Attachments: Sandbach_MJ_21-02-12.pdf

Categories: SHLAA

Dear Mr Fisher,

I'm attaching a letter in response to the Council's decision to allow HMP members until 24th February to comment further upon the Draft 2011 SHLAA.

I am copying my letter to all members of the HMP as before since it is important that HMP members are aware of the comments that are being made.

Kind regards,

Mike Jones
Strategic planning director

t: +44 (0) 121 6334928
f: +44 (0) 121 633 0718
m: +44 (0) 7969 960 194

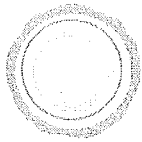
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Mr Adrian Fisher
Cheshire East Council
Middlewich Road
Sandbach
Cheshire
CW11b 1HZ

21st February 2012

Dear Mr Fisher,

HOUSING MARKET PARTNERSHIP : DRAFT 2011 SHLAA

At the meeting of the Housing Market Partnership (HMP) on 9th February, Richard House confirmed that the Council would afford HMP members a further two weeks in order to comment on the Draft 2011 SHLAA, following which the Council intends to review the comments and publish the final report. A subsequent email from Joanne Dutton requested that all comments should be received by 5pm on Friday 24th February.

Whilst I welcome the Council's decision to allow for more time in which to comment upon the SHLAA, the additional two week period does not allow HMP members adequate time in order to undertake a thorough scrutiny of the individual sites to ensure that the analysis accords to the methodology and that each of the 1,400 or so sites which have been deemed suitable have been correctly identified adopting the principles set out in the Practice Guidance note on SHLAAs issued by the DCLG. As you know, we carried out such an assessment for the 2010 SHLAA and we therefore understand the amount of time and resources that are involved in order to properly scrutinise the analysis undertaken by the Council. Accordingly, the additional two week period will hopefully allow HMP members to submit further comments but this will not in itself translate into a site by site validation of the SHLAA analysis.

In my letter of 30th January to all HMP members, I set out the principal concerns that we had identified with the 2011 Draft SHLAA. Notwithstanding the presentation by Rosemary, Richard and Joanne on 9th June and the discussion that ensued, none of the concerns which I have raised have been addressed and therefore my view remains that the Draft 2011 SHLAA cannot be supported in its present form. To do so would give credibility to a report that significantly over-estimates the 5 year housing land supply and that furthermore calculates the 5 year housing requirement in a way that is fundamentally wrong. Accordingly I would again urge the Council to take on board the many concerns that have been raised by the HBF, other members of the HMP and by Richborough Estates in order that a proper and credible SHLAA can be approved and supported.



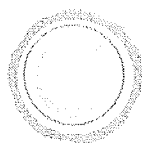
In my opinion, the best way to ensure that the Draft SHLAA can be deemed to be robust would be to thoroughly scrutinise it along the line I proposed in my letter of 30th January. This is the only way of testing whether each site has been properly assessed against the SHLAA methodology and against the advice in the DCLG Practice Guidance. Whilst I do understand the Council's concern about delaying the finalisation of the report, in my opinion this is distinctly more preferable than trying to approve a report that isn't supported by the HMP and which will therefore be the subject of continual challenge at appeal. Furthermore, as the SHLAA or its successor is to form a vital part of the evidence base for the Core Strategy element of the emerging Local Plan, unless it can be supported by the HMP and found to be credible, there will be a significant risk of the Core Strategy being found to be unsound.

At the HMP meeting I asked Richard House what would happen if the HMP members could not support the SHLAA either as drafted or as subsequently amended. I understood Richard to confirm that the Council would consider adopting the SHLAA as a Council report independent of the HMP. In my opinion this would be extremely unwise, since it would demonstrate that the SHLAA did not have the support of the HMP and hence no reliance could be placed upon it as a credible evidence base of the District's housing land supply. Such a decision would also be inconsistent with the advice in the DCLG Practice Guidance. As such I would urge the Council to resist any attempt to divorce the SHLAA from the HMP.

Although for the reasons I have set out I do not accept the Council's concerns about delaying the finalisation of the SHLAA to allow for it to be thoroughly scrutinised, given the importance of trying to finalise a report that has the support of the HMP I have given thought as to how this could be achieved without undertaking a site by site analysis. In order to try to establish a process by which the existing draft could be revised to try to address some of the concerns I and others have previously raised, it will be necessary to take a broad approach to each category of site and apply some common sense thinking. However before I set out my thoughts as to how this could be achieved, I must raise the somewhat separate question of the calculation of the housing requirement since that is presently reported under the auspices of the Draft SHLAA.

In my letter of 30th January I set out my concern about the way in which the Council has decided that it should calculate its 5 year housing requirement. You have stated that the Council does not accept that the acknowledged shortfall in completions against the RSS housing requirement for Cheshire East is a matter for the emerging Local Plan and it should not affect the calculation of the Council's 5 year housing land supply. This stance was repeated by Richard House at the HMP meeting. I wholeheartedly reject such an approach as being entirely without foundation. The RSS housing requirement is part of the development plan and the requirement for CEC to calculate its 5 year housing supply against the RSS housing requirement is a matter of policy that cannot be set aside for political expediency. The representative of the HMP raised concerns against such an approach and he has since written to you setting out the HBF's position.

Whilst I fully concur with the view expressed by the HBF, our position is that circumstances in Cheshire East are such that the acknowledge shortfall in completions against the housing requirement should be added in full to the 5 year housing land requirement. This view is supported by recent appeal decisions which we have identified to you in submissions on our on-going appeal at Hind Heath Road Sandbach. However, whether or not it is decided that the whole shortfall should be added to the 5 year requirement in accordance with recent appeal decisions or spread over the



remaining years of the Plan as per the HBF's letter, what is irrefutable is that the shortfall cannot be ignored. Unless the Council's position on the housing land requirement is altered to deal with the acknowledged shortfall, the calculation of the 5 year requirement should be removed from the SHLAA as it cannot be given any credibility by the HMP.

Turning back to my thoughts for revising the SHLAA to address the flaws in the assessment of housing land supplying the current Draft report, I would propose the following approach be adopted:

Allocated Sites

There are 2 allocated sites which have been included in the 5 year supply. Neither has planning permission with Ears Garage having been allocated in 2004 and the MMU campus at Alsager allocated in 2005. Given the apparent lack of evidence to demonstrate that these sites are deliverable in accordance with the SHLAA methodology and that they have not come forward within the Plan period in which they were allocated, they should be excluded from the 5 year supply.

Sites Under Construction

Sites listed as being under construction in the "missing" 2011-2012 year should come forward within the 5 year period providing the SHLAA build rates have been applied correctly and consistently. In the 2010 SHLAA we discounted this category by 37% and CEC discounted it by 13% but to avoid a site specific scrutiny of the SHLAA we would propose that this category should remain undiscounted.

Sites with Detailed/Outline Planning permission

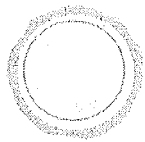
There can be no certainty that sites with either detailed or outline planning permission will come forward either at all or will do so to provide the completions set out in the SHLAA. The Council accepted discounting at levels of 14% and 45% respectively for the 2010 SHLAA and there is no evidence to suggest that a discount shouldn't properly be applied to these categories. We would propose that a minimum 10% discount should be applied to both categories albeit the reality is that the real level of discount should almost certainly be higher.

Section 106 Agreements

The Council has already accepted the principle of discounting this category by 10%. We would question whether 10% is the correct figure to adopt but see no reason to draw a distinction between this category and sites with planning permission albeit that in future sites within this category should not automatically be carried forward into the next year SHLAA as indications would point to a problem with their deliverability.

Sites without Planning permission (Green Belt or Non Green Belt)

It is our view this category should not be included at all in the 5 year supply. Recent appeal decisions have found that no reliance can be placed upon sites not even in the planning system coming



forward in the 5 year period. These sites will invariably fail the definition of being deliverable as assessed against the clear advice on deliverability in the Practice Guidance. If the Council does not accept that all of the sites in this category should be excluded, as a compromise we would suggest that any site that was included within this category in the 2010 SHLAA but which has not come forward into the planning system in the 2011 SHLAA cannot be deemed deliverable by definition and should be excluded.

Small Sites below 10 units

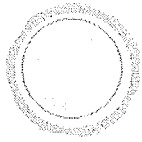
The Council accepted at the Hind Heath Inquiry, that a 20% discount should be applied to the category of small sites. This category includes sites with permission some of which will not be viable, sites with expired permissions and sites that are not in the planning system. This category of site is the most vulnerable to the present recession with a lack of finance to private individuals and local builders to deliver small scale housing schemes. The Council has provided no justification why the position it agreed to 12 months ago should not be retained and hence the 20% discount agreed by the Council in February 2011 should be reapplied.

Application of SHLAA Methodology on lead-in times & build rates

The methodology set out in the SHLAA is sound but the problem is in how it has been applied. Setting aside individual site analysis, it is vital that the methodology is applied consistently and is not departed from. This applies particularly to lead in times and build rates which should be applied to every site in the analysis.

The Council has sought to vary from the methodology especially in respect of the sites around Crewe at Coppenhall East and Leighton West. These two sites are being relied upon by the Council to deliver a total of 725 dwellings in the 5 year period despite neither as yet having planning permission. In accordance with the SHLAA methodology the maximum yield from each site should be 50 dwellings in the 5 year period. Whilst the Council state that evidence was submitted on behalf of the applicants to suggest that higher build rates could be achieved, this evidence has never been scrutinised despite the fact that the suggested build rates are significantly greater than the evidence on build rates that has been Agreed as part of the SHLAA methodology. In the absence of any proper and compelling evidence to justify such a total departure from the SHLAA methodology, the sites at Coppenhall East and Leighton West must be subject to the agreed lead in times and build rates set out in the SHLAA and as agreed by the HMP.

I believe that the above approach to the SHLAA would provide a reasonable methodology to revising the Draft SHLAA and hence avoiding the necessity of subjecting the draft to a site by site examination. If agreed, I trust that members of the HMP would be prepared to approve the SHLAA as a sound evidence base and that this would then reduce the scope for challenging the housing supply figures in appeal situations. However I do believe that the production of the 2012 SHLAA should be re-examined to ensure that individual site analysis is undertaken in accordance with the DCLG Practice Guidance and that the methodology is applied consistently, so that the flaws in the 2010 SHLAA and in the 2011 Draft SHLAA can be avoided.



Richborough
Estates

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Finally I trust that individual comments from HMP members will be circulated to all members of the HMP so that the process of approving the SHLAA is transparent. I also trust that before it is approved the Council will set out exactly what changes have been made to individual comments and where changes have not been made it will set out full justification for not doing so.

Yours sincerely, 

Michael Jones

✓
DUTTON, Joanne

From: Gary Halman [Gary.Halman@howplanning.com]
Sent: 22 February 2012 13:51
To: DUTTON, Joanne
Subject: draft SHLAA; sites at Welshman's Lane Nantwich
Categories: SHLAA

Dear Joanne

As you may know I act for the owners of the land at Welshmans Lane Nantwich referenced 3478. This is part of the wider area being promoted as the North West Nantwich Sustainable Urban Extension which includes site ref 2926. My clients are working closely with the promoters of 2926 (who are in turn doing so on behalf of Reaseheath College).

The draft SHLAA shows some differences between the description of the two sites which I think are potentially misleading, especially as the two are to be considered together as one integrated development (and will be masterplanned as such).

For example 2926 is identified as "edge of settlement" whereas 3478 is "open countryside"; I think this should also be edge of settlement which is a fair reflection of its setting and context.

Site 3478 does not have any entry under the Sustainability heading whereas 2926 is described as "sustainable"; both parcels should be described as this given what I have said about a single integrated development proposal.

These detailed points aside we support the SHLAA's recognition of both sites as *suitable*, *available* and *achievable* and my clients are committed to strongly promoting development of their land for a high quality, sustainable residential led SUE through the Core Strategy process.

I hope you can amend the SHLAA accordingly.

Kind regards

Gary

GARY HALMAN
PARTNER

Direct Line: 0161 831 5885

Email: gary.halman@howplanning.com

Web: www.howplanning.com

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DUTTON, Joanne

From: Caroline Simpson [csimpson@nlpplanning.com]
Sent: 22 February 2012 17:24
To: DUTTON, Joanne
Subject: Housing Market Partnership: CEC SHLAA Representations [NLP.FID174842]
Attachments: 40659/10 CEC SHLAA representations 21.2.2012.PDF
Categories: SHLAA

Joanne,

Please find attached representations on the Cheshire East SHLAA.

Kind regards,

Caroline

Caroline Simpson
Associate Director

Nathaniel Lichfield & Partners, 3rd Floor, One St James's Square, Manchester M2 6DN
T 0161 837 6130 / M 07949055007 / E csimpson@nlpplanning.com


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**Nathaniel Lichfield
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Miss J Dutton
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manchester@nlpplanning.com

nlpplanning.com

Date 21 February 2012
Our ref 40659/10/MW/CSI/2168511v3
Your ref

Dear Miss Dutton

Representations on the Cheshire East Strategic Housing Land Availability Study 2011 Update

Further to our attendance at the Housing Market Partnership on the 9th February 2012 we are instructed by Taylor Wimpey UK Limited to make representations on the Cheshire East Strategic Housing Land Availability Assessment [SHLAA] 2011 Update. These representations follow Taylor Wimpey's participation in the SHLAA Task Group and the submission of representations on the Cheshire East SHLAA 2010.

The representations relate to:-

- 1 The SHLAA housing land supply and the methodology used; and,
- 2 Site specific representations at:-
 - a Coppenhall East, Crewe [SHLAA ref: 2895]
 - b Congleton Road, Sandbach [SHLAA ref: 2621]
 - c Crewe Road, Crewe [SHLAA ref: 2901]

Housing Land Supply

The SHLAA 2011 Update [§3.10] states there is a supply of 5,055 net dwellings equating to approximately 4.15 years supply for the years April 2012 to March 2017.

Taylor Wimpey UK Limited has the following concerns in relation the LPA's calculation of the housing land supply position:-

- 1 **Methodology:** The LPA's approach for calculating the five year housing land supply is based on the overall housing requirement for the Plan period (the RS requirement 2003-2021) minus the completions from the base date of the plan divided by the number of years remaining in the life of the plan.



On this basis:-

- a The LPA calculate the requirement for the five year period as being 1,150 net dwellings per annum which equates to 5,750 for the five year period.
 - b The LPA has failed to include the shortfall in housing delivery over the early years of the RS period which represents 650 dwellings. The RS housing requirement is part of the development plan and this backlog must be included in the residual requirement going forward, in accordance with national planning guidance as the need for these dwellings remains. The whole shortfall should be added to the 5 year requirement in accordance with recent appeal decisions. The exclusion of the shortfall will render the evidence base unsound.
- 2 **Allocated Sites:** The housing land supply still includes 60 dwellings on two allocated sites which are considered as deliverable within years 1 – 5, namely:-
- a 50 dwellings at the MMU Campus, Alsager; and,
 - b EARS Garage, Buxton Road, Macclesfield.
- Both sites have been included in the supply as they are historic allocations from the Congleton Local Plan Review (2005) and the Macclesfield Borough Local Plan (2004). These sites have not come forward and no planning permissions have been granted for their development. In these circumstances we question whether they are deliverable and consider that they should not be included in five year land supply.
- 3 **Sites with Outline and Full Planning Permission:** The housing land supply includes 439 (net) dwellings on sites with full planning permission and 181 (net) dwellings on sites with outline planning permission which are considered to be deliverable within years 1–5. In this context:-
- a It is considered that the proposed build rates identified in the SHLAA [page 12] are realistic and we consider that they accurately reflect the current market situation. However, the LPA has not allowed for 10% delivery slippage in the sites with full and outline planning permission to reflect the uncertainties over delivery. The slippage allowance takes into account the fact that some planning permissions do not come forward (due to ownership or infrastructure constraints) or are slow to deliver. In addition, with the current market problems the viability of long standing extant planning permissions is also relevant, especially where the planning gain requirements cannot now be afforded. A slippage allowance should therefore be included in the extant permissions.
 - b Taylor Wimpey UK Limited has secured the approval for the development of land at Coppenhall East, Crewe for 650 dwellings [LPA ref: 11/1645N]. The permission is subject to the completion of a legal agreement which we envisage will be completed in early March 2012 (subject to the Council's solicitors progressing the legal agreement expeditiously). Therefore, it may be necessary for the Council to update this element of the supply if the legal agreement is completed in advance of formally publishing the SHLAA 2011 Update.
- 4 **Sites Subject to Section 106 Agreements:** The housing land supply includes 893 (net) dwellings that are considered to be deliverable within years 1–5. The LPA has applied a 10%



discount to give total of 803 dwellings since the SHLAA was published in November 2011. We still consider that the inclusion of sites which are subject to the completion of legal agreements should be re-appraised to ensure that they are deliverable in the proposed timescales. However, we accept that the LPA is relying on inputs from the owners/developers of the sites in terms of ensuring that this part of the supply is accurate.

- 5 **Sites without Planning Permission:** The housing land supply includes 1,934 (net) dwellings on sites without planning permission that are considered to be deliverable within years 1-5. The LPA has now added a 10% discount and this context:-
- a Table 8 identifies that 104 dwellings on sites without planning permission and in the Green Belt will be delivered within years 1-5 (Land off Birtles Road, Macclesfield - 39 dwellings; Caradon Twyforde factory, Lawton Road, Alsager - 50 dwellings; and, Woodside Poultry Farm, Knutsford 15 dwellings). It is considered that the release of Green Belt sites within the 5 year supply is unrealistic as the sites have not been considered through the Development Plan process. The Core Strategy will not be adopted until late 2013 and subsequent applications to develop the sites will take at least two years from preparation, submission to approval. It is therefore unlikely that Green Belt sites will be deliverable in the first five years and there is not a robust evidence base to justify their release.
 - b There are deliverable greenfield sites which should come forward to meet the Council's shortfall in supply in advance of the release of Green Belt sites. The land at Congleton Road, Sandbach should be brought forward to deliver 225 dwellings as part of the five year housing land supply rather than being identified as coming forward in years 6-10.
- 6 **Small Sites:** The housing land supply includes 1,010 (net) dwellings on small sites that are considered to be deliverable within years 1-5. The sites comprise sites with full/outline planning permission, those under construction, SHLAA sites and SHLAA sites where planning permission has expired. Since the last consultation on the SHLAA the LPA has now included a 10% delivery slippage in this part of the requirement.

However, at the Richborough Estates appeal the Council conceded that a 20% discount should be applied to the assumed contribution of the small sites. It is generally accepted that deliverability of small sites in poorer performing markets is likely to be lower and we therefore request that a 20% reduction rate of delivery is incorporated within the supply.

The approach of making an allowance for unidentified windfall sites of less than 0.2 hectares to meet part of the housing land supply requirement is contrary to the national guidance set out in PPS3 [§59]. This states that allowances for windfalls should not be included in the first 10 years of land supply unless LPAs can provide robust evidence of genuine local circumstances that prevent specific sites being identified. As a consequence, the unidentified windfall sites should be excluded from the 5 year land supply.

On the basis of the revised methodology it is considered that the Council has a significantly lower supply than stated in the 2011 SHLAA. We consider that the Council has 3.55 years supply (see Annex 1) not a 4.15 year supply.

We would therefore strongly urge the LPA to reconsider the methodology employed to calculate the supply and make the revisions suggested above.



Site Specific Representations:

The Cheshire East SHLAA 2011 Update Table 6: Sites Without Planning Permission as of 31st March 2011 includes Taylor Wimpey UK Limited's sites at:-

- 1 Coppenhall East, Crewe
- 2 Crewe Road, Crewe
- 3 Congleton Road, Sandbach

We show the existing table then indicate in the subsequent table in red where changes need to be made to Table 6.

Land at Coppenhall East, Crewe [SHLAA ref: 2895]

At the meeting there was some criticism from Partnership Members in relation to the delivery of 325 units at the Coppenhall East development over the periods 1-5 years and 5-10 years. We would like to clarify that the phasing strategy for the development assumes a build rate of approximately 65 dwellings per year (based on two developers on the site). We consider that the assumptions made in the SHLAA are appropriate and correct.

