

DUTTON, Joanne

From: McDyre & co [mcdyre.co@virgin.net]
Sent: 09 March 2012 16:12
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); HOUSE, Richard; Kidd, Rosemary; Ruth Parry
Subject: RE: Cheshire East SHLAA (our ref. PA11, PS35)
Categories: SHLAA

Dear Joanne

Thank you again for your email and attachments below. I am pleased to see that adjustments have been made to the figures for the shortfall in 5-years supply based on the discussions at the HMP meeting. It is extremely difficult for you and your colleagues to address the concerns of all and I think for the time being, based on the evidence that we have in front of us, but at the same time trusting in other people's evidence, the SHLAA is a fair representation for this latest SHLAA update.

Of course, the figures set out may be re-examined at any point in time, usually in relation to planning applications for residential development.

With regard to Sites Specific matters, could I please again refer you to my email and attachments to you of 2 December (16:05) with regard to Site 2458, Land at Fanny's Croft, Audley Road, Alsager. An adjustment needs to be made to the site proforma plan.

I also note from your attachment, last page, last bullet point that the Interim Policy on the Release of Housing Land is to be reviewed. We hope when it is that Shavington will not be specifically singled out in the wording of the document as an exclusion to IPPR!

Kind regards.

Ben McDyre

McDyre & Co Ltd, 18 Church Street, Frodsham, Cheshire WA6 6QL - Tel: 01928 735398 - Fax: 01928 735532 - Email: mcdyre.co@virgin.net - Web: www.mcdyre.co.uk - Reg. No. 2324084 - Place of Registration: England & Wales - Reg. Office: Harben Barker, Drayton Court, Drayton Road, Solihull B90 4NG

From: DUTTON, Joanne [<mailto:Joanne.Dutton@cheshireeast.gov.uk>]
Sent: 05 March 2012 15:54
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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

Kind regards

DUTTON, Joanne

From: Steven Louth [steven.louth@bnpparibas.com]
Sent: 08 March 2012 16:16
To: DUTTON, Joanne
Subject: RE: Cheshire East Housing Market Partnership

Categories: SHLAA

Joanne,

Thank you for your email, but unfortunately we have not yet had sufficient time to review the document in any detail. Whilst we will endeavour to respond by the close of play tomorrow, our failure to do so should **not** be taken as an endorsement of the Council's proposed methodology and I really think the deadline should be extended given the complexity of the matter.

With regard to the nature of the consultation responses within the Council's summary document, it is clear that there are still more questions than answers and that these matters need to be bottomed out before we can move forward. Would it be possible to circulate the consultation responses in full?

Rgds

Steve



**BNP PARIBAS
REAL ESTATE**

Real Estate for a changing world

Steven Louth
Associate Director
Planning & Development



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From: Joanne.Dutton@cheshireeast.gov.uk [mailto:Joanne.Dutton@cheshireeast.gov.uk]

Sent: 10 February 2012 11:16

To: Vikki.Jeffrey@cheshireeast.gov.uk; Karen.Carsberg@cheshireeast.gov.uk;
Anthony.Sackfield@cheshireeast.gov.uk; Amanda.Boffey@cheshireeast.gov.uk; Adrian.G.Fisher@cheshireeast.gov.uk;
Caroline.Simpson@cheshireeast.gov.uk; Rachel.Bailey@cheshireeast.gov.uk; Jamie.Macrae@cheshireeast.gov.uk;
David.BrownCouncillor@cheshireeast.gov.uk; Allan.Clarke@cheshireeast.gov.uk; Daniel.Corden@cheshireeast.gov.uk;
Pam.Cunio@cheshireeast.gov.uk; Kevin.Gibbs@cheshireeast.gov.uk; Richard.House@cheshireeast.gov.uk;
Stewart.House@cheshireeast.gov.uk; Stella.Kemp@cheshireeast.gov.uk; Rosemary.Kidd@cheshireeast.gov.uk;
Jamie.Longmire@cheshireeast.gov.uk; Ruth.Parry@cheshireeast.gov.uk; Stuart.Penny@cheshireeast.gov.uk;
Victoria.Soames@cheshireeast.gov.uk

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.

DUTTON, Joanne

From: Steve Goodwin [s.goodwin@goodwinplanning.com]
Sent: 06 March 2012 08:44
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: SHLAA

Thank you Joanne

Whilst I have made no comment due to time constraints I am not happy for you to automatically assume I support the SHLAA as it currently stands (obviously you don't need to count my position as an objection either).

Regards

Steve

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

Sent: 05 March 2012 15:54

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 SHLAA

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If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

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

Your Say

DUTTON, Joanne

From: Andrew Bickerdike [abickerdike@turleyassociates.co.uk]
Sent: 09 March 2012 15:01
To: DUTTON, Joanne
Cc: Donna Barber
Subject: Cheshire East SHLAA

Joanne,

Further to my conversation with Vicky Suames this afternoon, I understand that the Council is currently seeking comments from members of the Cheshire East Housing Market Partnership on the latest version of the Cheshire East Strategic Housing Land Availability Assessment (SHLAA) and its scope, methodology and findings. The deadline for submission of comments is today (9th March).

Turley Associates has not undertaken a full review of the SHLAA to date and will therefore not be submitting any formal comments to the Council at the present time. However, I must stress that under no circumstances should this be interpreted as confirmation that Turley Associates supports the SHLAA in its current form nor that Turley Associates objects to any element of the SHLAA.

Turley Associates reserves the right to review the SHLAA in due course and, if required, will submit comments on the SHLAA to Council in the future.

I trust this position will be correctly and accurately recorded in the course of progressing this document.

Please do not hesitate to contact me if you to discuss this matter further.

Regards

Andrew Bickerdike
Senior Planner

TURLEYASSOCIATES

10th Floor, 1 New York Street, Manchester, M1 4HD
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DUTTON, Joanne

From: D.Hodcroft@agma.gov.uk
Sent: 09 March 2012 13:03
To: DUTTON, Joanne
Cc: S.Fyfe@AGMA.gov.uk; A.Morgan@agma.gov.uk
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Joanne, as non HMP members we have no response to make.

My colleagues are currently arranging a meeting with Adrian Fisher at Cheshire East and this will be the forum for discussing any cross boundary issues.

Regards

David Hodcroft (Assistant Planning Strategy Manager)
Greater Manchester Planning and Housing Team
Planning and Housing Commission
Association of Greater Manchester Authorities
Tel: 0161 245 7885
Mobile: 07946 784947
e-mail d.hodcroft@agma.gov.uk
www.agma.gov.uk

From: DUTTON, Joanne [<mailto:Joanne.Dutton@cheshireeast.gov.uk>]
Sent: Mon 05 March 2012 15:54
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 SHLAA

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If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council
Westfields
Middlewich Road

DUTTON, Joanne

From: Neil Culkin [Neil.Culkin@struttandparker.com]
Sent: 09 March 2012 13:05
To: DUTTON, Joanne
Subject: FW: Cheshire East SHLAA
Attachments: ATT00001.txt

Importance: High

Categories: SHLAA

Dear Joanne,

RE: Land North of Elworth. (SHLAA Refs: 2620 and 2625)

Thank you for your email.

We decline to comment in respect of the latest SHLAA publication. It should be noted however that this email does not represent an endorsement of the SHLAA either.

We therefore reserve the right to continue to progress our views (in support of a residential allocation on the land cited) through the emerging Cheshire East Local Plan.

Kind regards

Neil

**Neil Culkin BA (Hons) Dip TP MRTPI
Associate**

Head of Planning (North West)
Strutt & Parker LLP
Park House
37 Lower Bridge Street
Chester
CH1 1RS

Direct Line +44 (0) 1244 354863
Direct Fax +44 (0) 1244 319690



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

Sent: 05 March 2012 15:54

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 SHLAA

All,

DUTTON, Joanne

From: Neil Culkin [Neil.Culkin@struttandparker.com]
Sent: 09 March 2012 12:59
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA
Attachments: ATT00001.txt

Importance: High

Categories: SHLAA

Dear Joanne,

RE: Land at Houndings Lane Farm. (SHLAA Refs: 2608, 2609, 2610, 2851 and 2870)

Thank you for your email.