Land off Congleton Road, Sandbach [SHLAA ref: 2621]

Table 1 The Existing Cheshire East SHLAA 2011 Update: Congleton Road

Site Size (ha)	Brownfield/ Greenfield	Potential Capacity	Suitability	Availability	Achievability	Deliverability	Current year	Years 1-5	Years 6-10	Years 11-15
7.31	Mixed	220	Suitable with policy change	Available	Achievable	Developable	0	0	50	125

Source: SHLAA Table 6

Taylor Wimpey UK Limited requests that references currently included within SHLAA Table 6 are updated to reflect those set out in Table 2 (below):-

Table 2 Comments on The Cheshire East SHLAA 2011 Update: Congleton Road

Site Size (ha)	Brownfield/ Greenfield	Potential Capacity	Suitability	Availability	Achievability	Deliverability	Current year	Years 1-5	Years 6-10	Years 11-15
9.26	Mixed	225	Suitable with policy change	Available	Achievable	Deliverable	0	225	0	0



Land at Crewe Road, Crewe [SHLAA ref: 2901]

Table 3 The Existing Cheshire East SHLAA 2011 Update: Crewe Road, Crewe

Site Size (ha)	Brownfield/ Greenfield	Potential Capacity	Suitability	Availability	Achievability	Deliverability	Current year	Years 1-5	Years 6-10	Years 11-15
2.39	Greenfield	72	Suitable with policy change	Available	Achievable	Developable	0	0	50	22

Source: SHLAA Table 6

Taylor Wimpey UK Limited requests that references currently included within SHLAA Table 6 are updated to reflect those set out in Table 4 (below):-

Table 3 Comments on The Cheshire East SHLAA 2011 Update: Crewe Road

Site Size (ha)	Brownfield/ Greenfield	Potential Capacity	Suitability	Availability	Achievability	Deliverability	Current year	Years 1-5	Years 6-10	Years 11-15
1.22	Greenfield	40	Suitable with policy change	Available	Achievable	Deliverable	0	40	0	0

Conclusion

Taylor Wimpey UK Limited would like to express their concern with the methodology used to calculate the housing land supply. If the Partnership cannot agree to the changes that are necessary to make the SHLAA robust then we consider that without the full agreement of the Partnership the SHLAA should not be published as a jointly prepared document.

In conclusion:-

- 1 We question whether the Council has undertaken a robust assessment of the housing land supply and we request that our comments are considered in relation to the methodology used to calculate the supply, the delivery of Green Belt sites, sites with planning permission and small sites.
- 2 SHLAA Table 6 should be updated to include our comments in relation to Congleton Road and Crewe Road.

Accordingly, Taylor Wimpey UK Limited respectfully requests that the Council considers and reflects our representations in the further drafting of the Cheshire East SHLAA 2011 Update.

Please continue to notify us of further consultation on this and any other Development Plan Documents, forming part of Cheshire East's Local Development Framework. I am happy to be contacted via the following email address:- csimpson@nlpplanning.com



Nathaniel Lichfield
& Partners

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If you have any queries regarding the above, please contact me.

Yours sincerely 


Michael Watts
Director

Copy A Thorley - Taylor Wimpey UK Limited



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Annex 1: The Housing Land Supply Position

ANNEX 1: HOUSING LAND SUPPLY POSITION - SHLAA 2011

Housing Requirement (2010 - 2015)		LPA Position		NLP Position	
RS Policy L4	(2003-2021)		1150		1150
5 Year requirement	(2011-2016)		5750		5750
Backlog	(2003-2021)	0		650	
Over Supply		0		0	
	Sub Total	0		650	
Outstanding 5-Year Requirement			5750		6400
Residual Annual 5-Year Requirement			1150		1280
Housing Supply (2010 - 2015)					
Allocations		60		0	
Sites Under Construction		552		552	
Sites with Full Planning Permission (including 10% discount)		439		395	
Sites with Outline Planning Permission (including 10% discount)		181		163	
Sites Awaiting S106 (including 10% discount)		804		804	
SHLAA Sites (including 10% discount)		1767		1767	
Small Sites (including 20% discount)		971		863	
		0		0	
	Sub Total	4774	4774	4544	4544
Total Supply			4774		4544
Difference (Under Supply expressed as a minus)			-976		-1856
5-Year Housing Supply Expressed as Years of Residual Annual Requirement			4.15		3.55

DUTTON, Joanne

From: Marc Hourigan [marc.hourigan@houriganconnolly.com]
Sent: 22 February 2012 21:41
To: DUTTON, Joanne
Cc: 'Richard Lomas'; daniel.connolly@houriganconnolly.com
Subject: RE: Cheshire East Housing Market Partnership
Attachments: RE: Agenda - Cheshire East Housing Market Partnership

Importance: High

Categories: SHLAA

Dear Joanne

Thank you for your email and attachment.

We sent you comments by email on 6 February (see attachment) and those comments still apply to the current consultation.

Kind regards

Marc

**Marc Hourigan BA(Hons) BPI MRTPI
Director**

**Hourigan Connolly
St James's Court
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From: DUTTON, Joanne [<mailto:Joanne.Dutton@cheshireeast.gov.uk>]

Sent: 10 February 2012 11:16

To: JEFFREY, Vikki; Carsberg, Karen; SACKFIELD, Anthony; BOFFEY, Amanda; FISHER, Adrian G (Planning & Housing); SIMPSON, Caroline; BAILEY, Rachel (Councillor); MACRAE, Jamie (Councillor); BROWN, David (Councillor); CLARKE, Allan; CORDEN, Daniel; CUNIO, Pam; GIBBS, Kevin; HOUSE, Richard; HOUSE, Stewart; KEMP, Stella; Kidd, Rosemary; LONGMIRE, Jamie; PARRY, Ruth; PENNY, Stuart; SOAMES, Victoria

Subject: Cheshire East Housing Market Partnership

All,

Thank you to everyone who made it the Cheshire East Housing Market Partnership meeting yesterday.

For those of you who weren't able to make it, please find attached a copy of the presentation provided by the Council.

One of the key points to highlight from the meeting was that the Council are giving the Housing Market Partnership two further weeks to make comments on the Strategic Housing Land Availability Assessment (SHLAA). In line with the SHLAA guidance we would be particularly appreciative of comments that provide your expertise and knowledge on the deliverability and developability of the sites, along with the economic viability.

Please note that we would like all your comments before **5pm on Friday 24th February**.

If you wish to make any comments that you would like to remain confidential for commercial sensitivity reasons then please ensure that this is made clear in your comments.

Thank you for your help and co-operation.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

Tel: 01270 686 615

Email: joanne.dutton@cheshireeast.gov.uk

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Date: 6 February 2012

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Joanne Dutton
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

BY EMAIL ONLY: [Joanne.Dutton@cheshireeast.gov.uk]

Dear Joanne

CHESHIRE EAST HOUSING MARKET PARTNERSHIP

Ahead of the Strategic Housing Market Partnership meeting this coming Thursday please see below our comments on the SHLAA update.

Calculation Of The 5 Year Requirement

The SHLAA adopts the annualised rate of 1,150 dwellings per year. This figure is the average rate required to achieve the total requirement of the Regional Strategy over the plan period.

In my view the residual method should be adopted for calculating the 5 year requirement to take account of previous underperformance. Failure to do so makes a mockery of the Regional Strategy's requirements and would result in previous under delivery never being addressed.

Components Of The Identified Supply – Unallocated Sites

There are a large number of unallocated sites without planning permission included within the Council's 5 year supply of housing and a significant number which are located in the Green Belt with clear policy constraints!.

You will be aware that for a site to be included in the 5 year supply it must have a planning permission so that it can be considered available now (Paragraph 54 of PPS3 refers). Indeed your neighbours in Chester and Cheshire West Council have adopted such an approach.

Unallocated previously developed sites within the 5 year supply should normally have made sufficient progress through the planning system to be considered deliverable having regard to Paragraph 54 of PPS3. Unallocated sites that are not likely to make a significant contribution to the delivery of housing during the 5 year period should not be taken into account in an assessment of the 5 year supply until planning permission has been granted.

Components Of The Identified Supply – Small Sites

I note also that there is a significant reliance on small sites but no allowance has been made for non-delivery. Experience suggests that a fair and reasonable discount rate to adopt for such sites is 10% – 20%.

I understand that at the Richborough Estates Inquiry, Mr House for the Council conceded that a 20% discount should be applied to small sites and I would expect that position to be reflected in the 2011 SHLAA.

Components Of The Supply – Sites Previously Conceded Under Cross Examination

I understand from others that the SHLAA also includes sites in the 5 year supply which Mr House, (for the Council, at the Richborough Estates Inquiry) conceded as not being deliverable within the 5 year period. Clearly such sites should not be included in the 5 year period in the 2011 SHLAA unless the Council has credible site specific evidence that clearly demonstrates that circumstances have changed.

Summary

I trust that the above information is of assistance. I will not be able to attend the HMP meeting on 9 February 2012 but Daniel Connolly will be present.

Yours sincerely

MARC HOURIGAN BA(Hons) BPI MRTPI
Director

cc: D Connolly } Hourigan Connolly
R Lomas }

Encl.

✓
DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 14:54
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: New Inn Lane, Betchton SHLAA ref: 3556
Categories: SHLAA

We have completed an appraisal and feasibility study on the above site and it is suitable for residential development.

We will be acting as architects on the project and confirm that the owner is keen to progress development and will do so as soon as the allocation is made.

Regards
Jay Ashall



Jay Ashall Associates
Chartered Architects

108 London Road
Holmes Chapel
Cheshire
CW4 7BD

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Web: www.jayashall.co.uk

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✓
DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 16 February 2012 09:51
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: FW: Wych Farm, Cranage Ref: 3544

Categories: SHLAA

Joanne,

As you will see from records, we have submitted application for conversion of the empty and derelict property to residential use and confirm that our client is still keen to progress this option. Please see email below confirming the same from our client, the owner of the site.

Kind regards
Jay Ashall

From: Charles Woolley (Rectory Foods) [<mailto:charles.woolley@rectoryfoods.com>]
Sent: 15 February 2012 17:15
To: Ian Pleasant
Subject: Wych Farm Barn

Dear Jay,

In response to telecon today :

We confirm, that as owners of the above property, that not only have we submitted a planning application for the conversion of property to residential development, but that we would like to extend this to several residential developments, and fully intend to submit a planning application and develop the site over the next few years.

Look forward to speaking with you soon

Kind regards

Charles Woolley
Rectory Food Group

✓

DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall [Jay.Ashall@jayashall.co.uk]
Sent: 15 February 2012 13:46
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: Holmes Chapel School - SHLAA allocation ref; 2707
Categories: SHLAA

Joanne,

Please see below a copy of an email from Holmes Chapel Comprehensive School confirming that they wish to forward the school site for designation as residential use.

We have completed plans for the school in combination with a residential development which will extensively fund the scheme, copies which have been issued previously.

Kind Regards
Jay Ashall

From: Gill Benning [<mailto:gill.benning@hccs.info>]
Sent: 14 February 2012 18:54
To: Jay Ashall
Cc: Denis Oliver
Subject: Re: Holmes Chapel School - SHLAA allocation

I can confirm that Holmes Chapel Comprehensive School wish to have the land allocated on Cheshire East SHLAA in order that residential development may be competed at some time in the future, if and when appropriate, to fund refurbishment works or assist with the construction of a new school.

If you require further information, please do not hesitate to contact me directly.

Kindest regards

Gill Benning

Strategic Business Manager
Holmes Chapel Comprehensive School
Selkirk Drive
Holmes Chapel
Cheshire
CW4 7DX

(T) 01477 689500

DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 14:54
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: The Crest, Alsager Road, Hassall SHLAA ref; 3555
Categories: SHLAA

We have completed an appraisal and feasibility study on the above site and it is suitable for residential development.

We will be acting as architects on the project and confirm that the owner is keen to progress development and will do so as soon as the allocation is made.

Regards
Jay Ashall



Jay Ashall Associates
Chartered Architects

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DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 14:55
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: Land at Sandbach Road Alsager - SHLAA ref 2367

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: SHLAA

Joanne,

As you may be aware from records we have compared a comprehensive design and submitted planning application which has been withdrawn on the above site. For record purposes we confirm that the land owner has appointed us as architects on the project and is fully committed to developing the above site immediately the land has been allocated as it forms a natural infill plot.

However, we have re-checked the SHLAA details for the site as above 2367 and would like to make the following comments with regards to the information stated about the site:

Under Physical Constraints: access to the site is not problematic. Highways engineer have shown the method of access and there is an option of a second access from the rear. The site is not contaminated. There is no history of previous use or buildings on the site.

Under Managing Constraints: Brine subsidence is extremely limited and may be overcome by raft foundation and ventilation below the ground floor.

Greenfield: Part of the land is greenbelt, but the 5no. houses on the withdrawn planning application are all in the open countryside outside the greenbelt area and the site should be considered as 2 separate entities in the SHLAA.

Kind Regards
Jay Ashall



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DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall
[Jay.Ashall@jayashall.co.uk]
Sent: 14 February 2012 16:16
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: Land at Sandy Lane, Macclesfield SHLAA ref: 3494
Attachments: Jay Ashal feb2012008.pdf

Categories: SHLAA

Joanne,

Please see attached letter from landowner with regards to the above SHLAA site.

Kind regards
Jay Ashall



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Chartered Architects

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DUTTON, Joanne

From: Nicola Watts [Nicola.Watts@jayashall.co.uk] on behalf of Jay Ashall [Jay.Ashall@jayashall.co.uk]
Sent: 15 February 2012 10:14
To: DUTTON, Joanne
Cc: Nicola Watts
Subject: FW: Land Adjacent to Sandyacre, Goostrey - SHLAA ref; 3876
Attachments: letter to shlaa.pdf

Categories: SHLAA

Joanne

Please see attached letter from the owner confirming they intend to develop the site and that we have been appointed as Architects on the project, having completed an appraisal and feasibility study, will be commencing a planning application as soon as the land allocation has been confirmed.

Kind regards
Jay Ashall

From: Nicola Watts **On Behalf Of** Jay Ashall
Sent: 14 February 2012 14:54
To: 'Joanne Dutton (Joanne.Dutton@cheshireeast.gov.uk)'
Subject: Land Adjacent to Sandyacre, Goostrey - SHLAA ref; 3876

Hi Joanne,

As you will see from previous documentation and conversation with Ben Haywood, a feasibility study has been completed on the site but our client is preparing a letter which we will forward to you confirming that he has appointed us as architect on the project and intends to progress the scheme immediately the allocation has been made.

Kind regards
Jay



Jay Ashall Associates
Chartered Architects

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DUTTON, Joanne

From: Amy James [amy.james@howplanning.com]
Sent: 21 February 2012 12:16
To: DUTTON, Joanne
Subject: Cheshire East SHLAA 2012 Update
Attachments: 2012 Update SHLAA Representations 210212.pdf

Categories: SHLAA

Dear Joanne

Cheshire East Strategic Housing Land Availability Assessment (SHLAA) 2012 Update

Following on from the Cheshire East Housing Market Partnership meeting earlier this month, I understand that there is a 2 week window to submit comments on the 2012 Update SHLAA. Please find attached a letter outlining our representations towards the 2012 Update SHLAA on behalf of one of our Clients. A hard copy has also been issued in the post.

Please could you confirm safe receipt?

Once you have had a chance to review please do not hesitate to contact me should you wish to discuss.

Many thanks

Regards

Amy

**AMY JAMES
PLANNER**

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Your ref:
Our ref: AJ/871

21/02/2012

FAO. Joanne Dutton
Cheshire East Council
Planning Department
Westfields
Middlewich Road
Sandbach
CW11 1HZ

By Post and Email

Dear Joanne

**CHESHIRE EAST STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT -
UPDATE FEBRUARY 2012**

We have been instructed by Ms L Simpson to submit representations and suggest a site for consideration in the 2012 Update Strategic Housing Land Availability Assessment (SHLAA). These representations relate to a site in Goostrey, Congleton which is identified on the enclosed Site Edge Red Location Plan.

The Council is requested to consider the following comments when updating the SHLAA.

Representations towards the Cheshire East SHLAA - Update February 2012

The 2012 Update SHLAA identifies that Cheshire East can currently only demonstrate a 4.15 years supply of deliverable housing against the national requirement to maintain a rolling 5 year supply of housing land. However, based on our own research, research presented at Appeals during the course of last year and also updated data obtained by other parties involved in those Appeals it is considered that the 4.15 year supply is an overestimation.

An Appeal by Richborough Estates against Cheshire East's decision to refuse residential planning permission at land to the South of Hind Heath Road, Sandbach (Appeal Ref. APP/R0660/A/10/2140255/NWF) was dismissed in July 2011. Despite the Appeal being dismissed, the Secretary of States Report identifies that there is no dispute between parties that across Cheshire East there is not a 5 year supply of housing and that the actual supply is between 2.75 to 3.25 years supply.

The lack of a 5 year supply of deliverable housing land was also confirmed in a more recent Appeal by Fox Strategic Land and Property Ltd against Cheshire East's decision to refuse residential planning permission at land off Abbey Road and Middlewich Road, Sandbach (Appeal Ref. APP/R0660/A/10/2141564). This appeal was dismissed in September 2011. However the Inspector did confirm that the Council were not able to demonstrate a 5 year supply and estimates that only a 3.65 year supply is evident.

Planning and Environmental Advisers

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Gary Halman BSc FRICS MRTPI
Richard Woodford BA (Hons) BSc BTP MRICS MRTPI
Fiona Woodford
Julie Halman

Associates:
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This research highlights that the actual supply of available housing land is significantly below the 4.15 years supply figure as suggested in the 2012 Update SHLAA.

In addition, the Draft National Planning Policy Framework (DNPPF) published in July 2011 suggests that in addition to demonstrating a 5 year supply of housing, Local Planning Authorities (LPAs) should also include an additional allowance for at least 20% above the 5 year target to ensure choice and competition in the market for land. This would further reduce the Council's ability to meet the national housing target requirements.

Due to this shortfall in the supply of deliverable housing land, the Council should therefore encourage suitable and deliverable sites to come forward to assist in meeting the required housing targets for the Borough.

Site 2686 – Land adjacent to Mount Pleasant Residential Park, Alison Drive, Goostrey

The site lies adjacent to the Mount Pleasant Residential Park in Goostrey extending to circa 1.2 hectares and is included in the 2012 Update SHLAA (site ref: 2686). The inclusion of the site in the updated SHLAA is supported and we recommend that it continues to be included as the SHLAA progresses, however please take into consideration our comments below.

The site comprises flat open grass land with a number of trees, shrubs and hedging along the site boundaries, providing the site with a good boundary. To the north and west of the site is Mount Pleasant Residential Park and to the east and south is further open grass land. A footpath also runs adjacent to the eastern boundary of the site. To the south east of the site are 3 residential properties. In accordance with the Congleton Borough Local Plan First Review Proposals Map (adopted 2005) the site is allocated as Open Countryside and lies within the Jodrell Bank Telescope Consultation Zone.

Paragraph 54 of Planning Policy Statement 3 (PPS3) (2011) outlines the criteria for determining whether a site can be included as a deliverable site for housing in the first 5 years. To be considered deliverable, sites should:

- Be **Available** – the site is available now;
- Be **Suitable** – the site offers a suitable location for development now and would contribute to the creation of sustainable mixed communities; and
- Be **Achievable** – there is a reasonable prospect that housing will be delivered on the site within 5 years.

In relation to the criteria above, the 2012 Update SHLAA described the site as being a developable site as it is available and achievable, however considers that it is not suitable without a change in policy. The site has therefore been identified as having the potential to deliver residential development in 6-10 years.

We support the acknowledgement that the site is both available and achievable and can confirm that this is still correct. In terms of the suitability of the site given its extremely close relationship with existing development and the shortfall in housing land availability we would argue that the site is in fact suitable for residential development and should be included within the 5 year housing land supply, which is discussed further below.