We decline to comment in respect of the latest SHLAA publication. It should be noted however that this email does not represent an endorsement of the SHLAA either.

We therefore reserve the right to continue to progress our views (in support of a residential allocation on the land cited) through the emerging Cheshire East Local Plan.

Kind regards

Neil

**Neil Culkin BA (Hons) Dip TP MRTPI
Associate**

Head of Planning (North West)
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Park House
37 Lower Bridge Street
Chester
CH1 1RS

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

DUTTON, Joanne

From: Tim Waller [Tim.Waller@jbplanning.com]
Sent: 09 March 2012 11:51
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

Thank you for consulting me on your changes to the SHLAA. I have noted the changes in relation to my Client's land, which are broadly consistent with my letter to you of 24 February.

I am however concerned that you are assuming that the HMP supports the SHLAA in its entirety, unless it tells you otherwise within less than a week of your e-mail below. I do not have knowledge of all of the sites in the SHLAA, and am not in a position to comment on whether the document as a whole is robust. As such, I would not be happy if the Council were to assume my support as part of the HMP. Only the Council have the necessary overview of all of the sites, and access to the information presented by the various landowner/developer interests, to make the judgement that the SHLAA is robust. I suggest that the Council should take the SHLAA forward, but that they should not describe it as having the backing of the HMP.

I was also concerned over the amount of time you have left for responses to your e-mail – a few days is not long enough for anyone to put together a meaningful response!

Finally, I would also be interested in hearing if you are intending to publish the consultation responses you have received on the SHLAA from the HMP, as I would like to see them, to allow me to gain a better understanding of the SHLAA as a whole.

Regards,

Tim

Tim Waller
Senior Planner

J B PLANNING ASSOCIATES LIMITED

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Hardy House, Northbridge Road, Berkhamsted, Herts, HP4 1EF.

DUTTON, Joanne

From: Richard Barton [Richard.Barton@howplanning.com]
Sent: 08 March 2012 09:11
To: HOUSE, Richard
Cc: DUTTON, Joanne
Subject: Cheshire East SHLAA

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Richard

Joanne kindly forwarded me a copy of the March 2012 version of the above document.

I understand that Joanne is on leave this week so I felt that it would be most appropriate to respond to you in her absence.

I note that no plans or individual site proformas are attached to the latest document; could you let me know if these have, or are being changed from the February version of the SHLAA?

My only other comment is it is pleasing to note the Council is now giving full consideration to the existing shortfall in housing supply against RS requirements. Inclusion of this shortfall undoubtedly ensures the SHLAA is more robust.

Kind regards

Richard

RICHARD BARTON
PRINCIPAL PLANNER

Direct Line: 0161 831 5876

Email: richard.barton@howplanning.com

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DUTTON, Joanne

From: David Proudlove [David.Proudlove@hca.gsx.gov.uk]
Sent: 09 March 2012 14:52
To: DUTTON, Joanne
Subject: Cheshire East SHLAA

Importance: High

Categories: SHLAA

Hi Joanne,

Many thanks for the opportunity to provide comments on the Cheshire East SHLAA.

As a member of the Cheshire East Housing Market Partnership, the HCA recognises the importance of the SHLAA to support the delivery of much needed housing across Cheshire East to support the creation of sustainable communities, meet the needs of residents, and accelerate economic growth. It also recognised that the SHLAA will be an important component of the evidence base for the emerging Cheshire East Local Plan. It is of importance to the HCA and its partners in terms of identifying sites that will be progressed through the planning system capable of delivering affordable and other forms of housing, which will ultimately determine investment decisions.

Given the importance of the document, it is therefore vital that the methodology, assumptions, and assessment criteria are considered carefully in order to produce robust evidence.

The HCA acknowledges the hard work of members of the Partnership, and in particular officers at Cheshire East in developing the SHLAA to date.

The HCA's Merseyside and Cheshire Area Team would offer the following comments and observations in respect of the latest draft of the SHLAA:

- I would have welcomed additional time in order to have examined sites further. Whilst acknowledging that it is imperative to make progress with the SHLAA, it is a very difficult time of the year for the HCA (end of the financial year); and I imagine that many members of the HMP will be in the same position, particularly partners of the agency.
- I would suggest that build rates should be closely examined, particularly given the current climate, and also examine closely build rates that have been submitted by developers in support of planning applications.
- Larger sites and sites that officers know may prove contentious that do not have planning permission, ought to be treated with caution unless there is firm evidence to suggest otherwise, and in some cases may be discounted. Similar caution should also be applied to sites that require a change in policy (e.g. green belt sites).
- Site capacities should be examined closely in the context of the current market, particularly smaller sites with high densities (this could suggest apartment-led developments that may not actually see particular sites progress).
- I would suggest allowing a discount for smaller sites.
- It should be acknowledged that the emerging National Planning Policy Framework may add an additional 20% need to the five year supply.

I hope that this proves helpful. If you would like to discuss further or require any further information, please do not hesitate to contact me.

Regards,

Dave

Dave Proudlove
Area Manager - Cheshire and Warrington
T: 0161 200 6144
M: 07776 172097
F: 0161 242 5901

DUTTON, Joanne

From: Planning Policy Consultation
Sent: 08 March 2012 10:36
To: DUTTON, Joanne
Subject: FW: Land at Clay Lane, Haslington - SHLAA Update 2011
Attachments: page-0002 (2).jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: SHLAA

From: Rob Elliott [<mailto:RobElliott@bjbmail.com>]
Sent: 08 March 2012 10:28
To: Planning Policy Consultation
Subject: RE: Land at Clay Lane, Haslington - SHLAA Update 2011

Dear Sir/Madam,

I refer to my previous email below and note that the site was allocated reference number 3780 in the updated SHLAA. In the updated SHLAA now being circulated I notice the site has been allocated as being "not suitable" whereas site reference number 3028 which adjoins our site is considered suitable with a policy change. Could you advise please why the two sites would be allocated differently when their characteristics and location are so similar?

Many thanks,

Rob Elliott

From: Rob Elliott
Sent: 10 May 2011 14:51
To: planningpolicyconsultation@cheshireeast.gov.uk
Subject: Land at Clay Lane, Haslington - SHLAA Update 2011

Dear Sir/Madam,

Further to the Council's request for potential new residential development sites to be considered as part of the SHLAA 2011 Update, please find attached a plan identifying land edged red which is owned by our clients on Clay Lane at Haslington. The site is situated opposite to Haslington Cricket Club.

I should be grateful if you could please consider this site as part of the Update 2011 process and if you have any queries regarding the site then please do not hesitate to give me a call on 01782-211160.

Kind regards,

Rob Elliott BSc, BA Hons, MRICS

Partner

Butters John Bee Chartered Surveyors

Tel: 01782 211160

Fax: 01782 202159

DUTTON, Joanne

From: Richard Barton [Richard.Barton@howplanning.com]
Sent: 08 March 2012 12:25
To: HOUSE, Richard
Cc: DUTTON, Joanne; Dave Roberts; joe.mattin@bower-mattin.co.uk
Subject: SHLAA
Attachments: Albert Road Bollington L100 location plan .pdf

Dear Richard

Please find attached a site in Bollington which we have just been instructed to act on, which surprisingly has not been included in the SHLAA to date.

The site is located on Albert Road, and is capable of accommodating residential development. It extends to 1.7Ha.

I would be grateful if the site would be considered in the current 2012 version of the SHLAA if possible.

Suitable

I can confirm that I believe the site to be suitable for housing being located within the settlement boundary of Bollington. Whilst part of the land lies within the flood plain, the majority does not, and preliminary studies have revealed that development of land within the flood plain for residential development can be safely achieved. Although the site is currently allocated for employment use, it is vacant and despite marketing for such use it has not come forward for development. It is very well related to existing residential development, and it is considered that development of the site could be achieved without detriment to the neighbouring residential properties.

Available

I can confirm that my client has entered into an option agreement which would allow him to bring forward residential development on the site.

Achievable

I can confirm on behalf of my client, who is a house builder, that it would be his intention to develop the site for c.30 residential units, to be completed within the next 5 years.