The site is well related to existing residential properties along the northern and western boundaries and therefore could be described as a rounding off to the settlement. A

group of 3 residential properties also lie adjacent to the south east of the site. A number of services are also located within walking distance of the site. Approximately 600m from the site is a parade of shops which includes Goostrey Post Office, a hairdressers, butchers and newsagents. Additional residential development within Goostrey will attract more people to the area which will increase spending on local services and assist businesses in remaining operational.

In terms of the site's accessibility, Goostrey Train Station is located approximately 1.87km from the site and offers journeys to a range of destinations including Crewe, Sandbach, Alderley Edge, Wilmslow, Stockport and Manchester. The number 319 bus provides a circular journey visiting Sandbach, Holmes Chapel Shopping Precinct, Goostrey Booth Bed Lane and Goostrey Train Station and runs at a frequency of 1 bus per hour during the morning and early afternoon. The site has 1 existing access point which as part of bringing the site forward will be considered by a technical consultation to indicate any upgrades necessary for the site to be able to accommodate residential development.

The Draft National Planning Policy Framework (DNPPF) was published in July 2011 and outlines the Government's agenda on promoting sustainable development. This builds upon Greg Clark's Ministerial Statement 'Planning for Growth' delivered in March 2011 which sought to encourage LPAs to wherever possible answer 'yes' to development and growth except where this would comprise the key sustainable development principles set out in national planning policy.

Furthermore, paragraph 14 of the DNPPF states:

"At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both the plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible".

It is therefore very clear that the Government are keen for sustainable development to be encouraged. Based on the information above, it is considered that the Goostrey site is sustainable and would make a valid contribution to the Borough's housing land supply targets. Taking into account both the Ministerial Statement discussed above and the DNPPF delivery of residential development at the Goostrey site should be viewed positively.

In addition, as already discussed the Borough cannot demonstrate a 5 year supply of housing. Paragraph 70 of PPS3 states that where LPAs cannot demonstrate an up to date 5 year supply of deliverable sites they should consider favourably planning applications for residential development.

In an attempt to address the shortfall in housing delivery, the Interim Planning Policy on the Release of Housing Land was adopted in February 2011. The Interim Planning Policy is triggered when a 5 year supply of housing sites cannot be identified and directs residential development towards sites adjacent to the settlement boundary of Crewe (subject to a number of criteria) or town centre and regeneration areas. Although the Interim Policy does focus on sites adjacent to Crewe and those within town centres or regeneration areas, given the shortfall in housing supply it is considered that focusing exclusively on these areas will not enable the Council to achieve their overall objectives for growth and maintain a rolling 5 year supply of housing.

However, at a Cheshire East Full Council meeting on 13th October 2011 a Notice of Motion was received seeking to rescind the Council's decision to approve the Interim Planning Policy on the Release of Housing Land. It was agreed at the Strategic Planning Board for Cheshire East on 21st December 2011 that given changing national guidance and a complex array of Appeals it was recommended that the policy should not be rescinded but rather revised to include guidance on the release of appropriately sized and located sites in other settlements. At this stage these 'other' settlements have not been identified, but it is recommended that suitable sites such as the Goostrey site are able to come forward for development.

Conclusion

These representations have demonstrated that whilst there is agreement that the Council cannot demonstrate a 5 year supply of housing, the calculation of a 4.15 year supply is not supported. It is considered that the actual and more realistic supply is significantly lower than 4.15 years. Therefore we do not feel that only releasing sites adjacent to the edge of Crewe or in town centre and regeneration areas will be sufficient to fill the shortfall and maintain a rolling 5 year supply of deliverable housing as per the requirements of PPS3.

There is support for the inclusion of the Goostrey site in the SHLAA and we confirm that the site is correctly identified as being available and achievable. However, it is also considered that the site is in fact suitable for residential and would make a valid contribution to the delivery of much needed housing across the Borough.

The site is sustainably located and is extremely well related to existing residential development, therefore whilst being outside of the settlement boundary, it is still suitable for residential development. It is recommended that the Goostrey site remains in the SHLAA as it progresses but is also identified as a suitable site that is available and also achievable and will assist in meeting the shortfall in housing land across the Borough.

It would be appreciated if you could please confirm safe receipt.

If you require further information or should wish to discuss any of the representations please do not hesitate to contact me.

Yours sincerely

AMY JAMES

PLANNER

Direct Line: 0161 831 5886

Email: amy.james@howplanning.com

Land adjacent to Mount Pleasant Residential Park, Goostrey - Site Location Plan



Promap

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DUTTON, Joanne

From: Jonathan Bloor [Jonathan.Bloor@howplanning.com]
Sent: 23 February 2012 11:46
To: DUTTON, Joanne
Cc: Jon Suckley
Subject: Cheshire East SHLAA 2011 (February 2012 Update Consultation) - Representation on behalf of Pochin Developments Ltd
Attachments: PI509 - Dutton - 2011 SHLAA - February 2012 Update (FINAL) - 23.02.12.pdf
Categories: SHLAA

By Email and Post

Joanne,

Please find attached a representation on behalf of our client Pochin Developments Ltd in respect of the Cheshire East SHLAA February 2012 Update Consultation.

I would appreciate it if you could confirm safe receipt of this representation by way of email response.

Please feel free to give me a call if you wish to discuss any element of the representation in further detail.

Kind regards,

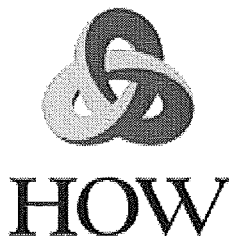
Jonathan

**JONATHAN BLOOR
GRADUATE PLANNER**

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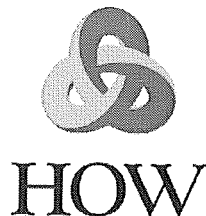


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Our ref: JS/JB/PI509

23/02/2012

Joanne Dutton
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

By Post and Email

Dear Joanne

**CHESHIRE EAST STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2011 -
FEBRUARY 2012 UPDATE: POCHIN DEVELOPMENT'S MIDDLEWICH SITES**

I refer to your email correspondence received on the 10th February 2012 which followed the Cheshire Housing Market Partnership meeting held on the 9th February 2012. In this email you confirmed that the Council are giving the Housing Market Partnership two further weeks to make comments on the Strategic Housing Land Availability Assessment (SHLAA) methodology and to reinforce any sites which have been previously assessed.

As you know I act on behalf of Pochin Developments LTD (Pochin) and having reviewed the 2011 Strategic Housing Land Availability Assessment (SHLAA) February 2012 Update, my client has a particular interest in sites 2300 (Land off Brooks Lane), 2405 (Pochin's Sports and Social Club, Brooks Lane) and 2867 (Land South of Brooks Lane, Middlewich).

The purpose of this representation is to endorse the Council's deliverability assessment of each of the three sites as listed above; and in particular, the assessment that each site is deliverable within the 1-5 year time period. Please note that since the SHLAA site assessments were undertaken by the Council, site 2300 (Land off Brooks Lane) is now no longer wholly in Pochin's ownership. Accordingly, please refer to the enclosed red line boundary plan which confirms the area in Pochin's control.

Pochin can confirm that the deliverability position of these sites remains positive, with development expected to commence on each within 5 years. I have enclosed a letter from Pochin which reiterates their intention to develop each site for housing in the short term and would appreciate if you take this letter into account as part of this representation.

Planning and Environmental Advisers

Partners:

Gary Halman BSc FRICS MRTPI
Richard Woodford BA (Hons) BSc BTP MRICS MRTPI
Fiona Woodford
Julie Halman

Associates:

Carol Clarke BA (Hons) MTPI MRTPI
Chris Edge BSc (Hons) MA MRTPI
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I trust that the above is acceptable and should you require any further information then please do not hesitate to contact me.

Yours sincerely

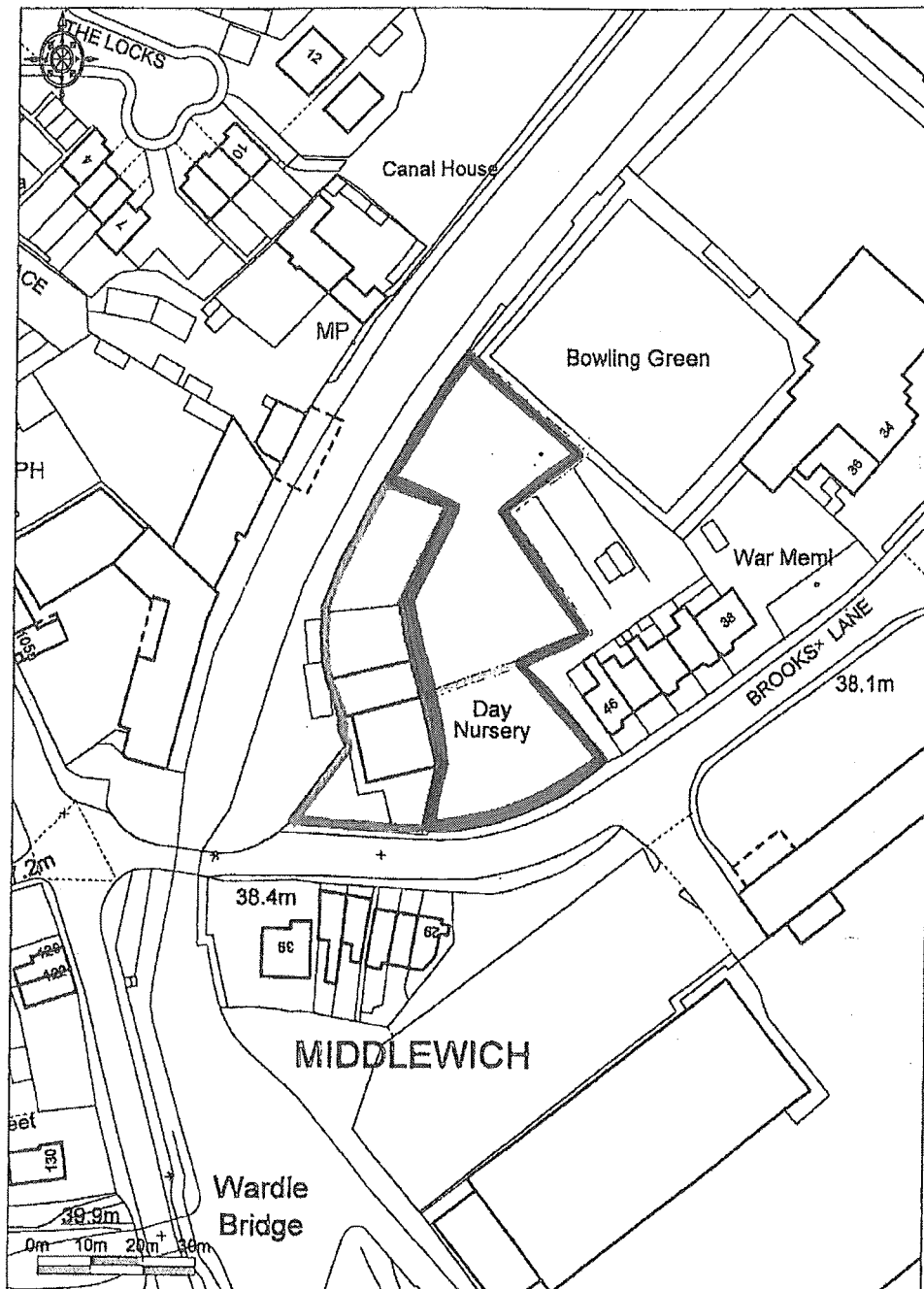
JON SUCKLEY
ASSOCIATE

Direct Line: 0161 831 5878

Email: jon.suckley@howplanning.com

cc: Bob Nicholson, Pochin Developments Ltd

enc: Pochin Developments Letter Dated 21.02.12



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Our Ref. TL/PDL018

21 February 2012

Ms Joanne Dutton
Spatial Planning Team
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

Dear Ms Dutton,

Cheshire East SHLAA – 2011 Update

I write further to the earlier representations made on our behalf by HOW Planning in relation to the above assessment.

I would like to take the opportunity to confirm Pochin Developments' intention to develop the sites at land off Brooks Lane, Middlewich (SHLAA ref: 2300); Pochin's Sports and Social Club, Brooks Lane, Middlewich (SHLAA ref: 2405); and land south of Brooks Lane, Middlewich (SHLAA ref: 2867) within 5 years.

We look forward to reviewing the updated SHLAA in due course.

Yours sincerely

Tom Loomes
Project Manager

DUTTON, Joanne

From: Duncan Gregory [d.gregory@gladman.co.uk]
Sent: 23 February 2012 18:37
To: DUTTON, Joanne
Cc: Kidd, Rosemary; HOUSE, Richard; FISHER, Adrian G (Planning & Housing); Martyn Twigg
Subject: CEC Draft SHLAA 2011
Attachments: 12-02-23 CEC HMP SHLAA Response.pdf; 12-02-09 CEC HMP Meeting note.pdf



Please find attached correspondence with comments on the draft SHLAA 2011 following the HMP meeting on 9th February.

I have copied this email to the HMP members to inform them of our views.

Please also find attached my draft notes from the meeting, if anyone would like to add anything please let me know.

Kind Regards

Duncan

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CEC Housing Market partnership Meeting 9th February 2012-02-20

Note of key points/issues from Cheshire East presentation & subsequent discussion.

Richard House (RH)
Vikki Jeffrey (VJ)
Rosemary Kidd (RK)
Joanne Dutton (JD)
Housing market Partnership members

Cheshire East Local Plan

The agenda for CEC is to have growth levels at or above RSS levels – in the order of 20 – 30 thousand new homes over the next 20 years.

Council claim to be pro-growth, and will provide a Local Plan centred around economic growth.

The Core Strategy will include strategic sites (sites in the order of 500 – 1,000 units).

The housing and employment projections/requirements are currently being reviewed in conjunction with Cheshire West and Chester Council. The results will be published prior to the next consultation.

Neighbourhood Planning

Plans being prepared for Alsager, Congleton, Middlewich & Sandbach, other towns to follow in Spring 2012. CEC are in discussions with Cheshire West & Chester with regard to growth in Middlewich in order to assess the directions for growth in a holistic fashion.

HMP questioned the Council about how the Neighbourhood Plans can be created prior to the adoption of the Core Strategy. RK confirmed that the Neighbourhood Plans were being used as a tool for local consultation and can not be considered as formal Neighbourhood Plans as defined by the Localism Act.

SHLAA & Housing Land Supply

Shortfall of delivery against RSS requirement. Council state that they want to deal with it towards the end of the plan period due to the state of the housing market.

HBF – can't use the economy as a reason for non-delivery. Won't meet the economic growth aspired towards. The RSS requirement is still part of the Development Plan and the plan period therefore runs from 2003 – 2021. The residual method for assessing and the annual requirement is the standard and approved methodology for calculating the five year housing requirement.

HMP member referred to former borough AMRs and Appeal Decisions where the residual method for calculating the 5 year requirement has been previously used.

RH – stated that the housing shortfall is not being ignored, but the council want to deal with it when the housing market picks up.

A number of HMP members stated that they disagreed with the Council's methodology, and that their opinion was that the shortfall should be made up in the short term.

Council claim that a significant number of windfall sites have historically made up a significant amount of housing sites.

Of the 1,970 units without planning permission the Council's claimed housing land supply 60% are sites that are in the planning process (pre-application discussions, subject to S106 etc.). Therefore means that 40% are not in the planning system.

Sites around Crewe – HMP questioned why the build out rates of sites around Crewe are so much greater than everywhere in the rest of the borough, & also questioned whether the housing market is actually better in Crewe than the rest of the borough. The delivery rates of the Crewe sites are in direct contradiction to what the Council are saying about the state of the market with regard to the housing shortfall issue.

Council state that the applicants have submitted these build rates and have agreed them in writing. Member of the HMP questioned the validity of the claimed build rates as the IPP requires a site to be demonstrably deliverable within 5 years in order to get planning permission. Also stated that no site is known to be delivering 100 dpa anywhere in the country at present, let alone Crewe. How can the delivery around Crewe be so much higher than the delivery rate of 15 – 25 dpa that is included in the SHLAA methodology and assumed to be a realistic delivery rate.

A consultant representing Taylor Wimpey stated that TW's site adjacent Crewe is expected to deliver 70 dpa based on 2 developers bringing the site forward.

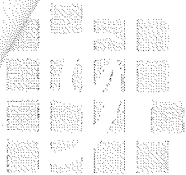
Sites included in the SHLAA

HMP stated that:

- sites without planning permission can not be considered deliverable.
- the number of sites without planning permission included in the 5 year land supply has increased from the 2010 SHLAA.
 - JD stated that sites are included within the SHLAA because they have been submitted for assessment by landowners and stakeholders, many of which are in the HMP. The Council believe that a number of the sites will come forward within 5 years and should therefore be included as deliverable.
- sites conceded at the Richborough Appeal are now included in the supply again.
 - RH – most have been removed, they are only considered deliverable again where the council have evidence to suggest this is the case.
 - Richborough representative stated that this evidence should be included in the SHLAA, otherwise the Council's word has to be taken for granted.
- Sites granted permission subject to S106 Agreements still remain from the former boroughs of Cheshire East.
 - RH – Sites granted subject to S106s where the council is still negotiating. Sites where negotiations have failed or stalled significantly are being taken back to Planning Committee for refusal.

- Should Employment sites be included as deliverable sites if the Core Strategy is going to be truly an employment led plan.
- Should Green Belt sites be considered deliverable or developable prior to a Green Belt review being undertaken.
- Sites that are considered 'suitable with policy change' & 'without planning permission' can not be considered deliverable at this moment in time - therefore exclude them from the 5 year housing land supply until such time as they can truly be considered deliverable.
 - JD - The Council believe that a number of the sites will come forward within 5 years based upon discussions with developers and should therefore be included as deliverable.
- SHLAA is being used to paint a better picture than actually exists. This is going to build up problems for the Council.
- HMP need a housing land supply assessment that is robust and transparent. The comments from the Draft SHLAA 2010 were not seen, so the HMP does not know what was taken in to consideration prior to the formal publication, and what was ignored.
 - RH – stated that the Council will try to circulate all of the comments received.

Duncan Gregory – Gladman Developments (13 February 2012)



GLADMAN

DEVELOPMENTS LIMITED

Our Ref:

23rd February 2012

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SENT VIA EMAIL ONLY

Dear Ms Dutton

Re: Housing Market Partnership – Draft SHLAA 2011

Following the Housing Market Partnership (HMP) meeting on the 9th February 2012 please find our comments on the Draft SHLAA below.

I understand from the discussion at the HMP meeting that there will be an opportunity for members of the HMP to formally 'sign off' the SHLAA following any subsequent amendments from this consultation, and all of the comments received will be made available to ensure transparency and to demonstrate that the amendments made are in line with the majority of comments received. We consider this to be essential due to the clear divergence of views between the opinions of the Council and the majority of members of the HMP regarding a number of issues.

The importance of the SHLAA containing a true, robust and truly deliverable housing land supply is crucial, particularly because of the Council's reliance on the 5 year housing land supply contained in the SHLAA at recent Appeals.

Annual Housing Requirement – Residual Method.

The RSS is part of the Development Plan for Cheshire East which sets a minimum requirement of 1,150 new dwellings per annum from 2003 to 2021. The undersupply from previous years completions should be made up in the next 5 year period. My colleague Martyn Twigg has written correspondence to CEC through the consultation on the Draft 2011 SHLAA stating that this is the correct method and provided examples of recent Appeal Decisions to demonstrate that this method of making up the shortfall is correct. I have enclosed a copy of previous correspondence to ensure that this is taken in to account.

Taking into account the shortfall against the RSS requirement from 2003 to 2011 the annual requirement should be 1,359 dpa if made up over the next 5 years, or 1,265 dpa if made up over the remainder of the plan period. It should not simply

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be ignored until the end of the proposed Core Strategy period, as there is absolutely no justification for this method as proposed by CEC.

Paragraph 4.11 of the CLG Land Assessment Checks (May 2009) states:

Authorities need to define the five-year dwelling requirement carefully in relation to the current guidance. CLG guidance in respect to the housing and planning delivery grant (HPDG) states that assessments should be:

"... based on current development plan (LDF or adopted RSS figures) – adjusted for historic over or under performance".

Whilst we are aware that this is not formal CLG policy, it provides guidance on best practice.

Sites included in the 5 year housing land supply

Whilst we have not had time to interrogate every single site identified as deliverable in the draft SHLAA due to the time and resource required, we are highly opposed to the inclusion of sites without planning permission (tables 6 & 7 of the draft SHLAA) within the 5 year housing land supply. To illustrate this point I would bring your attention to the Secretary of State's decision to allow 300 homes at Clayton-le-Woods (APP/D2320/A/10/2 140873). Inspector Elizabeth Ord considered this issue in great detail in her report into an appeal by FLP and in her report she stated ***'The tenor of the Practice Guide [SHLAA] is to require some positive evidence of delivery in order to conclude that there is a reasonable prospect of delivery within five years. The existence of a planning permission does not necessarily mean that a site is available or that all the permitted units will be built out'*** (paragraph 14.3 1). Self-evidently a land supply assessment that relies on such a large number of sites without planning permission should be treated with extreme caution.

There are 1,934 units without planning permission included within the 5 year land supply in the draft SHLAA 2011. When the sites in table 6 of the draft 2011 SHLAA are assessed against the 2010 SHLAA there are 30 sites where there is no change in the assessment of deliverable units from years 1-5 which equates to 872 dwellings (table enclosed). This provides a perfect demonstration of why sites without planning permission cannot be included in the 5 year housing land supply because there is absolutely no certainty when they will come forward. Sites cannot be rolled over on the basis the Council thinks (or hopes) they might be delivered at some undetermined point in time. Paragraph 34 of the DCLG SHLAA Practice Guidance states:

"Where it is unknown when a site could be developed, then it should be regarded as not currently developable..."

Paragraph 40 of the SHLAA Practice Guidance goes on to state:

"A site is considered achievable for development where there is a reasonable prospect that housing will be developed on the site at a particular point in time..."

As there can be no certainty when the 30 sites referred to above could be developed, and there can obviously be no reasonable prospect that these sites will be developed 'at a particular point in time' then they can not be considered to be deliverable as defined by the SHLAA Practice Guidance.

Furthermore, at the HMP meeting on the 9th February the Council stated that they believed to have evidence to demonstrate that 60% of these dwellings would be delivered within 5 years, which leaves 774 dwellings unaccounted for (which incidentally is not too dissimilar to the 872 units referred to above). If the Council does have specific evidence to demonstrate that the sites in tables 6 and 7 are deliverable then it should be provided within the SHLAA, rather than making the assumption that they are all deliverable unless third parties can demonstrate otherwise.

Methodology on Lead in time and build rates

The application of the lead in time for sites and build rates has not been consistently applied, particularly with regard to the sites adjacent to Crewe at Coppenhall East and Leighton West. The council is expecting these two sites to deliver a total of 725 dwellings in the next 5 year period despite both only being granted subject to S106 Agreements and therefore not having planning permission. In accordance with the SHLAA methodology both of these sites should be recorded as delivering a maximum of 50 dwellings within the 5 year period.

The council state that they have been provided with evidence from the developers or their representatives that these highly optimistic build out rates will be achieved. However, the wording of the IPP on the release of housing land is worded in such a way that requires sites to be delivered within 5 years, which encourages these optimistic claims. Without this evidence being available for scrutiny, the delivery rates from the SHLAA methodology should be applied to these sites.

Conclusions

We cannot support the publication of the draft SHLAA 2011 in its current form for the reasons given above.

The residual method for calculating the annual requirement should be applied to make up the shortfall at either 1,359 dpa if made up in the next 5 years, or 1,265 dpa if spread over the remainder of the plan period. Sites without planning permission should not be considered deliverable within the next 5 years. Coppenhall East and Leighton West should be recorded as delivering a maximum of 50 dwellings within the 5 year period. This reduces the 5 year deliverable supply to 2,489 dwellings.

Based on the above, a conservative assessment would suggest that that the supply is actually somewhere between 1.8 to 2 years and not 4.04 years.

As stated above we have not had time to individually assess each individual site in tables 1 to 5 of the draft SHLAA, and we reserve the right to undertake such an assessment if necessary in the future, without prejudice to the contents of this correspondence.

Yours sincerely

DUNCAN GREGORY

Planner

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Enc: Table comparing sites without PP to the 2010 SHLAA
Correspondence from Martyn Twigg to CEC dated 28 October 2011

Cc: HMP

Sites without Planning Permission for Housing - Comparison of Draft SHLAA 2011 & SHLAA 2010

Ref	Site Address	Draft SHLAA 2011 Years 1-5	SHLAA 2010 Years 1-5
251	Jeffries Factory (Phase 2), Betchton Road, Malkins Bank	28	28
429	Land off Mill Lane, Sandbach	34	34
906	Brockley, 9 Grove Ave, Wilmslow	14	14
1589	Land off Gutterscroft, Haslington	44	44
2017	Land to the rear of 5 Chapel Court, Nantwich	10	10
2119	Land at Bombardier Transportation Site, Dunwoody Way, Crewe (part 1)	50	50
2354	Former First Cartons, Sutherland Works, Bromley Road, Congleton	50	50
2361	Coalyard, junction of Brunswick Street and Brook Street, Congleton	17	17
2369	Land off Forge Lane, Congleton	18	18
2371	Cardway Cartons, Linley Lane, Alsager	50	50
2397	Land off Silver Street, Congleton	12	12
2405	Pochins Sports and Social Club, Brooks Lane, Middlewich	20	20
2847	Kermincham Hall, Forty Acre Lane, Swettenham, Holmes Chapel	25	0
2867	Land south of Brooks lane, middlewich	50	50
2872	Dingle Farm, Dingle Lane, Sandbach	12	12
2895	Coppenhall East, Remer Street, Crewe	325	0
2898	Gresty Green, Crewe	50	0
2921	Gresty Green Farm, Gresty Green Road	50	0
2965	Victoria High School, Crewe	50	50
2966	Lodgefields Primary School, Crewe	20	20
2968	Former health & fitness centre, May Street, Crewe	10	10
3063	Bank Street Works, Grenhills Close, Macclesfield	10	10
3068	Conservative Club, West Bank Road, Macclesfield	10	11
3092	Oxford Road Mill, Oxford Road, Macclesfield	12	12
3104	Vincent Mill, Vincent Street, Macclesfield	17	n/a
3111	Land to the rear of EARS Garage, Buxton Road, macclesfield	20	20
3119	Sutton Castings, Roe Street, Macclesfield	12	12
3133	Whittakers, Heapy Street, Macclesfield	28	28
3135	Green Street Depot, Macclesfield	17	17
3136	Priors Hill Children's Centre, Kennedy Avenue, Macclesfield	31	31
3148	Oaklands & Dean Roaw Schools, Tudor Road, Wilmslow (Wilmslow surplus schools)	13	40
3149	Handforth Hall, Hall Road, Handforth	50	50
3150	Land to north of Adlington Road, Wilmslow	50	50
3166	Ilford, Ilford Way, Mobberley	50	50
3170	Vernon Lodge, Weller Avenue, Poynton	30	30
3361	Land at Adlington Road, Bollington	14	14
3376	Leighton West (south east)	400	0
3402	Land at Moss Lane, Sandbach	48	48
3464	The Waterhouse Employment Site (Kay Metzeler), Wellington Road, Bollington	50	0
3535	Santune House, Rope Lane, Shavington	11	11
3585	St John The Baptist Church, Church Street, Bollington	11	n/a
3770	Land at Forge Lane, Water Tower 2, Congleton	12	n/a

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28th October 2011

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Dear Adrian

Draft Strategic Housing Land Availability Assessment (2011)

As a member of the SHLAA Task Group, we have now received the draft updated SHLAA and note that it contains a land supply assessment of 4.4 years.

I have real concerns about the methodology which has been used to establish this land supply and note in particular that it is the same as that contained in the previous SHLAA (which was 4.58 years) and which Mr House eventually conceded at Richborough's was incorrect. Mr House felt that the supply was 3.25 years at the Richborough Inquiry, against an assessment of 2.75 years presented by the Appellant. The Secretary of State considered the shortfall was significant.

The main area of concern relates to the inclusion of some 1,934 units on sites without planning permission (104 units of which are on sites in the Green Belt) and 893 units on sites that are subject to S106 Agreements in the supply.

To illustrate this point I would bring your attention to the Secretary of State's decision to allow 300 homes at Clayton-le-Woods (APP/D2320/A/10/2140873). Inspector Elizabeth Ord considered this issue in great detail in her report into an appeal by FLP and in her report she stated *"The tenor of the Practice Guide [SHLAA] is to require some positive evidence of delivery in order to conclude that there is a reasonable prospect of delivery within five years. The existence of a planning permission does not necessarily mean that a site is available or that all the permitted units will be built out."* (paragraph 14.31). Self-evidently a land supply assessment that relies on such a large number of sites without planning permission should be treated with extreme caution.

The assessment also includes a large component of small sites but without any discount for non-delivery – typically a reduction of 10% to 20% is applied. This may well be higher where site specific evidence exists.

Further, as RSS remains part of the development plan the annualised rate of 1,150 should be adjusted to reflect under delivery in the period 2003-2011 and the residual requirement to 2021 adjusted accordingly to provide the correct 5 year requirement (2011 to 2016). If this is not done, the under-delivery will never be addressed.

You may be aware that Cheshire West and Chester Council has critically re-appraised its land supply in the last 12 months on basis of applying best practice to include only sites with planning permission. This has resulted in the land supply falling from 3.8 years to 2.3 years.

I would therefore respectfully request that you reassess the land supply against best practice to avoid repeating the same situation which arose at the Richborough Inquiry where an officer of the Council was placed in the difficult position of having to concede that the published land supply of the Council was not correct.

An openness and willingness to take advice from others who have considerable experience of assessing land supply throughout the UK can only assist the Council. It is therefore pleasing that the draft SHLAA has been published to the Task Group and I hope that officers will be prepared to make changes even if these prove to be politically unpalatable. Unless this is done there is a real risk that public and private sector resources will be wasted in reassessing the land supply in future planning applications and appeals. There is also a risk that the public's confidence in the planning system will be undermined if the published land supply figure is subsequently proven to be incorrect.

I would be happy to meet with you to discuss these matters in the more detail, but in the meantime I trust that these comments are helpful. I have circulated my letter to SHLAA Task Group.

Yours sincerely

Martyh Twigg
Fox Land and Property

DUTTON, Joanne

From: Mark Sackett [mark.sackett@rpsgroup.com]
Sent: 23 February 2012 16:06
To: FISHER, Adrian G (Planning & Housing); DUTTON, Joanne
Cc: Eric Wood
Subject: JBB7357: Cheshire East SHLAA Response for Mosaic Estates
Attachments: JBB7357.B9969-230212-1550.pdf

Categories: SHLAA

Dear Adrian/Joanne
Please see attached letter on behalf of Mosaic Estates
Regards
Mark

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Our Ref: JBB7357/B9969

23 February 2012

Mr Adrian Fisher
Cheshire East Council
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Dear Mr Fisher

CHESHIRE EAST SHLAA 2011 UPDATE – RESPONSE ON BEHALF OF MOSAIC ESTATES

At the meeting of the Housing Market Partnership (HMP) on 9 February, Richard House confirmed that the Council had decided to invite HMP members to comment on the Draft 2011 SHLAA, following which the Council intends to review the comments and publish the final report. A period up to Friday 24 February has been allowed for such responses. This submission has been made by RPS Planning & Development on behalf of Mosaic Estates who have interests in the North West Nantwich urban extension area.

I have not undertaken a thorough analysis of the many individual sites but rather have sought to focus on more strategic considerations.

I share the concerns of other HMP members who consider that the draft 2011 SHLAA report significantly over-estimates the 5 year housing land supply and also calculates the 5 year housing requirement in a way that is fundamentally wrong, compounding the misrepresentation of the adequacy or otherwise of the 5 year supply. The scale of the housing shortfall is a very significant matter as it is central to the Council's current deliberations over whether and how to alter the Interim Planning Policy on the early release of housing land.

RPS, therefore, requests that the Council addresses the many concerns that have been raised by the HBF and other members of the HMP in order that a credible and robust SHLAA results in which there can be 'industry confidence'.

I am aware that others have requested a more thorough site scrutiny process and this would assist in reaching a more credible SHLAA report that can be accepted as a sound evidence base for the 'Local Plan'.

The principal matters of concern to Mosaic Estates and RPS can be summarised as:

- The backlog in provision between 2003 and 2011 should be included in the 5 year requirement in accordance with recent appeal decisions and accepted practice.

- Further scrutiny should be given to the claimed delivery rates for recently committed sites through the IPP on the edge of Crewe.
- Further consideration should be given to longer term delivery rates on larger sites where 25 dwellings per year is not credible and could result in unnecessary dispersal of sites (for example a 500 dwelling site would take 20 years to build if the 25/year rate were applied) where only sites of up to 400 dwellings might be contemplated.
- All sites should be scrutinised for genuine delivery in 5 years having regard to realistic site capacity (for example a permitted flatted development may only come forward through a re-plan for a much smaller number of houses as a viable scheme).
- The IPP Review should recognise the need for the net to be widened to facilitate sufficient early release of sites. The criteria should recognise that the Crewe growth agenda is not able in isolation to resolve the current supply shortfall and that other sustainable locations including Nantwich should be identified where there new housing is associated with job growth and infrastructure delivery, picking up on the key themes raised by communities.

Housing Requirement

The RSS housing requirement is part of the development plan. The requirement for Cheshire East to calculate its 5 year housing supply against the RSS housing requirement is a clear policy requirement.

Mr House acknowledged the scale of the housing delivery shortfall against the RSS requirement in his presentation. I also understood him to say that the shortfall should be added to the housing requirement in the Local Plan from the intended 2011 base date.

The issue between the Council and the HMP members is whether the shortfall should be included in full within the 5 year housing land requirement (ie whether the presumption should be that the housing trajectory should be allowed to 'get back on course' within the 5 year period. RPS contends that it is entirely wrong to seek to spread the shortfall over the residual of the plan period (whether it be 10 years to 2021 (RSS end date) or 2030 (indicative end date of emerging Local Plan)).

The approach of full inclusion of the shortfall within the immediate 5 year requirement is supported by recent appeal decisions and has become accepted practice.

Housing Supply

Delayed housing allocations where no planning permissions have been pursued should be closely scrutinised before they are included in the 5 year deliverable supply.

Non-implementation discounting of sites with permission but not under construction is supported. Similarly, discounting will be appropriate for sites where S106 planning obligations have not been concluded. Generally, uncertainty will be higher where planning permissions remain to be issued and therefore higher discounting rates should apply in the 'S106 pending' category. Annual SHLAA reviews will identify where there are significant delays in completing planning obligations.

The inclusion of sites without planning permission or a resolution to grant permission subject to S106 agreements being completed are yet more uncertain and should only be included exceptionally in RPS's view where there is clear evidence of delivery expectation. I note a suggested 'compromise position' on such sites from Richborough Estates is that "any site that was included within this category in the 2010 SHLAA but which has not come forward into the planning system in the 2011 SHLAA cannot be deemed deliverable by definition and should be excluded". RPS commends this approach.

RPS questions why the Council has not applied the 20% discount to small sites that it agreed at the first Sandbach appeal in February 2011 in the 2011 SHLAA.

Lead-in times & Build Rates

RPS challenges the SHLAA approach on build rates in two key respects. RPS does not accept the claimed delivery rates by site promoters for recently committed sites through the IPP on the edge of Crewe. There will be an evident lead period and no justification exists for claiming annual rates of 65 dwellings can be achieved at both Coppenhall East and Leighton West starting in April 2012 for 10 years, yet no planning permission has yet been issued. It is not clear to RPS why this rate has not been challenged by the Council other than for political expediency. The contrast with the hitherto 'accepted' methodology of a capped average rate of 25 dwellings on larger sites is most marked.

Notwithstanding, the untenable position on the edge of Crewe IPP site releases, which over-estimate expected yields, RPS also challenges the presumption on longer term delivery rates on uncommitted larger sites (allocations in waiting). The assumption that only an average of 25 dwellings per year will be completed on large urban extension sites is simply not credible. It would probably result in unnecessary dispersal of sites to seek to ensure delivery of allocations in the plan period. For example, a 1,100 dwelling site at North West Nantwich would take 44 years to build if the 25/year rate were applied) where only sites of up to 400 dwellings might be contemplated in a plan period with 15 or 16 years to run from adoption.

The larger sites will evidently be suitable for multiple developer delivery and the delivery of affordable housing to registered providers will accelerate yields as those units are not dependent upon market sales.

The methodology and process of production of future SHLAAs should be re-examined to ensure that individual site analysis is undertaken in accordance with the DCLG Practice Guidance and that the methodology is sufficiently robust to deal with larger sites effectively.

Implications for the Early Housing Release Interim Planning Policy

The agreed current IPP Review should recognise the need for the search 'net to be widened' to facilitate sufficient early release of sites to address the growing housing land supply shortfall in the 5 year period. The original IPP was approved against the background of a serious misrepresentation of the scale of shortfall at the end of 2010. The shortfall has since been agreed to be much more significant as a result of recent planning appeals which afforded close scrutiny of the land supply position.

New site assessment criteria are required which recognise that the 'Crewe growth' agenda is not able in isolation to resolve the current supply shortfall and that other sustainable locations including Nantwich should be identified where there new housing is associated with job growth and infrastructure delivery, picking up on the key themes raised by communities and explained in Rosemary Kidd's presentation at the HMP meeting.

Concluding Comment

I trust that these comments will be taken into account alongside others received and that the approval process of the SHLAA is suitably transparent. The SHLAA will receive close scrutiny through the plan-making process and if it approved by the Council on an unsound basis this is likely to undermine the robustness of the necessary review of the IPP on early housing site release and of the emerging development plan.

Yours sincerely

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SENIOR DIRECTOR
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Email: mark.sackett@rpsgroup.com

Cc E Wood – Mosaic Estates

DUTTON, Joanne

From: Mark Sackett [mark.sackett@rpsgroup.com]
Sent: 23 February 2012 16:08
To: FISHER, Adrian G (Planning & Housing); DUTTON, Joanne
Cc: Ken Hopkins; Aitken, Anthony
Subject: JBB7917: Cheshire East SHLAA Response on behalf of Mactaggart & Mickel
Attachments: JBB7917.B9970-230212-1551.pdf

Categories: SHLAA

Dear Adrian/Joanne

I attach our representations on the draft 2011 SHLAA on behalf of Mactaggart & Mickel.

Regards

Mark

Mark Sackett
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Our Ref: JBB7917/B9970

23 February 2012

Mr Adrian Fisher
Cheshire East Council
Westlands
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

Dear Mr Fisher

CHESHIRE EAST SHLAA 2011 UPDATE – RESPONSE ON BEHALF OF MCTAGGART AND MICKEL

At the meeting of the Housing Market Partnership (HMP) on 9 February, Richard House confirmed that the Council had decided to invite HMP members to comment on the Draft 2011 SHLAA, following which the Council intends to review the comments and publish the final report. A period up to Friday 24 February has been allowed for such responses. This submission has been made by RPS Planning & Development on behalf of McTaggart & Mickel who have interests in the Shavington Triangle at Newcastle Road, Shavington in the Greater Crewe growth area close to planned employment growth at Basford.

I have not undertaken a thorough analysis of the many individual sites but rather have sought to focus on more strategic considerations.

I share the concerns of other HMP members who consider that the draft 2011 SHLAA report significantly over-estimates the 5 year housing land supply and also calculates the 5 year housing requirement in a way that is fundamentally wrong, compounding the misrepresentation of the adequacy or otherwise of the 5 year supply. The scale of the housing shortfall is a very significant matter as it is central to the Council's current deliberations over whether and how to alter the Interim Planning Policy on the early release of housing land.

RPS, therefore, requests that the Council addresses the many concerns that have been raised by the HBF and other members of the HMP in order that a credible and robust SHLAA results in which there can be 'industry confidence'.

I am aware that others have requested a more thorough site scrutiny process and this would assist in reaching a more credible SHLAA report that can be accepted as a sound evidence base for the 'Local Plan'.