I can also confirm that a request for a pre-application meeting has been issued to the Local Authority.

Please confirm safe receipt.

Kind regards

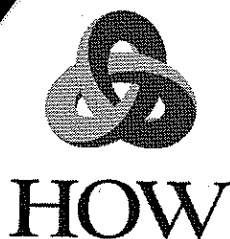
Richard

RICHARD BARTON
PRINCIPAL PLANNER

Direct Line: 0161 831 5876

Email: richard.barton@howplanning.com

Web: www.howplanning.com

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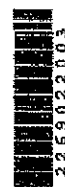
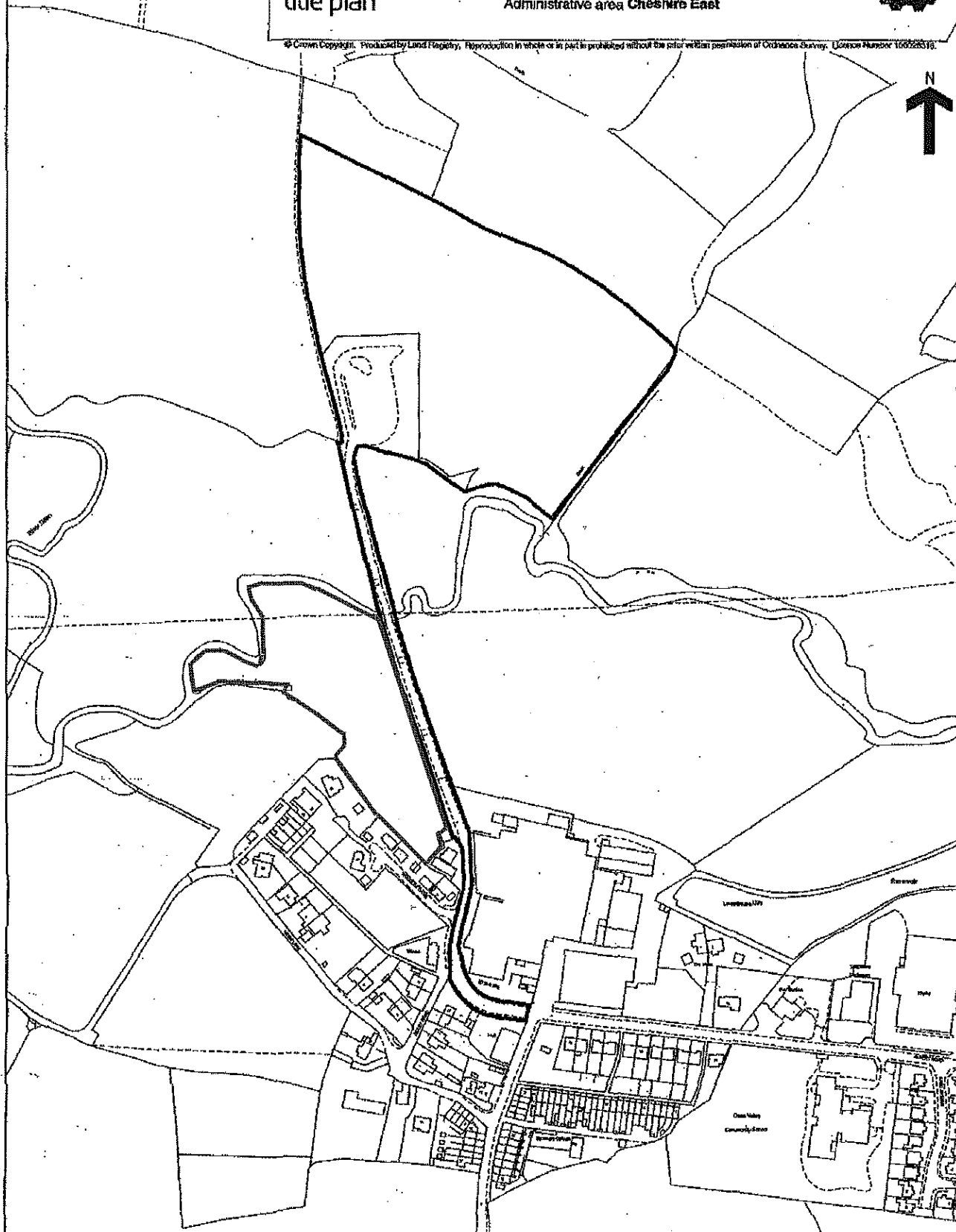
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**Land Registry
Official copy of
title plan**

Title number **CH547920**
Ordnance Survey map reference **SJ9277NW**
Scale **1:2500**
Administrative area **Cheshire East**



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This official copy issued on 2 December 2011 shows the state of this title plan on 2 December 2011 at 09:06:16. It is admissible in evidence to the same extent as the original (s.87 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

This title is dealt with by Land Registry, Birkenhead Office.

**L100 Location plan
Albert Road Bollington**

**Bower Mattin Partnership
Architects**

Cromwell House, Royal Court Macclesfield
Tel: 01625-660756



DUTTON, Joanne

From: Duncan Gregory [d.gregory@gladman.co.uk]
Sent: 09 March 2012 16:01
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); HOUSE, Richard; Kidd, Rosemary
Subject: RE: Cheshire East SHLAA
Attachments: 12-02-21 Marston Green, Solihill (Appeal Decision).pdf

Categories: SHLAA

Joanne

Please find my comments below with regard to your proposed changes to the SHLAA 2011, but first I would like to comment on the procedure that Cheshire East appear to be applying to what is supposed to be a transparent process.

The implication of your email is that if no response is received then this will constitute support for the SHLAA – this raises serious issues with regard to transparency. From our understanding the HMP is made up of a large number of members that do not have an interest in the SHLAA as they no longer have an interest in land within Cheshire East. A non-response constituting agreement is therefore quite frankly unacceptable in what is supposed to be a transparent process.

Another issue with regard to a lack of transparency is the failure to publish the comments received following the meeting on the 9th February. You will be aware that I supplied a record of this meeting to the HMP – but I have yet to receive a reply.

From your summary of the response to the SHLAA it appears that approximately half of the comments received were purely site specific and the other half, whilst containing some site specifics, provided you with concerns over the calculation of the housing land supply. As you have refused to provide the full details of the comments received we cannot review responses in their entirety - but it does appear from your summary that you have apparently ignored some comments made by HMP members. Many HMP members are experienced professionals working throughout the UK (not just CEC) and have the benefit of experience of best practice which is widely used elsewhere. It would be unsound to ignore the advice of such experienced professionals without good reason.

Shortfall

We welcome the fact that Cheshire East Council have listened to the HMP with regard to making up the shortfall. However, as the 5 year period runs from 2012 – 2017 then it should include the completions for 2011/12, which are estimated to be 764 units. An additional 386 units should therefore be added on to the existing shortfall of 650 units.

In my experience the best practice is to try and make up the shortfall over the next 5 year period in order to avoid exacerbating the problems, particularly with regard to affordability, by the end of the plan period.

Sites without Planning Permission

I acknowledge land supply assessments are not an exact science – but there are nevertheless very clear and accepted methodologies which should be followed. Sadly, the Council is apparently failing to adopt conventional methodologies in what appears to be an attempt to create a more healthy land supply position than really exists. I would compare and contrast the approach of CEC with that of the neighbouring authority of CWaC.

The Council's stance that the majority of dwellings within the 'Sites without Planning Permission' category now have permissions, are subject to S106 or are subject to a current application is unsound. If this is the case then the site specific information must be provided within the SHLAA.

Approximately 50% of the HMP comments that were not solely site specific stated that sites without planning permission should not be included within the 5 year land supply. To simply ignore this point and state that these sites could easily come forward within the 5 year period is a very inflexible and dogmatic approach that ignores the opinions of a significant number of professionals who deal with these issues in a considerable number of local authorities throughout the country. In my correspondence dated 23rd February 2012 following the HMP meeting I identified 30 sites that you assume to provide 872 units within the 5 year period which were assessed to provide exactly the same number of units in the 2010 SHLAA. This highlights the problem with the inclusion of sites without planning permission as there is no certainty when they will come forward, and incidentally you have not addressed this point in your response.