The principal matters of concern to Mosaic Estates and RPS can be summarised as:

- The backlog in provision between 2003 and 2011 should be included in the 5 year requirement in accordance with recent appeal decisions and accepted practice.
- Further scrutiny should be given to the claimed delivery rates for recently committed sites through the IPP on the edge of Crewe.
- Further consideration should be given to longer term delivery rates on larger sites where 25 dwellings per year is not credible and could result in unnecessary dispersal of sites (for example a 500 dwelling site would take 20 years to build if the 25/year rate were applied) where only sites of up to 400 dwellings might be contemplated.
- All sites should be scrutinised for genuine delivery in 5 years having regard to realistic site capacity (for example a permitted flatted development may only come forward through a re-plan for a much smaller number of houses as a viable scheme).
- The IPP Review should recognise the need for the net to be widened to facilitate sufficient early release of sites. The criteria should recognise that the Crewe growth agenda is not able in isolation to resolve the current supply shortfall and that other sustainable locations including Shavington should be identified where there new housing is associated with job growth and infrastructure delivery, picking up on the key themes raised by communities.

Housing Requirement

The RSS housing requirement is part of the development plan. The requirement for Cheshire East to calculate its 5 year housing supply against the RSS housing requirement is a clear policy requirement.

Mr House acknowledged the scale of the housing delivery shortfall against the RSS requirement in his presentation. I also understood him to say that the shortfall should be added to the housing requirement in the Local Plan from the intended 2011 base date.

The issue between the Council and the HMP members is whether the shortfall should be included in full within the 5 year housing land requirement (ie whether the presumption should be that the housing trajectory should be allowed to 'get back on course' within the 5 year period. RPS contends that it is entirely wrong to seek to spread the shortfall over the residual of the plan period (whether it be 10 years to 2021 (RSS end date) or 2030 (indicative end date of emerging Local Plan)).

The approach of full inclusion of the shortfall within the immediate 5 year requirement is supported by recent appeal decisions and has become accepted practice.

Housing Supply

Delayed housing allocations where no planning permissions have been pursued should be closely scrutinised before they are included in the 5 year deliverable supply.

Non-implementation discounting of sites with permission but not under construction is supported. Similarly, discounting will be appropriate for sites where S106 planning obligations have not been concluded. Generally, uncertainty will be higher where planning permissions remain to be issued and therefore higher discounting rates should apply in the 'S106 pending' category. Annual SHLAA reviews will identify where there are significant delays in completing planning obligations.

The inclusion of sites without planning permission or a resolution to grant permission subject to S106 agreements being completed are yet more uncertain and should only be included exceptionally in RPS's view where there is clear evidence of delivery expectation. I note a suggested 'compromise position' on such sites from Richborough Estates is that "any site that was included within this category in the 2010 SHLAA but which has not come forward into the planning system in the 2011 SHLAA cannot be deemed deliverable by definition and should be excluded". RPS commends this approach.

RPS questions why the Council has not applied the 20% discount to small sites that it agreed at the first Sandbach appeal in February 2011 in the 2011 SHLAA.

Lead-in times & Build Rates

RPS challenges the SHLAA approach on build rates in two key respects. RPS does not accept the claimed delivery rates by site promoters for recently committed sites through the IPP on the edge of Crewe. There will be an evident lead period and no justification exists for claiming annual rates of 65 dwellings can be achieved at both Coppenhall East and Leighton West starting in April 2012 for 10 years, yet no planning permission has yet been issued. It is not clear to RPS why this rate has not been challenged by the Council other than for political expediency. The contrast with the hitherto 'accepted' methodology of a capped average rate of 25 dwellings on larger sites is most marked.

Notwithstanding, the untenable position on the edge of Crewe IPP site releases, which over-estimate expected yields, RPS also challenges the presumption on longer term delivery rates on uncommitted larger sites (allocations in waiting). The assumption that only an average of 25 dwellings per year will be completed on large urban extension sites is simply not credible. It would probably result in unnecessary dispersal of sites to seek to ensure delivery of allocations in the plan period. For example, a 500 dwelling site at Shavington would take 20 years to build if the 25/year rate were applied) where only sites of up to 400 dwellings might be contemplated in a plan period with 15 or 16 years to run from adoption.

The larger sites will evidently be suitable for multiple developer delivery and the delivery of affordable housing to registered providers will accelerate yields as those units are not dependent upon market sales.

The methodology and process of production of future SHLAAs should be re-examined to ensure that individual site analysis is undertaken in accordance with the DCLG Practice Guidance and that the methodology is sufficiently robust to deal with larger sites effectively.

Implications for the Early Housing Release Interim Planning Policy

The agreed current IPP Review should recognise the need for the search 'net to be widened' to facilitate sufficient early release of sites to address the growing housing land supply shortfall in the 5 year period. The original IPP was approved against the background of a serious misrepresentation of the scale of shortfall at the end of 2010. The shortfall has since been agreed to be much more significant as a result of recent planning appeals which afforded close scrutiny of the land supply position.

New site assessment criteria are required which recognise that the 'Crewe growth' agenda is not able in isolation to resolve the current supply shortfall and that other sustainable locations including Shavington as part of Greater Crewe, avoiding Green Gap land, should be identified where there new housing is associated with job growth and infrastructure delivery, picking up on the key themes raised by communities and explained in Rosemary Kidd's presentation at the HMP meeting.

Concluding Comment

I trust that these comments will be taken into account alongside others received and that the approval process of the SHLAA is suitably transparent. The SHLAA will receive close scrutiny through the plan-making process and if it approved by the Council on an unsound basis this is likely to undermine the robustness of the necessary review of the IPP on early housing site release and of the emerging development plan.

Yours sincerely

C M SACKETT BA MSc MRTPI
SENIOR DIRECTOR
Direct Line: 0121 213 5533
Email: mark.sackett@rpsgroup.com

Cc K Hopkins - McTaggart & Mickel
A Aitken - Colliers

DUTTON, Joanne

From: Simon Artiss [simon.artiss@bellway.co.uk]
Sent: 23 February 2012 17:15
To: FISHER, Adrian G (Planning & Housing); DUTTON, Joanne
Cc: Andy Martin; Stuart Gray; Richard Barton; Sarah Manser
Subject: 2011 SHLAA Update - Bellway Homes Comments
Attachments: Cheshire East 2011 SHLAA Update 23 Feb 2012.doc

Categories: SHLAA

Please see attached - paper copy being posted.

Regards.

Simon Artiss

Planning Manager
Bellway Homes Limited (North West Division)
2 Alderman Road
Liverpool, L24 9LR

Tel: 0151 486 2900

Fax: 0151 336 9393

Mobile No. 07855 337232

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Date: 24 February 2012

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By Email & Post

Dear Mr Fisher

SHLAA 2011 UPDATE

Bellway Homes has previously commented on the following:

- Sub-Regional Housing Study
- Housing Strategy to 2016
- Interim Policies for Housing Release and Affordable Homes
- Core Strategy Issues (on 17/12/10)
- Place Shaping (29/9/11)
- Rural Issues (11/11)

We attended the Housing Market Partnership Meeting on 9th February 2012. We have not been an attendee on the SHLAA Steering Group as, for reasons not explained, we were not included in the membership, although we have expressed our disappointment and need to attend in any future SHLAA Group Meetings (as we are the only major house builder not invited).

Bellway Homes has the following sites within Cheshire East (this updates you on the current position re: delivery):

1. Canal Fields, Sandbach – this is minded to approve subject to S106 and due to delays caused by the local planning authority (LPA, due to availability of legal staff) this is not yet completed, although is well progressed. We have assurances from the LPA that this will be completed shortly and we intend

discharging all pre-commencement planning conditions and implementing this consent ASAP;

2. Gresty Green Farm, Crewe – this is minded to approve subject to S106 and we are currently assessing development costs/land values as this is an Optioned site with the landowner. Again, it is our intention to implement this consent;
3. Former Fisons Site, Holmes Chapel – this has the benefit of an outline planning permission and we seek to progress Reserved Matters ASAP in 2012;
4. Warmingham Lane, Middlewich – this site is currently within Open Countryside, as indeed was the recently consented 'The Green' site nearby. It is shown as a potential Residential Development Option in the Draft Middlewich Town Strategy Consultation (ongoing) and, given the LPA's 5 year supply and the need to deliver development in accordance with this evolving strategy, we consider this site to be suitable, available and deliverable and we aim to submit a detailed planning application accordingly ASAP in 2012.

As for your 2011 SHLAA Update, it needs to be based upon a realistic assessment and we support the comments submitted recently by the HBF (their most recent letter being 10th February 2012).

It is clear that the LPA has less than a 5 year supply: as to what that precise level of deliverable supply is, we will submit our case in support of any future planning application where it is required, but we are aware of the comments made by Richborough Estates in their letters to you of 3rd November 2011, 30th January and 21st February 2012, along with your response of 6th February 2012. That debate continues and we hope that the outcome will be a sound SHLAA as your Core Strategy requires a robust evidence base to deliver your present housing targets.

We share some of the concerns expressed regarding the delivery of sites and how the backlog should be dealt with, but as these points have been made already and you will need to consider these in your response, we see no need to make them again and will monitor accordingly.

Regards.

Yours sincerely

Simon Artiss
Planning Manager
(Mobile 07855 337232)

DUTTON, Joanne

From: Kidd, Rosemary
Sent: 13 February 2012 11:24
To: HOUSE, Richard; DUTTON, Joanne
Subject: FW: Canal Fields, Sandbach-Section 106 Agreement

The HMP meeting seems to have stirred up concerns about S106 agreements completed

Rosemary

From: Stuart Gray [mailto:stuart.gray@bellway.co.uk]
Sent: 13 February 2012 10:50
To: Evans, Daniel; Simon Artiss
Cc: IRVINE, Steve; Kidd, Rosemary; STRICKLAND, Alex; Andy Martin
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Hi Daniel

On Gresty as this is an option agreement we need to ensure that the S106 contributions and financial obligations that are upon us are in compliance with the financial terms of the option.

This is being looked at in detail and we would hope to come back to by the end of the month early March.

Regards

Stuart

From: Evans, Daniel [mailto:Daniel.Evans@cheshireeast.gov.uk]
Sent: 13 February 2012 10:46
To: Simon Artiss; Stuart Gray
Cc: IRVINE, Steve; Kidd, Rosemary; STRICKLAND, Alex
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Hi Simon,

I have left a message for Alex to give me a call regarding this and will get back to you as soon as I speak to him.

On another subject I was just wondering what was happening with the S106 for Gresty Green Farm (11/2212N)?

Regards

Daniel

From: Simon Artiss [mailto:simon.artiss@bellway.co.uk]
Sent: 13 February 2012 10:20
To: Stuart Gray; Evans, Daniel
Cc: IRVINE, Steve; Kidd, Rosemary
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Dan

As well as copying the email to Steve Irvine, I have also copied Rosemary Kidd as at last week's SHLAA Meeting with the Housing Market Partnership, there was considerable debate and scepticism that (in summary) sites with consents subject to a S106 that had not been completed for some time should not be included within the LPA's 5 year supply, and indeed Richborough Estates even referred to Rookery Bridge/Canal Fields when making this point. The LPA has already received an objection from the HBF to the SHLAA and we would have thought that getting this S106 signed

off, thereby releasing the consent for over 100 dwellings, is as much a high priority for the LPA as it is for us, and I can only reiterate the need to complete this AS SOON AS POSSIBLE PLEASE as these LPA-caused delays are clearly not helping anyone. Could you ensure that Alex has enough time this week to complete?

Regards.

Simon Artiss

Planning Manager
Bellway Homes Limited (North West Division)
2 Alderman Road
Liverpool, L24 9LR
Tel: 0151 486 2900
Fax: 0151 336 9393
Mobile No. 07855 337232

From: Stuart Gray
Sent: 13 February 2012 10:03
To: Evans, Daniel
Cc: Simon Artiss; IRVINE, Steve
Subject: FW: Canal Fields, Sandbach-Section 106 Agreement

Morning Daniel – is there anything you can do to assist here?

We have not had any response on this since we met on the 13th Jan despite assurances to the contrary. This is in addition to the fact we have never had an amended draft from Cheshire East since we submitted a draft S106 in July 2011.

Alex comments re the tenure split is utterly non sensible. We have an agreed position that these will be S/O as per the resolution to grant. The wording we have proposed is as per previously approved Cheshire East wording.

This application went to committee in August and due to nothing come out of legal services we debated in Oct / Nov whether to appeal for non determination. We were asked not to by Adrian and we agreed. The only thing I can say on this is that if we did, we would have an appeal date if not an appeal decision by now. This option to appeal is still open to us.

As such can you please provide assurances that this matter is being dealt with and a date as to when we will have an amended draft to review. Equally can I request (as we did some time ago) that if your legal services department are over worked this is sent to Stockport to handle?

I look forward to hearing from you as soon as possible.

Kind regards

Stuart

From: STRICKLAND, Alex [<mailto:Alex.Strickland@cheshireeast.gov.uk>]
Sent: 07 February 2012 18:03
To: Stuart Gray; David Burrows
Cc: Simon Artiss; Evans, Daniel
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Stuart,

Thanks for the note.

I think the point about the tenure split was simply that the details needed to be reflected in the draft and had not been so to date.

agree - there is no dispute between us on principles - it is a matter of getting the document put together, which I shall do as soon as I possibly can.

Thanks
Alex.

07890 686735

From: Stuart Gray [stuart.gray@bellway.co.uk]
Sent: 07 February 2012 16:30
To: STRICKLAND, Alex; David Burrows
Cc: Simon Artiss; Evans, Daniel
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Thanks Alex, on your tenure point:

1. The tenure is fixed as Shared Ownership – this is both reflected within our approved viability and also what was approved at planning committee.
2. This tenure split has been approved by Plus Dane who are likely to be our RSL on this project.

This is all reflected in our proposed wording that has been approved on numerous times by Cheshire East.

I hear what you say but am struggling to see where we are at odds and why this cannot be approved and engrossed?

Regards

Stuart

PS I have S106 agreements that have been approved by Cheshire East post planning committee at Canal where S/O is being utilized and agreed between us.

From: STRICKLAND, Alex [mailto:Alex.Strickland@cheshireeast.gov.uk]
Sent: 07 February 2012 16:14
To: Stuart Gray; David Burrows
Cc: Simon Artiss; Evans, Daniel
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Dear Stuart,

Thanks for the note.

I do apologise for the situation and will continue to do my best to resolve matters as soon as possible. Workload is an issue in that I am dealing with various urgent matters which tend to take priority, but I fully appreciate that this is not your problem. I would hope to be able to attend to it later this week.

I have of course, not invited the Affordable Housing Officer to 'reinvent the wheel' – but the tenures in the agreement do need to be split to be acceptable to an RSL and it is largely a matter of finding half a day to review and compile the material.

I shall be in touch shortly.

Thanks
Alex

07890 686735

From: Stuart Gray [mailto:stuart.gray@bellway.co.uk]
Sent: 07 February 2012 08:51
To: STRICKLAND, Alex; David Burrows
Cc: Simon Artiss; Evans, Daniel
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Morning Alex,

I am totally and utterly puzzled at this delay. This site has been to committee and approved. Our draft wording is wholly in line with the approved committee report.

This is not an open invitation for an affordable housing officer to reinvent the wheel. Can I request you provide the comments from the affordable housing officer and we will incorporate?

We are dealing with two other schemes where their respective applications have been determined post Canal Fields committee and we now have settled S106 agreements. This delay and the significant and endless list of previous delays in conjunction with you being our fourth solicitor since August 2011 are simply not fair on us as developer.

I would remind the council that we have been waiting on Cheshire East to perform on this site since 2008 and as such would hope that this S106 is top of the councils priority list. We agreed dates and timeframes at our recent meeting on the 13th January to work to and once again these are not been worked to by the council. If workload is an issue then as with other applications this one should have been farmed out to Stockport who have the capacity to work to a reasonable timeframe in conducting a S106 negotiation.

I look forward to hearing from you as a matter of urgency.

Regards

Stuart

From: STRICKLAND, Alex [mailto:Alex.Strickland@cheshireeast.gov.uk]
Sent: 06 February 2012 17:47
To: Stuart Gray; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Gentlemen,

Thank you for the email - and sorry that I have not got back to you on it.

Apologies - it is on my list! The delay at the moment is incorporating provisions on the split tenure issue, which although likely to be a 'cut & paste' job will take some time to sort out. I shall do my best to do it this week if at all possible.

Many thanks
Alex.

07890 686735

From: Stuart Gray [stuart.gray@bellway.co.uk]
Sent: 06 February 2012 13:16
To: STRICKLAND, Alex; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Morning Alex – when are we likely to receive the council's response on this?

Regards

Stuart

From: STRICKLAND, Alex [<mailto:Alex.Strickland@cheshireeast.gov.uk>]
Sent: 31 January 2012 00:38
To: Stuart Gray; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Gentlemen,

Just wanted to provide an update for you - in case you suspect things have gone (too) quiet!

I held a meeting with our Affordable Housing Officer on Thursday afternoon to discuss the amendments to the draft that are required in terms of splitting tenures etc. We hope to have the text agreed between us later this week and then I shall forward the revised draft to you for consideration.

Many thanks
Alex.

07890 686735

From: Stuart Gray [stuart.gray@bellway.co.uk]
Sent: 20 January 2012 11:04
To: STRICKLAND, Alex; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Cheers Alex !

Anything else you need please advise?

Regards

Stuart

From: STRICKLAND, Alex [<mailto:Alex.Strickland@cheshireeast.gov.uk>]
Sent: 20 January 2012 09:10
To: Stuart Gray; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Stuart,

Most welcome. It is still my intention to try and get this broadly agreed in the next day or two. I am due to review the complete draft agreement later today. I am awaiting a view from the Open Space people which I am chasing and should have shortly.

My colleague Rachel Goddard returns from sickness leave on Monday, but I intend to keep hold of this matter, so I can see it through to the end.

Thanks
Alex.

From: Stuart Gray [stuart.gray@bellway.co.uk]
Sent: 20 January 2012 08:32
To: STRICKLAND, Alex; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Cheers Alex and thanks again for your assistance.

Regards

Stuart

From: STRICKLAND, Alex [mailto:Alex.Strickland@cheshireeast.gov.uk]
Sent: 19 January 2012 17:28
To: Stuart Gray; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Stuart.

Thank you for that. I suspected that might be the case. I do not think it is a problem. I shall report it back to our Affordable Housing Officer.

Many thanks
Alex.

07890 686735

From: Stuart Gray [stuart.gray@bellway.co.uk]
Sent: 19 January 2012 16:11
To: STRICKLAND, Alex; David Burrows
Cc: Simon Artiss
Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

Alex unfortunately the answer would be a polite no.

The reasons being:

1. Planning have imposed an obligation upon us to provide 100% of the affordable units prior to occupation of the 50th dwelling. This is unfair in terms of phasing of private to Affordable but one we accepted so we could provide the affordable at an earlier point in time of the development. If the council want to reconsider this we can relocate half of the unit to the back of the scheme but this will delay delivering the affordable by 2 years. I presume this is not what the council or the affordable housing officer require???
2. The split of the units as required in the committee report means that these units are needed to be provided on this location.
3. The viability we provided to the council by DTZ that has been ratified by members was based upon them being located in this location.
4. Our preferred RSL partner Plus Dane have accepted the units in this location.

As such the location cannot be altered.

Regards

Stuart

From: STRICKLAND, Alex [<mailto:Alex.Strickland@cheshireeast.gov.uk>]

Sent: 19 January 2012 09:45

To: David Burrows

Cc: Stuart Gray; Simon Artiss

Subject: RE: Canal Fields, Sandbach-Section 106 Agreement

David,

Hope you are well.

Just to let you know, I have had a discussion with the Affordable Housing Officer. The main issue raised was with respect to the location of the affordable units marked on the plan which was tabled at the meeting. There is no problem with the affordable units being provided in clusters - but the question has been asked as to whether the middle cluster (marked purple) could be located elsewhere on the site ?

I can confirm that the proposed five year period is acceptable for the contributions. It appears that the monies will be expended quite quickly in any event, as there is a particular need for education monies to be applied within the Sandbach area.

I am awaiting a response from the Greenspace Officer on the Management Company issue and shall keep you posted.

Although I have been called away to an unavoidable meeting on Friday, it is still my intention to review the documents on Friday/Monday with a view to getting a draft agreed and returned to you, so that we can get matters resolved.

Best Regards
Alex.

07890 686735

From: David Burrows [djb@glaisyers.com]

Sent: 16 January 2012 08:51

To: STRICKLAND, Alex

Cc: Stuart Gray; 'Simon Artiss'

Subject: Canal Fields, Sandbach-Section 106 Agreement

Alex,

Further to our meeting last Friday 13 January 2012 as promised I attach a further clean version of the draft Agreement showing some further amendments in red line and strike for your approval.

Whilst the renewed momentum is there we need to wrap this up as quickly as possible and I believe that the flurry of e-mails to you from Stuart following our meeting and the various attachments are everything you now need to fully come back to us and accordingly I await hearing from you.

Regards

David Burrows
Partner

For and on behalf of **GLAISYERS SOLICITORS LLP**

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DUTTON, Joanne

From: Grant Dinsdale [grantdinsdale@gmail.com]
Sent: 19 February 2012 17:56
To: DUTTON, Joanne
Subject: RE: Representations on land at Fol Hollow/Waggs Road and Meadow Avenue, Astbury, Congleton
Attachments: 2012, 17 February APD Mr Pedley Congleton Reps 15 02 2012 Issued.doc; Additional SHLAA Reps.pdf
Categories: SHLAA

Please see attached.

Kind regards,

Grant

Grant Dinsdale
Dolphin Land & Development Consultancy Ltd
Mobile: 07971 762069
Office: 0161 408 1789
Skype: Grant Dinsdale

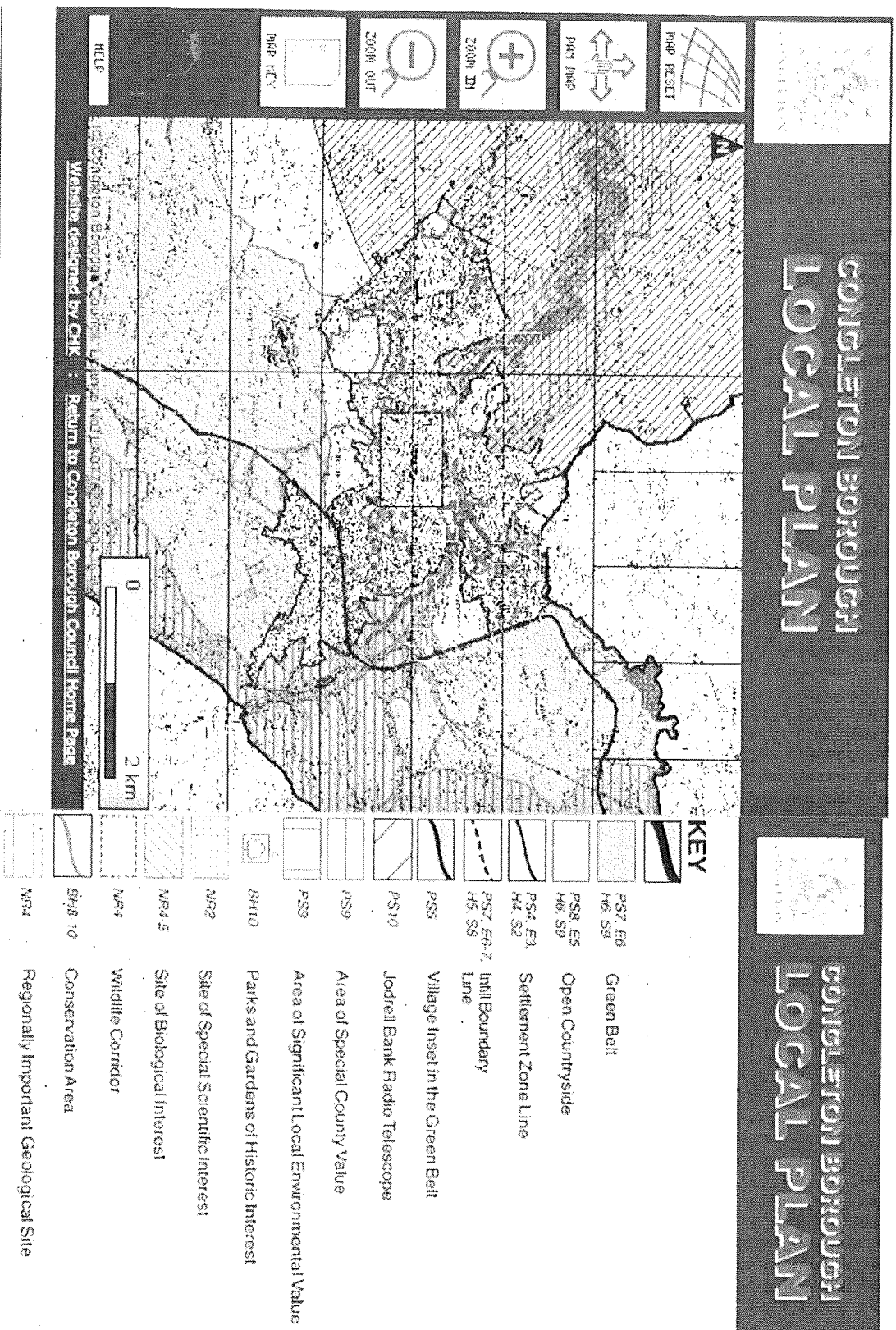
Office Address: Smithy Bank House, Willbank Lane, Faddiley, Nantwich,
Cheshire, CW5 8JG

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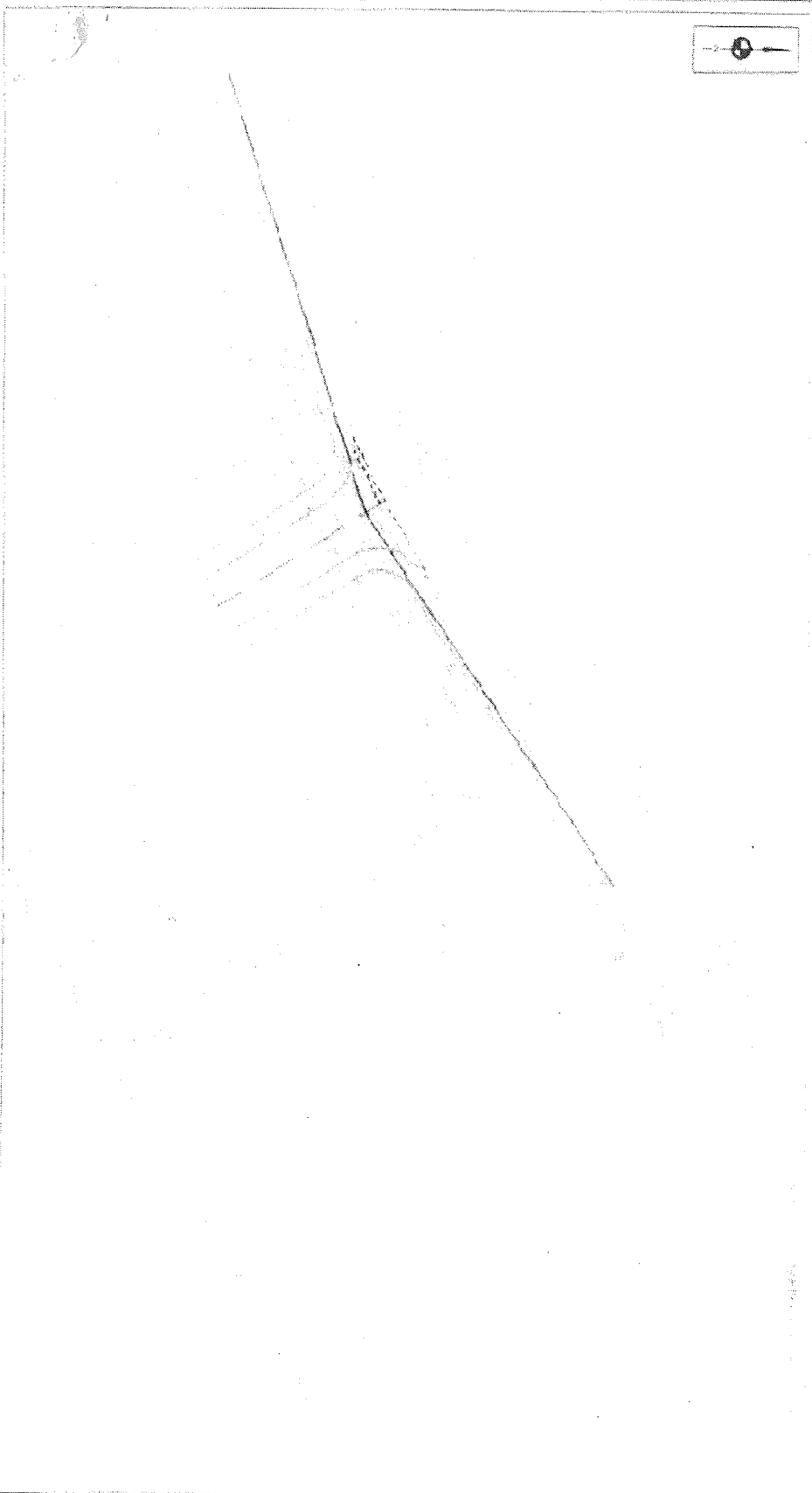

Appendix 1: Extent of Land Area



Appendix 2: Local Plan Map & Policies



Appendix 3: Access off Fol Hollow Road

							
SCP <small>Central Planning Services</small>		MASS ROAD ACTIVITY	ACCESS & PERMITTING	1500 ERM 07/11/2011	JC TR	UNAPPROVED PLANNING	SCOTT WISKI 07/11/2011

By: Email Only

Joanne Dutton
Spatial Planning Team
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

18th February 2012

Dear Mrs Dutton

RE: Representations on land at Fol Hollow/Waggs Road and Meadow Avenue, Astbury, Congleton

I am writing on behalf of my clients, Mr and Mrs R and Mr and Mrs D Pedley, to make representations on land within their freehold ownership at Waggs Road, Congleton (see **Appendix 1**). The site is 4.6 hectares/11.4 acres gross (approx) in area and is located in a sustainable location less than half a mile from Congleton Town Centre. We would estimate that some 4.25 hectares/10.5 acres approx is net developable. These representations evidence that the land is available, suitable, achievable and deliverable for residential development with immediate effect.

Site Overview

The land is an area of farmland adjoining the residential estate served by Meadow Avenue which forms part of the southern development boundary of Congleton. The farmland is classified as Grade 3 (subject to urban pressures) within the MAFF Agricultural Land Classification Map and has no farm buildings located within the holding. The farmland has had limited agricultural use over recent years due to the discontinuation of New Bank Farm for farming purposes and has subsequently deemed surplus to requirements for my client's farming activities.

Previous representations have been submitted on two parcels of land within this wider land area. These two areas are identified under reference 2321 in Cheshire East's Strategic Housing Land Availability Assessment (SHLAA). This representation relates to a larger parcel of land (see **Appendix 1**) which includes additional farmland to the south and west of the two land areas covered by the 2321 reference number in the Cheshire East SHLAA.

The land area is the most sustainable and logical expansion point when considering Congleton as a whole (see **Appendix 2**). The Congleton Local Plan Proposals Map identifies that:

- The land to the east of Congleton is constrained from development by the Green Belt allocation, Flood Zones 2 and 3, and sites of Biological Interest.
- Large areas of land to the south of Congleton lie within the Greenbelt.
- The land to the west of Congleton lies within the Jodrell Bank Radio Telescopes Consultation Zone and includes Areas of Special County Value, Sites of Biological Interest, and land areas within Flood Zones 2 and 3.

- Land to the north is also constrained by Green Belt and the Jodrell Bank Radio Telescopes Consultation Zone.

The site is an appropriate location for residential development for the following reasons:

- The land is in a sustainable location with good public transport and excellent pedestrian links to Congleton Town Centre, which is located only some 0.5 miles distant.
- Redevelopment of this land will fill in the land between the housing estate to the north east and New Bank Farm as a natural extension to the current built area of Congleton and will result in a more defined development boundary.
- The site has good connectivity with existing local facilities such as schools, recreation space, a post office and local shops (as defined in Cheshire East's Site 2312 proforma).
- Site access can be achieved from Waggs Road and/or Fol Hollow Road on the northern boundary of the site (see further detail below).
- The Congleton BC strategic Flood Risk Assessment (SFRA) identifies the land as lying within Flood Zone 1, "Low Probability. This zone comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding in any year (<0.1%)". PPS 25 states that "All uses of land are appropriate in this zone". We propose to supply an FRA Assessment reflecting PPS 25 guidance shortly to confirm this matter.
- The farmland is classified as Grade 3 (subject to urban pressures) within the MAFF Agricultural Land Classification Map and has no farm buildings within the holding. A preliminary overview of the landscape and ecology has confirmed that its value in these regards as "relatively low". We propose to supply a specialist report confirming this view shortly.
- On the basis of a preliminary review the land appears uncontaminated, with no environmental constraints that would hinder the proposed residential use of the site in the future.
- Connection to all mains utilities appears available at Waggs Road and Fol Hollow on the northern boundary of the western portion of the site.

Housing Supply

Release of the land for housing is necessary to deliver housing in the next 5 years as currently Cheshire East Council are not supplying enough housing to meet both the existing and projected future housing needs of the Borough.

Planning Policy Statement 3: 'Housing' (PPS3) requires Councils to identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years' supply of housing against their housing requirements; identify a further supply of specific, developable sites for 6 to 10 years; and, where possible, specific sites for years 11 to 15 years timeframe.

Cheshire East Council has repeatedly acknowledged that it does not currently have a 5 years supply of housing land. In the recently published 'Interim Planning Policy: Release of Housing Land' (February 2011) Cheshire East identified that they only have a 4.48 year supply of housing land available between April 2011 and March 2016 based upon the North West Regional Spatial Strategy's delivery target of 1,150 houses per year across the Cheshire East district. This was further reduced to 4.08 in their draft Annual Monitoring Report 2010/2011, and recently Cheshire East Council further reduced this figure in the Richborough Estates Appeal (Ref: APP/R0660/A/10/2140255, February 2011) to a Borough-wide estimate of 3.25 years. At the appeal, the Planning Inspector observed that **significant weight should be afforded to the sizeable shortfall in the Borough-wide housing supply in future decision making**. The draft Cheshire East SHLAA 2011 Update (January 2012) is the latest Cheshire East assessment that identifies

Cheshire East Council only has a 4.15 years supply of deliverable housing sites. Accordingly, Cheshire East Council needs to identify further housing sites if they are to meet their current 5-year housing target of 5,750 residential units. We would add, that we would seriously question whether the Council can demonstrate even the 4.15 years future housing supply it currently claims.

Housing Need

It is important to note that the Interim Housing Policy commits Cheshire East Council to providing an annual housing requirement of 1,150 dwellings based upon the North West Regional Spatial Strategy (2008) housing allocation, rather than being based upon a sound assessment of housing need in the Cheshire East Local Authority area. The Strategic Housing Market Assessment (September 2010) identifies housing need and states that the number of households in Cheshire East is expected to increase from 154,000 in 2006 to 191,000 by 2031, an increase of 24.2%. This equates to an average annual housing requirement of 1,480 households. Therefore, it follows that in order for the Council to base their housing growth on a sound evidence base the Council should aim to provide 1,480 households per annum Borough-wide, thus increasing the need for further housing allocations across the Borough.

Added to this growing need, housing completion figures in Cheshire East are currently well below the proposed adopted target of 1150 per annum. The current delay by Cheshire East Council in preparing its Core Strategy ('referred to as the 'Local Plan') and Site Allocations Development Plan Document is causing a severe shortfall in housing delivery. This shortfall currently stands at 650 units for the period 2010-11 and 634 units for the period 2009-10. Some informed estimates put the overall accumulated housing shortfall as being up to 4858 residential dwellings.

Furthermore, in the recent Housing Market Partnership (HMP) Meeting on 9th February 2012 significant concerns were raised by Members of the Housing Market Partnership with the methodology Cheshire East have employed as part of the 2011 SHLAA Update. James Stevenson of the Housebuilders Federation confirmed that Cheshire East's proposal to only include the 650 unit housing shortfall from the years 2010-2011 within their housing figures is completely 'unsound' and the shortfall figures should be reviewed and increased if the Council is to adequately serve their local community's housing requirements.

Cheshire East Council will also need to identify further housing sites in light of the draft National Planning Policy Framework (NPPF). The NPPF states a presumption in favour of sustainable development and places a requirement on Councils to plan positively for development and supply a flexible and response supply of housing, together with an additional 20% above the existing 5 years supply. Accordingly, Cheshire East will be charged with demonstrating a larger supply from 1 April 2012 when this proposal is implemented.

It is evident that Cheshire East Council's delay in preparing their Core Strategy ('Local Plan') and the 'Interim Planning Policy on the Release of Housing Land' (IPPRHL) produced in February 2011 is not and will not deliver the required housing land to meet its communities' needs. Cheshire East Council urgently needs to provide planning policy support and comfort to landowners and developers that they will support the release of significant greenfield sites in sustainable locations in order to address the current acute housing shortfall.

Congleton Neighbourhood Consultations

At the HMP meeting on 9th February 2012, Rosemary Kidd (Cheshire East Spatial Planning Manager) provided some very helpful feedback from the Congleton neighbourhood consultation panel that was established from October 2011 to January 2012 to review the Town's growth aspirations. The key message she identified from the Community was the need to create and retain jobs alongside housing growth to ensure that Congleton does not become a dormitory town. It follows, therefore, that Congleton will need to retain as much of its existing brownfield employment sites as possible, and release sustainable greenfield sites for housing to provide increased certainty over delivery of housing land. In addition, delivery of the currently classified 'deliverable' sites in the 2011 SHLAA Update is questionable on viability grounds given the significant decrease in the value of housing land since 2007 against the sharp increase in construction/land remediation costs.

Site Assessment

Planning Policy Statement 3: 'Housing' (PPS3) requires Councils to assess potential housing sites on the following grounds:

Availability

The site is available for development immediately. It is under the sole ownership of our clients who are not reliant upon any third party land to deliver housing on the site.

Suitable

The site is in a suitable location for housing development with excellent public transport links and pedestrian access to Congleton Town Centre. The site is located within a Flood Zone 1 area and has no known contamination or telecommunications restrictions.

SCP Transport undertook an "Access Feasibility Report" on the land in November 2011 which reviewed the potential highways accessibility options to the land identified in **Appendix 1**. The report concludes that the optimum location for a high standard of access would appear to be on Fol Hollow, some 30 metres west of 124 Waggs Road. The plan enclosed in **Appendix 3** shows the principle of an access that would be capable of serving up to 300 dwellings. Only some 150-200 dwellings are envisaged on the basis of the current land area. Whilst there is a level difference between Fol Hollow and the development area, there are no insurmountable difficulties in achieving a satisfactory gradient.

In light of the evidence presented above, the site is deemed suitable for residential development in the next 5 years.

Achievable and Developable

There is more than a reasonable prospect that the land is achievable and housing will be delivered within the next 5 years. Accordingly, the land should be allocated for housing in the Core Strategy ('Local Plan') and Site Specific Allocations DPD but the current delay in updating Cheshire East's housing policies should not hinder the early delivery of this very sustainable site through the planning system.

Conclusion and Next Steps

The above analysis evidences that the land identified in **Appendix 1** is available, suitable, achievable and developable with no physical constraints that would prohibit its early delivery for future housing. Accordingly, the site should be identified within Cheshire East's Strategic Housing Land Availability Study as deliverable within the next 5 years.

We anticipate that we will be instructed to contact your Planning Department in the near future to engage in pre-application discussions to discuss how the future housing scheme will address the key housing policy objectives outlined in its adopted Local Plan and supplementary planning documents.