I have attached a recent Appeal Decision from Solihull where the Inspector has concluded that sites identified in the Draft Local Plan cannot be included in the 5 year land supply stating at paragraph 11:

*"The draft Local Plan identifies proposed sites for 1,445 net additional dwellings, and the Council maintains that these should be taken into account when calculating the five year supply position. However, it is important to bear in mind that this emerging Local Plan is still only a draft, which has yet to be the subject of further consultation, representations, and an Examination in Public. Paragraph 54 of PPS 3 explains that to be considered deliverable, sites should be available, suitable and achievable at the point of adoption of the relevant Local Development Document. There can be no guarantee that sites included in the current draft will remain in the finished version of the Local Plan, which in any event will not be adopted before 2013. **As the situation stands at present then, I consider that these sites should not be included when calculating the current five year land supply position.**"*

If sites that are identified as draft allocations cannot be considered as deliverable, then how can sites without planning permission which the Council considers 'could easily come forward' be included?

CEC appears to be ignoring the opinions of many the HMP, and precedent from Appeals and EiPs elsewhere, with regard to the inclusion of sites without planning permission in the 5 year housing land supply.

Accordingly, my comments from previous correspondence still stand, and we are unable to support the SHLAA in its current draft.

Kind Regards

Duncan Gregory MRTPI
Gladman Developments
www.gladman.co.uk

01260 288823 (DD)
01260 288901 (FAX)
07912 669444 (MOB)

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

DUTTON, Joanne

From: Taylor, Shaun [Shaun.Taylor@gva.co.uk]
Sent: 09 March 2012 15:54
To: DUTTON, Joanne
Cc: HOUSE, Richard
Subject: SHLAA: Representations
Attachments: ST14 09-03-12-CE SHLAA Reps _Hallam_.pdf

Importance: High

Categories: SHLAA

Joanne,

Further to the recent HMP meeting in connection with the emerging SHLAA, please find attached representations on behalf of my client, Hallam Land Management.

I would be grateful if you could confirm receipt of these representations in due course.

Kind regards,
Shaun.

Shaun Taylor, Associate, GVA

Direct Dial: 0161 956 4160 - Email: shaun.taylor@gva.co.uk Mobile: 07949 864868

Web: www.gva.co.uk - National Number: 08449 02 03 04 - Fax: 0161 956 4009



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ST14/08-03-12 CE SHLAA



09 March 2012

Joanne Dutton
Principal Planning Officer
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Direct Line 0161 956 4160
Email: shaun.taylor@gva.co.uk

Dear Joanne

Cheshire East SHLAA

I am writing on behalf of my client, Hallam Land Management Ltd in connection with the emerging SHLAA (as discussed at the Housing Market Partnership Meeting on 9th February, which both myself and my client attended) and with regards to my clients land interests in connection with site 2455 at Heath End Road / Sandbach Road North, Alsager.

Emerging Cheshire East SHLAA

Whilst I have only recently become involved with the HMP, I understand following the last meeting that there are concerns amongst members of the HMP regarding the robustness of the SHLAA and therefore the implications this would have either during Core Strategy Examination or in relation to Planning Appeals and whether it is considered to form part of a credible evidence base.

My client is of the view that for the SHLAA to be robust you cannot take a non response from a HMP Member as a supportive position.

Site 2455

Having reviewed the pro-forma for this site I note that there are some inaccuracies with regards to the physical constraints that have been identified.

1. The SHLAA concludes that the site is within flood zones 2 and 3, however, this constraint only relates to part of the site adjacent to the brook and does not impact on the wider site.
2. Reference is made to a TPO and whilst this may be a constraint in Masterplanning terms, it is not considered to present a constraint that would prevent development. Indeed, my client would where possible seek to retain trees on site regardless of whether they are subject to a TPO in order to create a high quality residential environment for future occupiers.

3. The site is considered to be located directly on a landfill site. My client has been unable to find any evidence to support this.

Taking the above matters into account, the SHLAA should be updated accordingly to reflect the true position with regards to these constraints.

Site Deliverability

With regards to site deliverability and the requirements of PPS3 in this regard, the site is available now, both my developer client and landowner wishes to pursue residential development for this site. The site is suitable given that it is free of significant constraints, benefits from an excellent relationship to the immediately adjoining residential area, is outside of the Greenbelt and is in close proximity to services and facilities.

It is therefore considered that the development of this site would contribute to the creation of sustainable and mixed communities. The final test set out in PPS3 relates to achievability and there being a reasonable prospect that housing will be delivered on the site within five years. My client and the landowner have confirmed their commitment to the delivery of housing on this site within the next five years and therefore the site is considered to be deliverable.

Taking these factors into account my client strongly urges the Council to update the SHLAA accordingly.

Emerging Alsager Town Strategy (March 2012)

Whilst my client acknowledges that these representations do not relate to the emerging Town Plan (separate representations will be submitted in due course), it is worth noting that a site within the Greenbelt (site E) has been identified as an alternative site for residential development. Given that this site is within the Greenbelt and there are other sites available such as my client's site which is outside of the Greenbelt it seems inappropriate for any Greenbelt sites to be considered a realistic alternative for residential development.

In conclusion, my client does not support the emerging SHLAA and kindly requests the above comments to be taken into account in a revised version of the SHLAA.

Yours sincerely

Shaun Taylor BA (Hons) MCD MRTPI
Associate
For and on behalf of GVA

Cc Hallam Land Management Ltd

DUTTON, Joanne

From: Philip Bentley [PhilipBentley@vwbarchitects.co.uk]
Sent: 09 March 2012 15:49
To: DUTTON, Joanne
Cc: Admin Department
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Joanne

I regret that I am unable to support the SHLAA in its present format, for the following reasons :-

- 1) Many suitable sites are regarded as not "Deliverable" only because of the alleged need for a policy change, which recent reports to committee have clearly demonstrated is not the case, as approval of some such sites for Residential Development has been recommended.
- 2) The restraining Policy concerned, the Interim Planning Policy, has been acknowledged by the LPA as not being robust and requiring review. The SHLAA based on such policy grounds cannot be credible.
- 3) The decision to adopt "presumed support" by no response is inappropriate and not agreed by the HMP.
- 4) The HMP list has been artificially inflated to enhance "presumed support" by the addition of people who have had no involvement.

Regards
Philip N Bentley

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

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

DUTTON, Joanne

From: Phil Dover [PhilD@bowsall.com]
Sent: 09 March 2012 15:46
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Hi Joanne

Thanks for sending through the recent emails in respect of the emerging SHLAA.

Unfortunately as a result of having many other things to deal with this week I have not yet had sufficient opportunity to look through the documentation in any great detail and therefore cannot meaningfully respond. I do though think that it is probably unreasonable to interpret our relative silence as an implied approval of both the methodology and the data.

As I am sure we are not the only member of the HMP with this view and in view of the enormity of the issues arising is it possible to extend the timeframe for the invitation of comments until the month end?

Kind Regards and Thanks

Phil Dover
Head of Strategic Planning

The Strategic Land Group Limited
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Salford
M3 7DG

tel: 0161 220 2930
fax: 0161 220 2931
mob: 07751 990721
email: phil@strategiclandgroup.co.uk

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

DUTTON, Joanne

From: Lorraine Davison [Lorraine.Davison@dpp-ltd.com]
Sent: 09 March 2012 15:01
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); Richard Purser
Subject: 2011 SHLAA Update Response- Land at Brereton Green
Attachments: Cheshire East 2011 SHLAA update- Brereton Green.pdf

Joanne-

Please find attached a representation in response to the Council's intention to progress towards the approval of the 2011 SHLAA update. A hard copy will follow in tonight's post.

I trust you will take these comments into consideration and if you require anything further, please do not hesitate to contact us.

Regards

Lorraine

Lorraine Davison (lorraine.davison@dpp-ltd.com)

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9 March 2012

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Joanne Dutton
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire

Dear Joanne,

Cheshire East 2011 SHLAA Update- Progress towards approval

I write to you in reference to the recently published comments issued in relation to the Council's intention of progressing towards the approval of the 2011 SHLAA Update.