We trust that the foregoing is of assistance. Obviously, please do not hesitate to contact us should you wish to discuss any matter further. In the meantime, however, I would be grateful if you would please confirm safe receipt of this correspondence and that its content will be appropriately recorded and considered as part of the current SHLAA process.

Yours sincerely,

Grant Dinsdale
For and on behalf of DLDC

Encl.:

- *Appendix 1 – Plan identifying Extent of Land Area*
- *Appendix 2 – Extract from Congleton Local Plan Proposals Map*
- *Appendix 3 – Plan identifying Access off Fol Hollow/Waggs Road*



Spatial Planning Team
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

By post

let.004.JL.RH.04030028

21 February 2012

Dear Sir/Madam

**Strategic Housing Land Availability Assessment (SHLAA) 2012
Site Representation: Land west of Padgbury Lane, Congleton**

We write on behalf of Seddon Homes Limited in response to the consultation being undertaken by the Council to inform the production of the SHLAA 2012 and identification of future housing sites.

The company has an interest in land west of Padgbury Lane, Congleton for which representations have been made to identify the site as suitable for residential development. Notwithstanding the information submitted to the Council, it is disappointing to see that the site has been identified as 'not being developable' in the recent assessment (see enclosed SHLAA Assessment Refs: 2551, 2546 and 2545).

The purpose of this letter is to encourage the Council to reassess the site based on our factual assessment of its deliverability.

Site and Surroundings

The site is greenfield and extends to circa 17.6 Ha in size, it could deliver up to 529 dwellings based on a modest density calculation. **Seddon's control the majority of the site through a long term Option and there is significant interest from landowners and developers to bring it forward for residential development.**

The site is currently identified in the saved Congleton Borough Local Plan as open countryside, and is bounded to the east by the settlement zone boundary and existing residential areas.

Safe vehicular and pedestrian access could be achieved from access points off Padgbury Lane where there are two regularly served bus stops which provide access to the town centre.

The surrounding area is predominantly residential to the east and agricultural to the west and it lies approximately 1.6km from Congleton Town Centre.

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FCA FCAI MBIM MPM FRSA

John Spain
BBS MRUP MRCS MRTPI MIP

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and Dublin

Development Potential

We set out below a brief justification to demonstrate how the site meets the PPS3 deliverability criteria of being available, suitable and achievable.

Available

The Council has disregarded the availability of the site as 'marginal/uncertain'. We can assure that Council this is incorrect as Seddon's currently have an Option agreement for the majority of the land and are in a position to progress with development subject to securing planning permission.

In addition, trees subject to TPOs which boarder the site and existing ponds onsite could easily be incorporated into a potential scheme as part of its natural landscaping.

There are no known external factors that would render the site unavailable.

Suitable

The Council recognise that the site could be suitable with policy change. However, its development would meet the wider strategic objectives of planning policy by enhancing a sustainable mixed community whilst meeting the local housing (and affordable) needs of Congleton.

Development at the site would have good access to public services (i.e. schools and healthcare), leisure and retail facilities, and access to public transport. There is the potential to integrate any future development of the site with the existing developed area without having a detrimental impact on neighbouring residential amenity or unduly affecting the integrity of the surrounding open countryside or green belt. The wider identified site could be easily integrated into the settlement zone boundary without setting an unacceptable precedent for encroachment into the open countryside.

The Council refer to air quality, flood risk, Jordell Bank, topography and trees as physical issues which constrain the site. These issues are simply not significant enough, either on their own or collectively, to constrain the potential of a sustainable residential scheme. Furthermore, Congleton's Employment Land Review (November 2010) reiterated that the site is predominantly flat, most suitable for residential development and not unduly constrained by issues of air quality, flooding and its proximity to Jordell Bank.

In particular, issues of flooding and air quality management are not perceived to be an issue due to the sites characteristics but would, in any event, be robustly assessed and mitigated as part of any potential planning application.

Achievable

Seddon Homes Ltd has an Option out on the land that would allow them to bring the site forward for development subject to securing planning permission. Due to the location and extent of the land already in Seddon Homes Ltd ownership/interest, there are no irresolvable constraints to site access.

The opportunities and constraints of the development potential of the wider site have been assessed and Seddon Homes Ltd is confident that, subject to securing an appropriate planning permission, there is a realistic likelihood that a viable development could be commenced in the short to medium term.

Summary

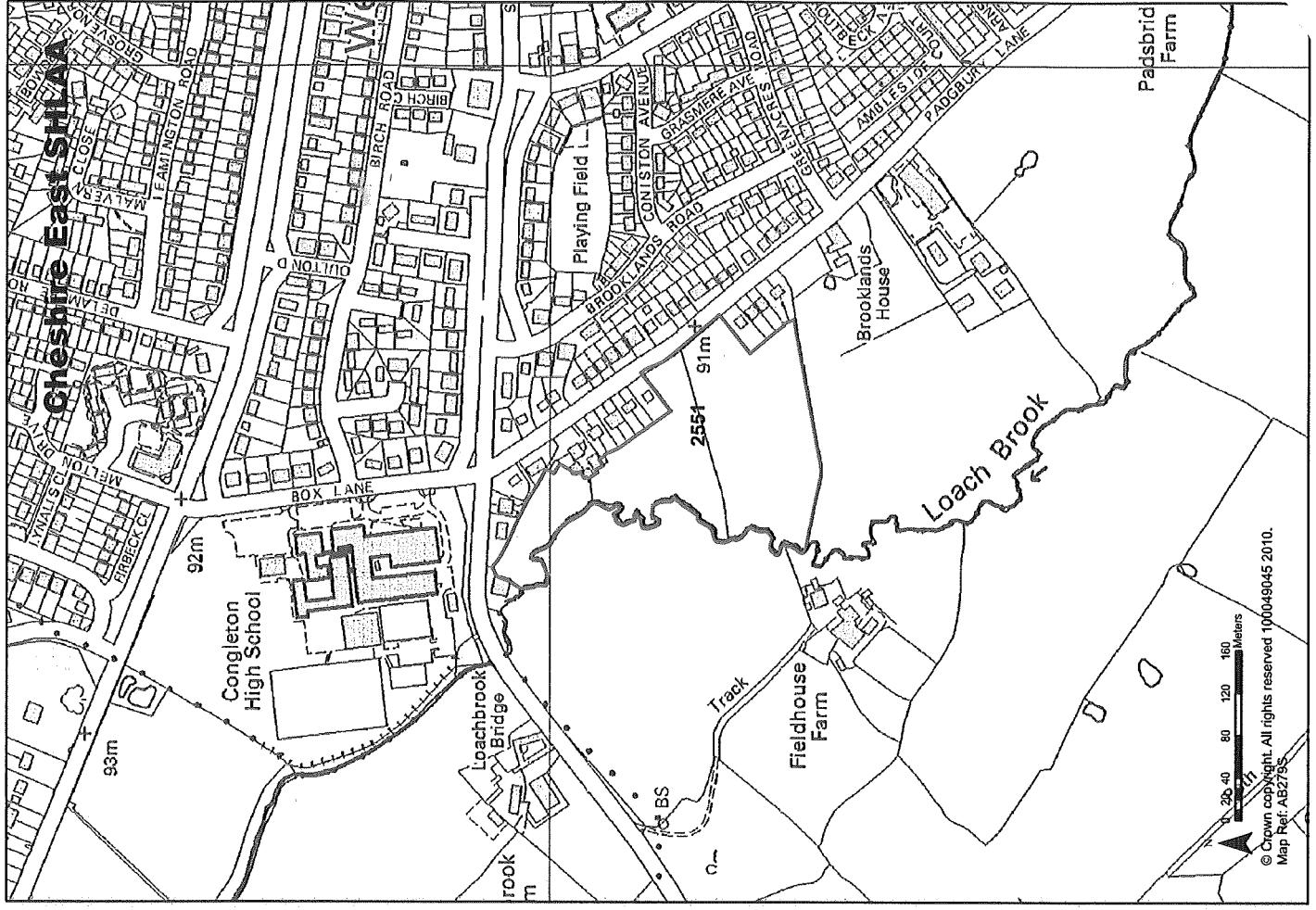
Having regard to the above, we can confirm that the land west of Padgbury Lane is suitable and available for residential development and would urge the Council to be more realistic about the prospects of the site in the forthcoming SHLAA 2012 and other related planning policy documents. To this end we request that the site be re-defined as available.

Yours faithfully

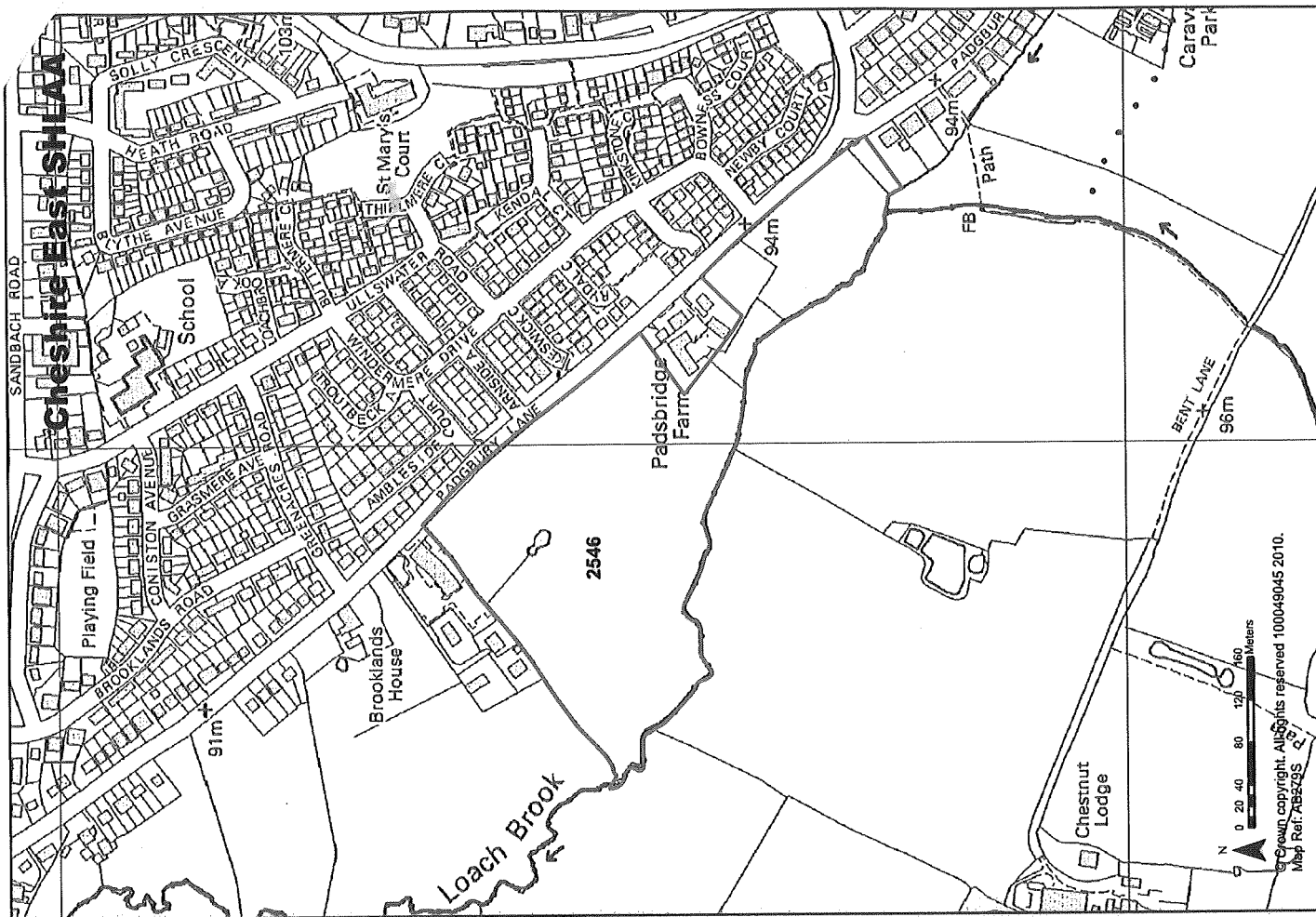
Clare Bland

Enc: SHLAA Assessment Refs: 2551, 2546 and 2545
cc: Seddon's Homes Limited

Ref	2551	Site Address	Land west of Padgbury Lane, Congleton
Town / Rural	Congleton - Edge / Extension	Easting	383694
Site Description	Agricultural land.	Site Size Net (Ha)	3.59
Character of Area	Open countryside and residential.	Potential Capacity	108
Surrounding Land Uses	Agriculture/grazing and residential.	Potential Net Capacity	108
Physical Constraints	The site lies within the Jodrell Bank consultation zone and Flood Zones 2 and 3. Slight slope to site. Trees and hedges present on site and to boundary. Potential air quality issues.		
Policy Restrictions	Open countryside, area of special control for adverts. Surface water runoff should be calculated in accordance with Environment Agency guidelines.	Potential Density	30.08
Managing Constraints	Consideration of biodiversity and flood risk. Production of an Flood Risk Assessment. Consultation with Jodrell Bank. Air quality assessment may be required (size of development, proximity to AQMA).	Determination of Capacity	Density multiplier
Sustainability	Greenfield site is close to existing bus route and within walking distance of a secondary school.		
Accessibility	Access possible.	Total Completions	0
Other Information		Losses Completed	0
Brownfield / Greenfield	Greenfield	Remaining Losses	0
Suitability	Suitable - with policy change	Current Year	0
Availability	Marginal / Uncertain	Years 1-5	0
Achievability	Not Achievable	Years 6-10	0
Deliverability	Not currently developable	Years 11-15	0
Development Progress	SHLAA Site		
Application Number:			



Town / Rural	Congleton - Edge / Extension	Easting	383983	Northing	362433
Site Description	Agricultural land.		Site Size Net (Ha)	8.61	
Character of Area	Open countryside and residential		Potential Capacity	259	
Surrounding Land Uses	Agriculture/grazing and residential		Potential Net Capacity	259	
Physical Constraints	The site lies within the Jodrell Bank consultation zone and Flood Zones 2 and 3. Pond on site. There are TPO's bordering the site. Slight undulation to site. Potential air quality issues				
Policy Restrictions	Open countryside, area of sepcial control for adverts. Surface water runoff should be calculated in accordance with Environment Agency guidelines.		Potential Density	30.08	
Managing Constraints	Consultation with Jodrell Bank. Consideration of flood risk and production of Flood Risk Assessment. Consideration of biodiversity. Production of Protected Species Survey. Air quality assessment may be required (size of development, proximity to AQMA).		Determination of Capacity		Density multiplier
Sustainability	Site close to bus route.		Total Completions	0	
Accessibility	Access is possible.		Losses Completed	0	
Other Information			Remaining Losses	0	
Brownfield / Greenfield	Greenfield				
Suitability	Suitable - with policy change		Current Year	0	
Availability	Marginal / Uncertain		Years 1-5	0	
Achievability	Not Achievable		Years 6-10	0	
Deliverability	Not currently developable		Years 11-15	0	
Development Progress	SHLAA Site				
Application Number:					



Ref 2545 Site Address Land west of Padgbury Lane, Congleton

Town / Rural Congleton - Edge / Extension Easting 383694 Northing 362767

Site Description Agricultural land. Site Size Net (Ha) 5.37

Character of Area Open countryside Potential Capacity 162

Surrounding Land Uses Agriculture/grazing and some residential. Potential Net Capacity 162

Physical Constraints The site lies within the Jodrell Bank consultation zones and Flood Zones 2 and 3. There is a footpath through the site. Slight slope to site. Trees on site. Potential air quality issues.

Policy Restrictions Open countryside, area of special control for adverts. Surface water runoff should be calculated in accordance with Environment Agency guidelines. Potential Density 30.17

Managing Constraints Consideration of flood risk and production of Flood Risk Assessment. Consultation with Jodrell Bank. Consideration of accommodation or relocation of footpath. Consideration of biodiversity. Air quality assessment may be required (size of development, proximity to AQMA). Determination of Capacity Density multiplier

Sustainability Site within walking distance of a primary school.

Accessibility Access is possible. Total Completions 0

Other Information Losses Completed 0

Brownfield / Greenfield Remaining Losses 0

Suitability Suitable - with policy change Current Year 0

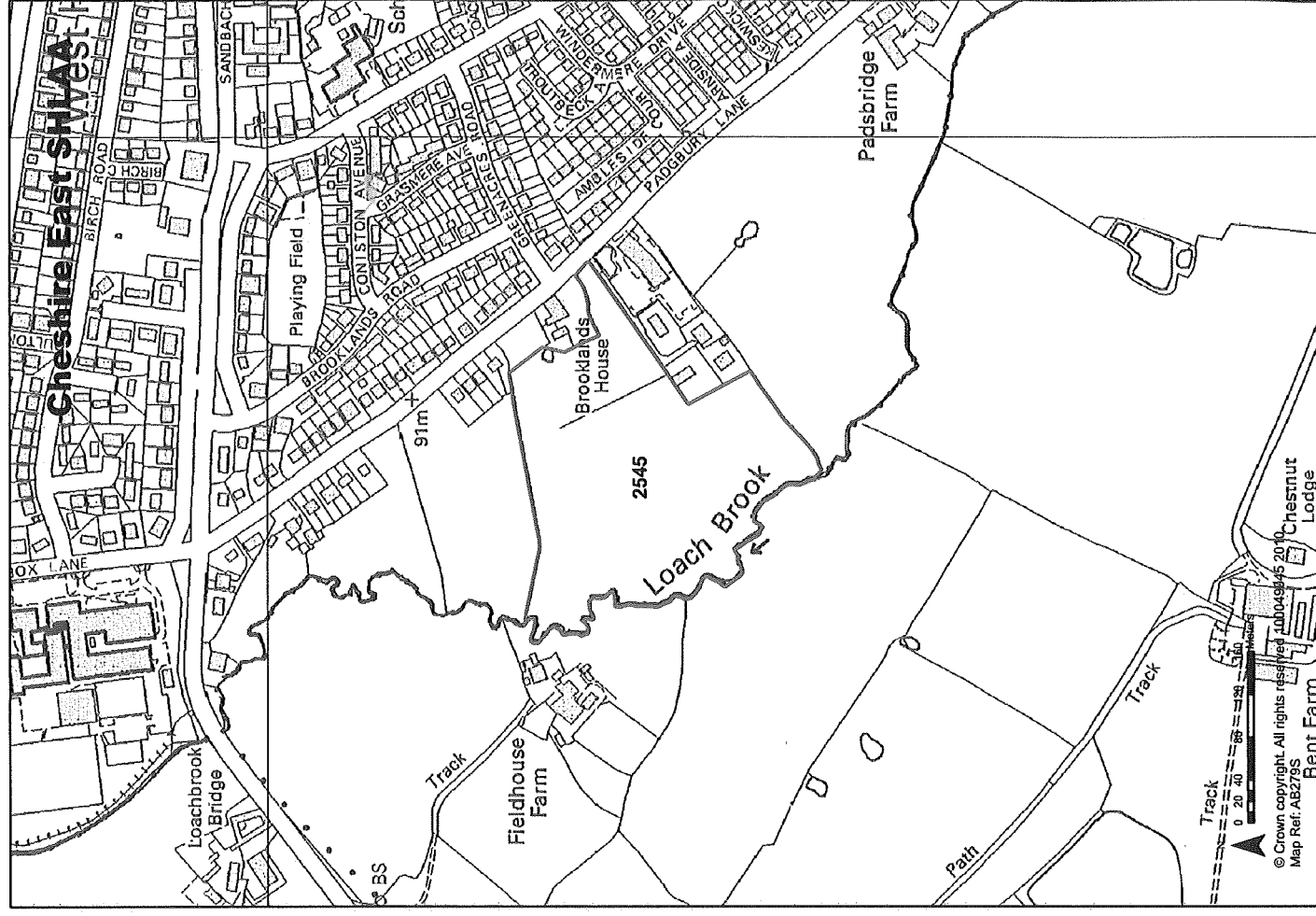
Availability Marginal / Uncertain Years 1-5 0

Achievability Not Achievable Years 6-10 0

Deliverability Not currently developable Years 11-15 0

Development Progress SHLAA Site

Application Number:



27 FEB 2012
AW



HJ/006tp2873/BIR.3790

E-mail: haydn.jones@pegasuspg.co.uk

23 February 2012

Mr Adrian Fisher
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

Dear Mr Fisher

Cheshire East Draft SHLAA 2011

As you are aware Muller Property are members of the Housing Market Partnership (HMP); and further to the HMP meeting of the 9th February 2012, at which Muller representatives were present, we have been instructed by the company to make representations in respect of their concerns about the draft 2011 SHLAA.