Our comments are on behalf of person(s) seeking to obtain controlling interests in the land which is presently in two separate ownerships at land at Brereton Green (south). We consider the site is suitable for future housing development and is a sustainable extension to the village and refer to our recent submission made to Cheshire East on 28 February 2012 regarding the proposed inclusion of the site within the 2011 SHLAA Update.

The Council's response issued to HMP members stated that a number of new sites have been put forward and these will be assessed and included in the next update of the SHLAA. However whilst reference is made to a number of sites being promoted, these sites have not been published. We consider that not naming these sites is counterproductive in the preparation of the LDF particularly in relation to the open and transparent nature which the LDF should adhere to.

Whilst we consider the additional sites which have been promoted should be included within the 2011 SHLAA, we accept that if considered necessary the sites could be included as appended sites outwith the formal SHLAA Update to inform the next SHLAA update in the spirit of openness on the information submitted.

I trust you will take these comments into consideration and amend the Council's position and include new sites put forward within the 2011 SHLAA Update.

Yours sincerely,

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

DPP

Direct Line: 0161 238 9869



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DUTTON, Joanne

From: Matthew Sobic [MSobic@savills.com]
Sent: 09 March 2012 17:15
To: DUTTON, Joanne
Cc: Trevor Adey
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

I refer to the below e-mail in relation to the above. We are registered on the Housing Market Partnership, but this was not passed onto us until today. It follows that our silence should not be taken as implying support for the revised Cheshire East SHLAA.


If you have any questions, please contact Trevor Adey or me.


Kind regards

Matt

Matthew Sobic
Associate
Commercial Planning (Retail Division)

Savills, Belvedere, 12 Booth Street, Manchester, M2 4AW

 Tel : +44 (0) 161 277 7291
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Website : www.savills.co.uk

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council
Westfields

DUTTON, Joanne

From: Nick Marsh (Frank Marshall & Co) [nick.marsh@frankmarshall.co.uk]
Sent: 08 March 2012 08:49
To: DUTTON, Joanne
Subject: HMP and SHLAA

Categories: SHLAA

Dear Ms Dutton,

I have been copied in on some responses to you in respect of the HMP Consultation in the SHLAA process. My firm was represented at HMP meetings by my former colleague, Tom Rickard. Unfortunately, after he left the firm we did not receive any further details of meetings and were not able to delegate a substitute representative.

I am aware of considerable criticism of aspects of the process being applied by the Council. Certainly not having a response from my firm must not be taken as tacit approval since, to my knowledge, we have not been represented at meetings, nor have we received briefings, minutes or invitations to attend.

Accordingly, I would register concerns as to you proposed methodology in so far as it is only safe to reflect actual representations made, not a default position assuming an opinion in lieu of a response.

To be effective it is vital that all processes are transparent and robust. The process must allow adequate time for consideration of responses and further comment. It appears that you are requesting urgent responses in too short a time frame.

I am sure you will reflect the opinions of respondents, not make unfounded assumptions.

Finally, I would appreciate notification of any future consultations at which we may be represented.

Yours Sincerely,

Nick Marsh, FRICS, FAAV,
Partner,
Frank Marshall & Co.
4 The Bull Ring,
Northwich,
Cheshire,
CW9 5BS
Tel: 01606 41318
www.frankmarshall.co.uk



DUTTON, Joanne

From:
Sent:
To:
Subject:

Joe Savage [Joe.Savage@emerson.co.uk]
09 March 2012 14:57
DUTTON, Joanne
Re Cheshire East SHLAA

SHLAA

Categories:

Dear Joanne
I am responding to indicate that it is noted that some positive changes have been made to the SHLAA in terms of answering the comments made at the last HMP meeting. These are welcome.
However there is still concern over the inclusion of such a large number of sites that currently do not have a planning permission at this stage within the 5 year housing land supply. As and when these sites are brought forward this could be reflected in the annual updates of the SHLAA as commitments instead.

Kind regards

J T Savage
Regional Director
Jones Home North West
Emerson House
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DUTTON, Joanne

From: Stephen Harris [SHarris@epp-planning.com]
Sent: 09 March 2012 14:34
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

Thank you for your email with the proposed revisions to the SHLAA.

We acknowledge the work that has gone into preparing the SHLAA and recognise that obtaining the agreement from the HMP on the delivery on all sites is not practicable. However the concerns raised by the HMP are more fundamental and we are unable to agree to the SHLAA as requested for the reasons in our letter dated 24th February 2012 and for the reasons set out below.

Shortfall

We welcome the recognition that the shortfall to date should be addressed, although this is averaged out to 2021. We maintain that the 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 supply in the draft SHLAA this would equate to 3.7 years.

The SHLAA and a 5 year supply

As set out in our previous letter, we consider that there is a distinction between the supply in the SHLAA and determining the 5 year land supply. The SHLAA is a tool to assess the quantum of deliverable sites. Paragraph 6 of the SHLAA guidance states that "*The primary role of the Strategic Housing Land Availability Assessment (hereafter referred to as the Assessment) is to:*

- *identify sites with potential for housing;*
- *assess their housing potential; and*
- *assess when they are likely to be developed."*

Paragraph 8 then states that "*The Assessment is an important evidence source to inform plan-making*". Therefore the SHLAA informs the Council on the pool of sites that are deliverable to inform the distribution of development. For example it would not be appropriate to propose a certain percentage of development at one settlement if that settlement does not have the sites to deliver that requirement i.e. it does not have the environmental capacity. In our view the SHLAA should not be used to determine the 5 year supply. The 5 year supply should be on sites that are available now. The SHLAA will inform that process through assessment of existing commitments. From experience elsewhere, the 5 year supply comprises:

- sites under construction;
- small sites with planning permission;
- large sites with planning permission;
- allocations; and
- sites subject to Section 106 agreement.

Sites without planning permission should not be included as the site is not available now. The 1,970 dwellings in the Cheshire East SHLAA on sites with no planning permission should not be included. Our concern is that having such a large supply from sites without planning permission inflates the supply and may frustrate deliverable sites coming forward. Clearly sites will continue to come forward and if applications do come forward on sites then the SHLAA can inform the decision maker on the deliverability of that site.

The Council should therefore have two documents. The first is the SHLAA which identifies a pool of deliverable sites to inform plan making and assessing the deliverability of sites that come forward through the application process. The second is a 5 year supply statement which sets out the deliverable supply as out in the bullet points above.

DUTTON, Joanne

From: Adam Galleymore [Adam.Galleymore@emerson.co.uk]
Sent: 09 March 2012 14:26
To: DUTTON, Joanne
Subject: Re: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

I am responding to indicate that it is noted that some positive changes have been made to the SHLAA in terms of answering the comments made at the last HMP meeting. These are welcomed.

There is still some concern over the inclusion of such a large number of sites that currently do not have a planning permission at this stage within the 5 year housing land supply. As and when these sites are brought forward this could be reflected in the annual updates of the SHLAA as commitments instead.

Kind Regards

Adam Galleymore
Land Buyer
Jones Homes
Tel: 01625 588305
Mob: 07917 371033
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DUTTON, Joanne

From: Michael Gilbert [Michael.gilbert@tymconsult.com]
Sent: 12 March 2012 09:47
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Joanne,

Further to my colleagues email on Friday, I can confirm that we have reservations about the robustness of the SHLAA update for the same reasons specified in the recent correspondence from Richborough Estates and Gladman Developments. While we welcome the amendments that have been made by the Council, we remain particularly concerned about the inclusion of any sites without planning permission, and consider that a 10 per cent discount for small sites is, in our experience, very conservative.

Kind regards,

Michael Gilbert
Senior Consultant

For and on behalf of Peter Brett Associates LLP

ROGER TYM & PARTNERS
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e michael.gilbert@tymconsult.com
w www.tymconsult.com

Roger Tym & Partners is part of Peter Brett Associates.

From: John Cookson
Sent: 09 March 2012 13:43
To: DUTTON, Joanne
Cc: Michael Gilbert
Subject: RE: Cheshire East SHLAA

Joanne,

My colleague, Michael Gilbert, is our named representative on the HMP and has been following the progress of the SHLAA. Unfortunately, however, he is on leave this week, so is unable to give this matter the attention it merits in the short space of time you have allowed. I am reluctant to express tacit support for the SHLAA without it being given due consideration; in Michael's absence, therefore, I would like to respond with an expression of neither support nor opposition to the SHLAA until such time as Michael has had the chance to examine it fully.

I hope this is satisfactory,

Regards,
John

John Cookson
Senior Consultant

For and on behalf of Peter Brett Associates LLP
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m
e john.cookson@tymconsult.com
w www.tymconsult.com

Roger Tym & Partners and Baker Associates are now part of Peter Brett Associates LLP.

DUTTON, Joanne

From: Jonathan Pickthall [jpickthall@morrishomes.co.uk]
Sent: 09 March 2012 14:05
To: DUTTON, Joanne
Cc: HOUSE, Richard
Subject: Cheshire East SHLAA

Importance: High

Categories: SHLAA

Joanne,

I have been informed by another member of the HMP that you sent out an e-mail on 5th March containing the comments from the revised SHLAA consultation with the HMP, asking for approval of the revised SHLAA. Unfortunately we have not received your e-mail.

As a member of the HMP, I would hope to receive this e-mail and am a bit concerned that there are other HMP members who have not received this e-mail as well. In addition to this, I sent comments to you on 24th February so find it even stranger that I have not been contacted.

I am led to believe that you have requested HMP members to confirm their support for the revised SHLAA document by today and that a none response will be assumed as confirmation of support. Furthermore, you consider that a majority vote using these methods represents support for the SHLAA.

I find this hard to believe as I have never heard of any democratic approval process being driven by non voting system. On this basis, I would have been unknowingly supporting the revised SHLAA as a result of not being sent your e-mail. In addition to this your timescales for obtaining responses is extremely short and therefore unreasonable. There is no doubt that this is not an acceptable method to obtain sign off for such an important document that is a key part of the local evidence base.

Firstly, can you please send me your correspondence from the 5th March and secondly put in place a normal methodology for obtaining support for the revised SHLAA 2011 document as the current methods will not provide us with a credible SHLAA document.

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

DUTTON, Joanne

From: Justin Paul [Justin@j10planning.com]
Sent: 08 March 2012 13:42
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA
Attachments: J10 let to CEC re SHLAA 080312.pdf

Categories: SHLAA

Joanne
our submission for your attention
regards
Justin

Justin Paul BA BTP MRTPI

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Chester CH1 1LQ

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<http://uk.linkedin.com/in/j10paul>

Follow me on Twitter: <http://twitter.com/j10planning>

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

Kind regards



08 March 2012

Cheshire East Council
Environment and Development
Spatial Planning Team
Municipal Buildings
Earle Street
Crewe CW1 2BJ

BY E-MAIL ONLY

Dear Sir/Madam

Cheshire East SHLAA (SHLAA site refs. 2896/3817)

This letter has been submitted on the basis of our concern that the Authority is seeking to ratify its latest SHLAA on the supposition that if a member of the Housing Market Partnership does not respond to the latest version of the SHLAA the presumption is that that organisation/individual is supportive of the publication.

This is not an acceptable manner in which to shape future planning policy; the fact is that the Council should be listening to and addressing the concerns raised by its "active" Members; to assume a non-response will validate policy is wrong; your question ought to have made it easy for those not wishing to make substantive, critical and/or unsupportive comments and provided them with the option of declaring their support by a simple registration of their affirmation.

Moreover, looking at the list of HMP members many will have retired, moved on or simply not be active; so it is unreasonable to expect these to even respond and assuming their silence as support will undermine the Council's credibility and that of its evidence base.

As it is, we are of the opinion that the disquiet raised by many Members of the HMP are entirely valid and we are concerned that if the matters raised are not adequately addressed the Council will fail to have a robust evidence base in place going forward, which could undermine its case of soundness come the Plan Examination.

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Chartered Town Planning Company Registration No. 6000409

In summary our concerns are as follows:

- Ignorance of the impending NPPF implication for 20% addition to 5 year land supply
- Build out rates for sites need to be more properly qualified on a site by site basis
- Questionable delivery over sites that are extant allocations/with planning permission and subject of s106
- A discount rate of just 10% across the board is insufficient – we would consider one of 20% to be more appropriate and robust
- All sites need to demonstrate deliverability (availability, achievability and suitability); this not only includes those without PP but all those with PP identified in the SHLAA – far greater detail should be compiled on each site
- It is not for the SHLAA to address housing supply shortfall, but the fact is that this is at a claimed 3.9 years and yet the IPP is not addressing/delivering this and it is clear that the Council is presently exposed to challenge (as determined by recent caselaw decisions) – its review is welcomed, but the Council needs to make urgent progress in publishing a Core Strategy (that reflects a sound evidence base – incl. the SHMA) and Site Allocation DPD to avoid the risk of further costly challenges.

In view of this we are unable to provide support for the present SHLAA.

Please note that we wish to continue to play an active role in the HMP and help the Council to shape its plan for the future of the Authority area in respect of a balanced and sustainable development strategy with appropriate levels of growth that meet the economic and housing needs as supported by a sound evidence base.

Yours faithfully

Justin Paul

BA BTP MRTPI

DUTTON, Joanne

From: Richard Lee [rlpp@sky.com]
Sent: 09 March 2012 10:16
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing)
Subject: DRAFT CHESHIRE EAST SHLAA REPORT 2011
Attachments: 20120309093343588.pdf

Joanne

Please find attached a letter setting out my further comments with regard to the draft SHLAA Report. Please confirm receipt.

Regards

--

Richard Lee

BA (Hons) MRTPI

Project Planning & Property Consultant

Tel: 01270 619366

Mobile: 07967 607238

Website: richardleeprojectplanning.co.uk

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RICHARD LEE

*Project Planning &
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Tel: 01270 619 366
Mobile: 07967 607 238
Email: rlpp@sky.com

Website: richardleeprojectplanning.co.uk

Ref: RL.Draft SHLAA Comments

Dear Joanne

8 March 2012

DRAFT CHESHIRE EAST SHLAA REPORT 2011

I refer to your email dated 5th March 2012 setting out the further responses you have received in respect of the draft SHLAA 2011 report. I must say, that as a member of the SHLAA Panel and the Housing Market Partnership, I am becoming increasingly frustrated and disappointed about the dismissive attitude being adopted by Officers to feedback which Partnership members are providing. This is demonstrated in your email by the short timescale you are now allowing for further comment with the indication that you consider that no response equates to tacit support. You cannot rationally make this assumption and I would strongly advise you to carefully consider the longer term implications of such action if it is used to sanction the report by the HMP.

I would like to make it clear that, **I do not support the SHLAA 2011 Report as it is presently drafted.** You have not been open and transparent as to how you have addressed the latest round of comments in relation to the February 2012 Update. Of particular concern to me is the approach taken to calculating the five year land supply. I would again raise the question as to why this calculation is included in the SHLAA? It should be addressed as a separate document.

However, if you intend to continue with its inclusion then you should address the concerns raised by consultees in detail. Otherwise I do not consider the five year land supply calculation to be a correct interpretation of the available information upon which a robust case can be made by Cheshire East Council with regard to housing land supply in considering planning applications or indeed defending decisions at appeal. There is clear DCLG Guidance for analysing and calculating housing land supply. This, together with precedents established in recent planning appeals, forms the basis for a robust assessment of the five year supply. It is essential that this approach is adopted in addressing delivery if a credible SHLAA report, incorporating an agreed five year supply figure, is to be achieved. Without a fully HMP sanctioned report, this document will not achieve a credible status in the DPD process nor at appeal.

Please appreciate we are all very busy people who are giving our valuable time to assist Cheshire East Council in developing a sound evidence base to support the emerging Local Plan. I therefore trust that you will give full and proper consideration to all of the concerns that have been raised.