Failure to Account for Historical Undersupply

The draft SHLAA contains a five year assessment, and notwithstanding concerns over certain elements that make up the Council's suggested supply, it fails to take into account previous under-supply within the Local Plan period.

It is universally recognised, including by the Secretary of State, planning inspectors, local planning authorities and the private sector, that five year supply assessments need to take into account any historical over or under-supply within the relevant Plan period. There is now a significant body of appeal decisions where this has been established. The draft 2011 SHLAA is therefore out of step with this approach.

Commonsense says that if one continually overlooks under-supply from previous years then a local planning authority will simply not achieve their housing requirement. Some appeal decisions have suggested that such an approach is a failure to manage housing land. The particular circumstances within Cheshire East are that the Council has been under-supplying since April 2008. Although earlier completions meant that the supply was generally balanced until March 2010, since that point in time Cheshire East has been significantly under-providing. Even if the Council do move the Local Plan base date to April 2010 this still means that the significant recent under-supply will be within the new Plan period and needs to be taken into account.

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Whilst it appears the Council are suggesting that any under-supply will be caught up with in the Local Plan this is simply not good enough because we understand that the timetable has slipped again and that no public consultation is expected until early 2013. Even if this new timetable remains on track it is likely that the Plan would not be adopted for a further year (2014) and therefore it could well be by that time the Plan period is already four years old, of which at least two of these will have a significant undersupply and perhaps all four years. Clearly under-supply needs to be taken into account now.

Not only does the 5 year assessment fail to take into account under-supply but it also uses a period between 2012 and 2017, and as such does not include the current year. However, this approach seems to be contradicted by the reference in Paragraph 2.2 of the draft SHLAA where it says that the baseline date is the 31st March 2011 and that the phased release of sites will be over periods of five years from this base date. In addition Paragraph 3.14 states that the previous five years ran from April 2006 to March 2011. Both of these references would appear to indicate that the next five year period should be from 2011 to 2016 as opposed to 2012 until 2017.

The 2011 SHLAA needs to take a pragmatic approach to the five year supply situation whereby the historical undersupply is taken into account. Without this (or indeed a realistic assessment of the actual supply) the Council will continue to struggle to defend their position at appeals.

Crewe Delivery Rates

As the Council is aware Muller and other members of the HMP has reservations about the Coppenhall East and Leighton West sites. Clearly the proposed delivery rates in the draft SHLAA for these two sites conflict with the SHLAA methodology.

It became apparent at the HMP meeting that these are the only two sites where the draft SHLAA has departed from the delivery rate methodology and the Council's evidence for this is simply based on the view of the sites' developers. No account appears to have been taken of the fact that neither planning permissions have been granted at the current time, the infrastructure lead-in times needed or that bringing so many dwellings onto the market at the same time in such a small geographical area will have an impact on sales.

The point of having a delivery rate methodology in the SHLAA is so that all sites are assessed on the same basis. There is no justification for departing from this and if the 2011 SHLAA continues to use these much higher completions for the two sites then the whole concept of a methodology simply lacks any credibility.

Sites without Permissions and Small Sites

At the HMP meeting there was concern over the reliance in the housing supply on sites without planning permission and small sites.

On the basis of the draft SHLAA's five year requirement (although as noted above we disagree with it as it fails to take into account the under-supply), over a third of the supply is made up of sites without permission. It is interesting to note that in an appeal decision issued this week in Solihull the Inspector, in granting permission, dismissed sites proposed in the draft Local Plan from the five year land supply position. This was on the basis that the emerging Solihull Local Plan was only draft, yet to be subject to further consultation, representations and an EiP. At the time of the Inquiry the draft Solihull Local Plan was at a stage between Issues and Options and Pre-Submission (the document was called 'Emerging Core Strategy') so it was actually one stage ahead of the current Cheshire East situation.

As the Council will be aware Pegasus Planning Group act for Richborough Estates in their Hind Heath Road appeal. We note that contrary to the 20% discounting of small sites agreed at that Inquiry, the draft SHLAA uses a figure of 10%. It is not clear as to why the SHLAA now uses a different figure to that agreed by the Council's witness in front of the Hind Heath Road Inspector.

Existing Employment Sites

Muller are concerned about the redevelopment of good quality employment sites for residential development.

These form part of the overall mix of land uses within an area and are a valuable part of the local economy. Current policy seeks to protect good quality employment sites; and their release, and any subsequent inclusion into the housing land supply, should not been seen as an easy 'win' simply because they are previously developed.

In conclusion it is considered that in its current format the draft SHLAA is not a robust document that would stand up to future scrutiny. It has a base date of 31st March 2011 but it cannot have escaped the Council's notice that we are fast approaching the 31st March 2012, which presumably will be the base date of the next version of the SHLAA. It is suggested that the draft 2011 SHLAA should have been signed off months ago.

We understand that if the HMP members cannot agree on a finalised 2011 SHLAA the Council may seek to recover ownership of the document. If this indeed turns out to be the case then in our view this will remove any independent verification of not only this version but future SHLAA's, which in turn will only undermine its status.

I trust these comments will be taken into account and the draft SHLAA amended to reflect them.

Yours sincerely

HAYDN JONES
Associate

c.c. Colin Muller – Muller Property

27 FEB 2012

AW

Manchester

Reference: RP/12603/L004m

24 February 2012

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Dear Adrian

**Cheshire East SHLAA 2011 Update
Additional Representations by David Wilson Homes North West**

I write to you on behalf of David Wilson Homes following the invitation at the Housing Market Partnership meeting on 9 February to allow developers to submit further representation to the 2011 SHLAA Update.

David Wilson Homes wishes to make specific representation to support the inclusion of two sites, Land at Shavington Hall, Shavington and Land at Rear of 56-86 Sydney Road, Maw Green, Crewe. Red line plans are enclosed that identify the two sites. David Wilson Homes also wishes to make further general comment on the calculation of housing land requirement in response to the HMP meeting on 9 February.

Land at Shavington Hall, Shavington

The land at Shavington Hall is considered suitable, available, achievable and deliverable in the short-term to provide in the region of 70 units at a rate of 30-35 dwellings per annum. David Wilson Homes has held a pre-application meeting relating to the site and considers that, subject to a subsequent grant of planning permission (application will be lodged in Spring 2012), that development could start within 12 months on site. Delivery can therefore support housing supply within years 2013 and 2014, assisting the Council in meeting its rolling five year housing requirement.

This site is only a proportion of the presently identified SHLAA Site 2911. As it is separate control of David Wilson Homes and can be considered available in the 0-5 year timeframe, it should be separately identified within the SHLAA, as per the enclosed plan.

In summary, David Wilson Homes seeks specific identification of the land at Shavington Hall as a separate site within the SHLAA Update; that it is available, achievable, deliverable and suitable in the short-term 0-5 year period for the capacity of circa 70 dwellings.



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Land at Rear of 56-86 Stanley Road, Maw Green, Crewe

The land at Maw Green is recognised with the SHLAA Update as Site 3025. David Wilson Homes has control of the site and can therefore be considered suitable, available, achievable and deliverable in the short-term 0-5 year period to provide approximately 35 units. Subject to a grant of planning permission units could be delivered within 1-2 years.

David Wilson Homes considers that the constraints set out within the present Site 3025 SHLAA are capable of being addressed for matters of traffic generation and sustainable links within a planning application.

David Wilson Homes supports the continued inclusion of Site 3025 within the SHLAA but updated to reflect the greater certainty on deliverability, completion rate and capacity within the 0-5 year period and not 6-10 years as presently assumed.

Housing land requirement

You will be aware of the letter sent by James Stevens, HBF, dated 10 February 2012 regarding the calculation of the residual housing land requirement for Cheshire East. David Wilson Homes strongly endorses the points made by Stevens, in particular that; *"The established approach for calculating the five year supply is the overall housing requirement for the plan period minus completions from the base date of the plan divided by the number of years remaining of the life of the plan."*

Taking this simple, straightforward calculation and applying it to the current plan period set by North West RS 2003-2021, the five year housing supply, based on the Council's latest net completion figures (8,550) is 6,075 homes or 1,215 homes per annum (net).

Calculation:

Residual requirement (2003-21) 20,700 net LESS completions (2003-11) 8,550 net = 12,150 net
Annualised requirement for 2011-21 (10 years) = $12,150 \div 10 \text{ years} = 1,215 \text{ homes per annum}$
Five year housing requirement = $1,215 \times 5 \text{ years} = 6,075$

Draft National Planning Policy Framework would effectively raise the five year requirement to six years (+ 20% rule) to 7,290 homes. I note that at the HMP presentation your current calculation of housing delivery from SHLAA suitable sites (1,400 sites) is only 4,773 dwellings. This is only 3.9 years supply ($4,773 \div 1,215$). Unequivocally Cheshire East must support additional housing land release to meet its residual plan requirement.

I look forward to receiving acknowledgement of receipt of this letter and that the Council positively updates the SHLAA to reflect the specific housing opportunities.

If you, or your officers, require further clarification or information please do not hesitate to contact me or Lorraine Davison and we will assist you.

Yours sincerely

Richard Purser
(*richard.purser@dpp-ltd.com*)

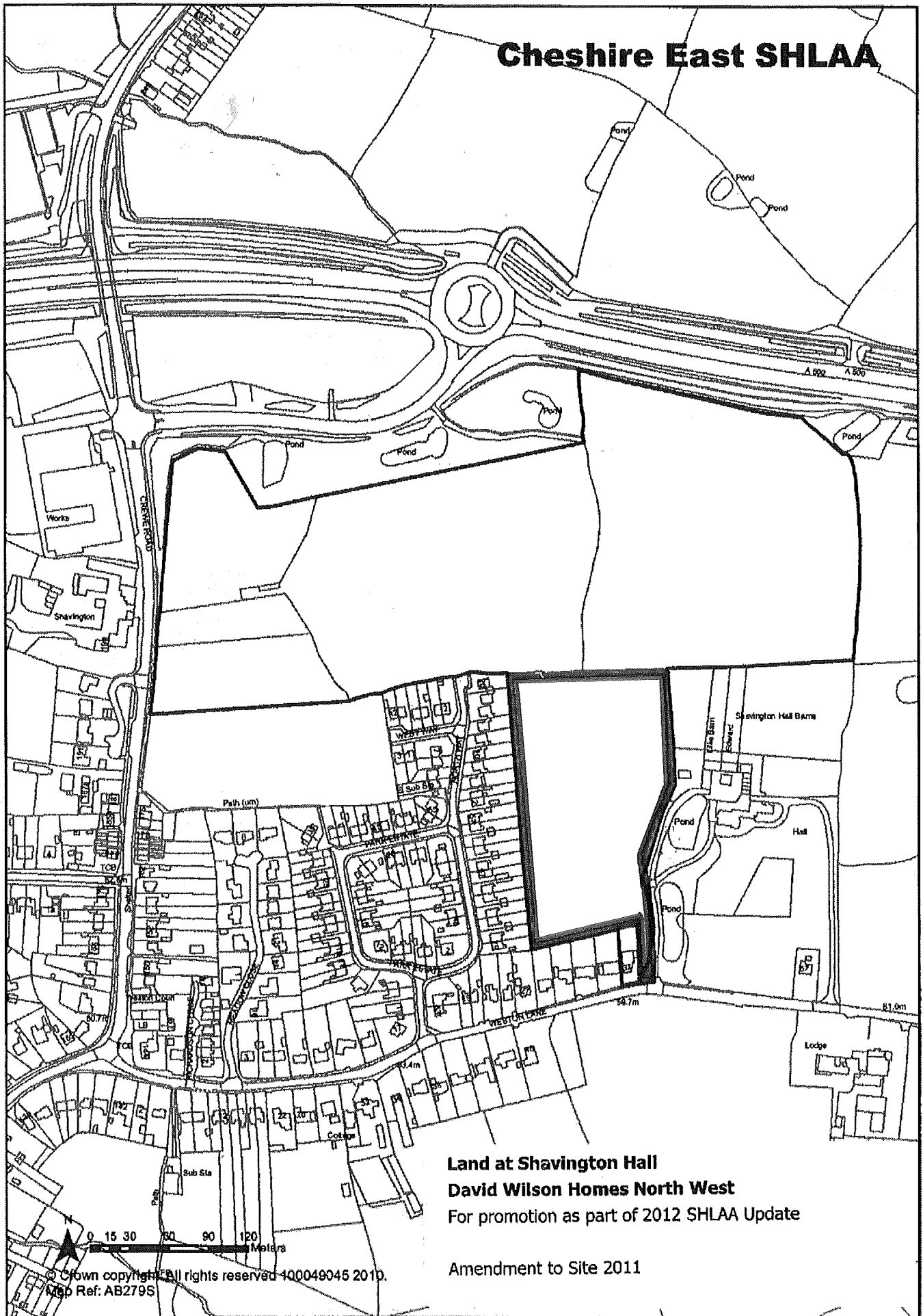
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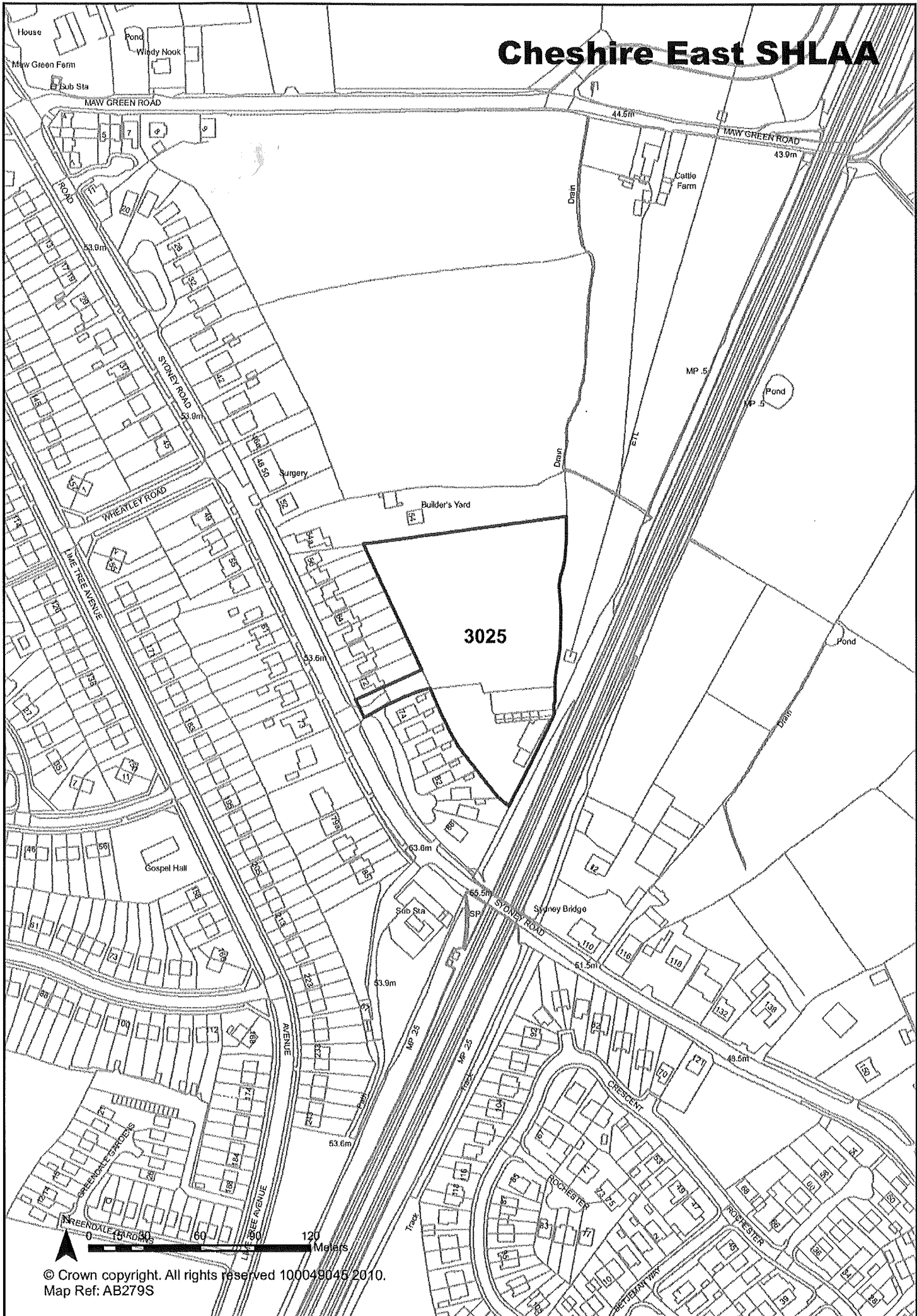
Enc. 2 x Site Plans for SHLAA Update Sites

cc. J Dutton, Cheshire East (email only)
A Taylor, DWHNW
P Kitchingman, DWHNW
L Davison, DPP (email only)

Cheshire East SHLAA



Cheshire East SHLAA



Date: 24 February 2012



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29 FEB 2012
LS

Adrian Fisher
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By Email & Post

Dear Mr Fisher

SHLAA 2011 UPDATE

Bellway Homes has previously commented on the following:

- Sub-Regional Housing Study
- Housing Strategy to 2016
- Interim Policies for Housing Release and Affordable Homes
- Core Strategy Issues (on 17/12/10)
- Place Shaping (29/9/11)
- Rural Issues (11/11)

We attended the Housing Market Partnership Meeting on 9th February 2012. We have not been an attendee on the SHLAA Steering Group as, for reasons not explained, we were not included in the membership, although we have expressed our disappointment and need to attend any future SHLAA Group Meetings (as we are the only major house builder not invited).

Bellway Homes has the following sites within Cheshire East (this updates you on the current position re: delivery):

1. **Canal Fields, Sandbach** – this is minded to approve subject to S106 and due to delays caused by the local planning authority (LPA, due to availability of legal staff) this is not yet completed, although is well progressed. We have assurances from the LPA that this will be completed shortly and we intend discharging all pre-commencement planning conditions and implementing this consent ASAP;
2. **Gresty Green Farm, Crewe** – this is minded to approve subject to S106 and we are currently assessing development costs/land values as this is an Optioned site with the landowner. Again, it is our intention to implement this consent;

Contd/....

3. **Former Fisons Site, Holmes Chapel** – this has the benefit of an outline planning permission and we seek to progress Reserved Matters ASAP in 2012;
4. **Warmingham Lane, Middlewich** – this site is currently within Open Countryside, as indeed was the recently consented 'The Green' site nearby. It is shown as a potential Residential Development Option in the Draft Middlewich Town Strategy Consultation (ongoing) and, given the LPA's 5 year supply and the need to deliver development in accordance with this evolving strategy, we consider this site to be suitable, available and deliverable and we aim to submit a detailed planning application accordingly ASAP in 2012.

As for your 2011 SHLAA Update, it needs to be based upon a realistic assessment and we support the comments submitted recently by the HBF (their most recent letter being 10th February 2012).

It is clear that the LPA has less than a 5 year supply: as to what that precise level of deliverable supply is, we will submit our case in support of any future planning application where it is required, but we are aware of the comments made by Richborough Estates in their letters to you of 3rd November 2011, 30th January and 21st February 2012, along with your response of 6th February 2012. That debate continues and we hope that the outcome will be a sound SHLAA as your Core Strategy requires a robust evidence base to deliver your present housing targets.

We share some of the concerns expressed regarding the delivery of sites and how the backlog should be dealt with, but as these points have been made already and you will need to consider these in your response, we see no need to make them again and will monitor accordingly.

Regards.

Yours sincerely

Bellway Homes Ltd (NW Division)

Simon Artiss
Planning Manager
(Mobile 07855 337232)