Yours sincerely

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

DUTTON, Joanne

From: Herrod, Barry [Barry.Herrod@bovishomes.co.uk]
Sent: 08 March 2012 14:07
To: DUTTON, Joanne
Subject: Draft 2011 SHLAA
Attachments: 080312.pdf

<<080312.pdf>>

Barry Herrod BA (Hons) BTP MRTPI
Planning Manager
Bovis Homes Limited
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Mobile: 07900 950923

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

8th March 2012

Dear Joanne

Cheshire East Housing Market Partnership/ Draft 2011 SHLAA

I refer to the above. I understand that you have requested that HMP members provide you with comments by Friday of this week and that a no reply will be deemed as support.

I am greatly concerned with your suggestion that unless members submit objections by tomorrow then the Council will presume that a none response will imply that members of the HMP are supportive. Such a position has no legitimacy and as such the resultant SHLAA would have no credibility.

It is essential that the Council have in place a credible and robust evidence base to inform site allocations and development control decisions. Based on my brief review of the Council's comments to submissions made I am doubtful that the output will result in such a document.

~~Barry~~ Herrod BA (Hons) BTP MRTPI
Planning Manager

Our Ref: P535/SH/sjk
Date: 6th March 2012

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75-76 Francis Road
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Birmingham B16 8SP

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Dear Joanne

Cheshire East SHLAA – HMP Consultation

Thank you for providing Harris Lamb Planning Consultancy (HLPC) with the opportunity to participate in the preparation of the Council's SHLAA. HLPC have previously submitted comments on the draft consultation SHLAA on behalf of our clients, Bovale Limited. We have considered the Council's proposed amendments to the SHLAA as summarised in your email of 5th March 2012. I am afraid we are in the position where it is not possible for us to endorse the proposed SHLAA with the amendments as currently proposed.

As you are aware, we have provided a detailed response to the draft SHLAA recommending a series of proposed changes. A significant proportion of these changes relate to the five year housing land supply calculation. Whilst the recognition that the historic under supply of housing should be included in the five year housing land supply calculation is welcomed we are disappointed that HLPC's other proposed changes to the SHLAA, as set out to our letter to you of 21st February 2012 have not been introduced to the document. Indeed, it is very disappointing that there has been no explanation as to why the Council are of the opinion that these changes are not valid. We believe that the five year housing land supply calculation included within the SHLAA is fundamentally flawed and therefore it would be inappropriate for us to adopt any position other than to advise you that we cannot support this document as currently drafted.

We are also disappointed that there has been no response to our site specific comments on Glebe Farm (SHLAA Sites 3194 and 3195). It is quite clear that the Glebe Farm site must be granted planning permission within the five year period in order to allow for the development of Midpoint Phase 3, which is a strategic employment site that is supported by the Council. Indeed, there are a number of references in the Middlewich Town Strategy published in March 2012 on the need for this site to be delivered.

As confirmed in our earlier representations Midpoint 18 Phase 3 cannot come forward without Glebe Farm being developed for housing. It is, therefore, completely inconsistent for the Council to produce consultation documents supporting the delivery of Midpoint 18 in the short term whilst continuing to delay the development of Glebe Farm.

We would welcome the opportunity to discuss the SHLAA and the development of Glebe Farm with you in more detail if that is of assistance to you.

Yours sincerely

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

CC: *Charles Collier, Bovale Limited*
Eugene O'Brien

DUTTON, Joanne

From: Nathan Smith [nathan.smith@bartonwillmore.co.uk]
Sent: 09 March 2012 16:11
To: DUTTON, Joanne
Subject: Cheshire SHLAA

Categories: SHLAA

Dear Ms Dutton

I write further to a request for comments on the SHLAA. I understand from other members of the Housing Market Partnership that the deadline for comments is today, although I have not received an email seeking further comments?. I also note that no reply will be deemed as support?

We are therefore concerned that not having sight of the proposed amendments means that we have been unable to comment and that no reply will be deemed as support? In any event I note the proposed amendments were only circulated on the 5th March 2012 which only provides four days to respond.

Therefore before we can provide any meaningful comments we believe it is necessary for a thorough review of the SHLAA prior to its approval and endorsement. The key issues which will require attention will include the phasing of sites and build out rates under existing market conditions. This should involve all members of the HMP.

We would therefore recommend that the SHLAA is not progressed until further more detailed assessment has been undertaken which is agreed by the HMP.

Look forward to hearing from you in due course.

Regards

Nathan Smith
Associate

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DUTTON, Joanne

From: Karen Northcott [karen.northcott@indigoplanning.com]
Sent: 09 March 2012 12:27
To: DUTTON, Joanne
Cc: 'ken@seddonthomes.co.uk'; Bill Davidson
Subject: Cheshire East SHLAA
Attachments: let.026.BD.JD 9 March 2012.pdf

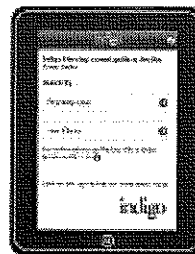
Categories: SHLAA

Please find attached a letter from Bill Davidson with regard to the Cheshire East SHLAA.

Kind regards

Karen

Karen Northcott
PA/Graphics Technician
karen.northcott@indigoplanning.com



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Ms J Dutton
Cheshire East Council
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By email only
joanne.dutton@cheshireeast.gov.uk

9 March 2012

let.026.BD.JD.04030039

Dear Joanne

CHESHIRE EAST SHLAA

We are in receipt of your email dated 6 March 2012 enclosing a summary of comments received from the Housing Market Partnership and the Council's proposed response.

As you are aware, we act for Seddon Homes who are promoting residential development in Cheshire East and have recently met with your colleagues to discuss the housing land supply position. Having briefly reviewed the Council's response to the HMP comments, we make the following the comments.

We are encouraged that the Council has now accepted that account should be taken of past shortfalls in assessing supply. We are also encouraged that some SHLAA sites have now been removed from the five year supply.

However, because the Council still relies on SHLAA sites to contribute to that supply, and because it is not clear why some sites are included and others omitted, we are not in a position to be able to support the revised Cheshire East SHLAA.

The analysis needs to be far more transparent and we share a number of the concerns raised by others including Richborough Estates. Furthermore, we object strongly to the suggested approach that, if no response is made within a three day window, the Council will take that as implied support for the SHLAA. Such an approach is blatantly incorrect and wholly unreasonable.

We also, therefore, would encourage the Council to revisit the SHLAA analysis and make available in as simple and as transparent form as possible, the analysis, applying realistic build rates, taking input from the house building industry to achieve a robust position against which future housing development can be assessed. This is especially important if the Council is to avoid further appeals which tie up significant resource for all parties at a time where sustainable residential development should be encouraged.

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and Dublin



We reserve our right to comment further and in more detail once we have had the opportunity to review the analysis in more depth.

Yours sincerely

Bill Davidson

Cc: Ken Whitaker, Seddon Homes

DUTTON, Joanne

From: Dominic Page [DPage@geraldeve.com]
Sent: 09 March 2012 12:51
To: DUTTON, Joanne
Cc: Harry Spawton
Subject: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

We have received today your email regarding the comments received from the Housing Market Partnership and the Council's proposed amendments to the Cheshire East SHLAA. Unfortunately, our contact details are not up to date on your mailing list and we therefore only received the email this morning forwarded on from another HMP member.

Firstly, please could you update your mailing list with the following email addresses in replacement of Stuart Vendy and Andrew McMullan:

- Harry Spawton (Partner) – hspawton@geraldeve.com
- Dominic Page (Planning Consultant) – dpage@geraldeve.com

Secondly, in response to your email, we would like to register that we do not support the proposed amendments to the SHLAA. Unfortunately, as we only received the email and attached information this morning we have not had time to formulate a full detailed response. However, in line with the procedure you have set out, we do not want to be considered to automatically support the amendments through not responding.

I understand from your colleague that you are out of the office today. Please could you acknowledge our response on your return as well as making the changes to our contact details.

Thank you very much for your assistance on this matter.

Kind regards

Dom

Dominic Page
Planning Consultant

Tel. 0161 830 7097
Fax. 0161 832 7060
Mob. 07557 973907
DPage@geraldeve.com

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www.geraldeve.com

DUTTON, Joanne

From: Simon Artiss [simon.artiss@bellway.co.uk]
Sent: 08 March 2012 10:18
To: DUTTON, Joanne
Subject: FW: HMP. Draft 2011 SHLAA

Categories: SHLAA

Dear Joanne

Richborough Estates have kindly sent to me their email to you setting out their comments - as stated in my email of yesterday, and unless you tell me otherwise, these concerns will need to be addressed in full by the local planning authority.

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: Paul Campbell [mailto:Paul@RichboroughEstates.co.uk]
Sent: 07 March 2012 18:53
To: Simon Artiss
Subject: FW: HMP. Draft 2011 SHLAA

Our full comments below if this assists...

Paul Campbell
Director

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f: +44 (0) 121 6330718
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Richborough Estates Ltd,
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Richborough
Estates

Registered in England – 4773757

DUTTON, Joanne

From: Caroline Simpson [csimpson@nlplanning.com]
Sent: 08 March 2012 12:33
To: DUTTON, Joanne
Cc: Thorley, Andrew - TW North West
Subject: Cheshire East SHLAA [NLP.FID174842]

Joanne,

Thank you for circulating the the updated SHLAA for comment. Please can you advise in relation to points (1) and (2) and update the SHLAA to demonstrate you have considered our comments:-

1. The Council has followed the methodology used by the HBF for calculating the housing land supply and we broadly agree with this approach. However, NLP considers that the whole shortfall should be added to the five year requirement in accordance with the recent appeal decisions rather than being spread over the life of the plan. The shortfall in housing delivery needs to be rectified now rather than spreading it across the life of the plan.
2. The Council has not discounted the 60 dwelling allocations at the MMU Campus and EARS Garage, Macclesfield. We request that you clarify the reasons why these allocations are still included as deliverable sites. If the landowners specify that the sites will come forward please can you state this in the SHLAA Appendix D so you have considered our comments on this matter.
3. The Council is proposing to use a 10% discount on small sites. Whilst we consider that a 20% discount is a more robust figure we accept that the Council have considered and justified their approach.

Kind regards,


Caroline

Caroline Simpson
Associate Director

Nathaniel Lichfield & Partners, 3rd Floor, One St James's Square, Manchester M2 6DN
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From: DUTTON, Joanne [<mailto:Joanne.Dutton@cheshireeast.gov.uk>]

Sent: 07 March 2012 15:56

Cc: 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 SHLAA

All,

This is a copy of the Strategic Housing Land Availability Assessment, including the amendments set out previously, as requested by a number of members.

Please note that this document remains confidential and is not to be circulated further.

Kind regards

DUTTON, Joanne

From: Mark Sackett [mark.sackett@rpsgroup.com]
Sent: 08 March 2012 14:59
To: DUTTON, Joanne
Cc: Aitken, Anthony; ken.hopkins@macmic.co.uk
Subject: JBB7917: Cheshire East SHLAA - Response from RPS for Mactaggart & Mickel

Categories: SHLAA

Dear Joanne

I refer to your message and enclosure from Monday. I remain concerned that the Council has not taken full and proper account of our concerns in respect of the Updated Cheshire East SHLAA and therefore object to its being regarded as 'signed off' or supported by the HMP. I share Richborough Estates' concerns over your proposal to treat the lack of response as equating to agreement or support. They have noted the difference between numbers of people sent the information and the organisations they may represent. The latter is perhaps more significant to avoid undue distortion of the response - even if the parties sent the email are genuinely placed to provide a representative comment. Please accept this as a response from Paul Hill and myself at RPS.

I would have welcomed a longer period in which to respond and consider 9 March does not allow sufficient time to consider this matter in the detail that is merited. I request you consider a longer period - perhaps to the end of March.

1. There is a lack of transparency - you have not named the respondents and have not provided copies of the various submissions.
2. The summary you have provided, however, reveals many and largely consistent concerns with regard to the Council's position on both the calculation of the housing requirement and the analysis of supply.

I welcome the fact that the Council has now conceded its previously held position with regard to dealing with the existing shortfall in the housing requirement. In our submission we have sought the addressing of the shortfall within the five year period and not spread over the remainder of the plan period (in this case the RSS period to 2021). If the 5 year assessment period is to be from April 2012 then account needs to be made in the 5 year requirement for the anticipated shortfall of 386 dwellings in the current year - this addition to the shortfall should also be redressed in the 5 year period and not spread over the residual plan period in my view. If the SHLAA were deferred until the accurate completions to 31 March 2012 were known then a precise 5 year requirement figure can be determined for 2012-17. The 5 year housing land supply calculation should be revisited accordingly.

In respect of housing land supply the Council has not made any changes in response to the many comments made at the HMP meeting in February and in subsequent written submissions. Our comments made still stand from our letter on behalf of Mactaggart & Mickel dated 23 February.

3. I note Richborough Estates' comments on the need for the lessons of the Sandbach appeal for the 2010 SHLAA to be learnt and carried forward into the Updated SHLAA. I share their concerns that those lessons have not been learnt and necessary methodological changes have not been made. This relates too to the appropriate discount rate for Appendix C sites where a lower discount rate is now being considered by the Council than the rate agreed to be appropriate at the Sandbach appeal.

I concur with Richborough Estates that in respect of sites without planning permission, the position is unequivocal. As Mr Jones has written *"these sites are not deliverable by reference to PPS3 unless there is very clear evidence that can substantiate that each and every site will come forward within the 5 year period. The SHLAA contains no such evidence and therefore no reliance can be placed upon the Council's analysis of the deliverability of these sites. Unless this evidence is set out clearly in the SHLAA to confirm availability, suitability and achievability within the 5 year period all of the sites in this*

category should be excluded from the 5 year supply. The point that the majority of dwellings within the category now have planning permission refers principally to the IPP sites. This ignores the vast majority of sites in the category that do not have planning permission". We have questioned the assumed build rates on the larger IPP sites.

Indeed, our points on build rates have not been taken on board. We have challenged the proposed delivery timetable and build rates for the edge of Crewe sites at Coppenhall East and Leighton West.

For these reasons, RPS on behalf of Mactaggart & Mickel is not able to endorse the Cheshire East Updated SHLAA as circulated on 5 March 2012. The Council should reconsider the document in April following accurate monitoring results of housing completions at 31 March 2012.

I trust you will take this into account and reconsider the document rather than move to publication unrevised.

Yours sincerely

Mark Sackett

Mark Sackett
Senior Director - RPS Planning & Development
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Birmingham, B32 1AF.
United Kingdom
Tel: +44 (0) 121 213 5500
Fax: +44 (0) 121 213 5502
Direct: 0121 213 5533
Email: mark.sackett@rpsgroup.com
www: www.rpsgroup.com

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

DUTTON, Joanne

From: Sarah Kubler [sarah.kubler@harrislamb.com] on behalf of Simon Hawley [simon.hawley@harrislamb.com]
Sent: 08 March 2012 15:12
To: DUTTON, Joanne
Subject: Cheshire East Draft SHLAA 2011 - HMP Consultation (P787)
Attachments: 20120308150515194.pdf

Categories: SHLAA

Dear Joanne,

Please find enclosed, copy of letter dated 7th March 2012 for your attention. The hard copy of this document has also been sent to your offices in tonight's post.

Kind regards

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

Our Ref: P787/SH/sjk
Date: 7th March 2012

Grosvenor House
75-76 Francis Road
Edgbaston
Birmingham B16 8SP

Miss Joanne Dutton
Cheshire East Council
Spatial Planning
Westfields
Norwich Road
Sandbach
Cheshire
CW11 1HZ

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

Dear Joanne

Cheshire East Draft SHLAA 2011 – HMP Consultation

Thank you for providing Harris Lamb Planning Consultancy (HLPC) with the opportunity to participate in the preparation of the Council's SHLAA. HLPC and our clients, Muller Property Group, are both members of the HMP and have previously submitted comments on the consultation draft SHLAA. I am instructed to advise you that Muller Property Group and HLPC are unable to support the SHLAA as currently drafted.

Following the HMP meeting on 9th February 2012, HLPC provided comments on the draft SHLAA as requested by the Council. These comments were largely focused on the way that the SHLAA deals with the Council's five year housing land supply shortfall. Whilst the Council's recognition that the historic undersupply of housing should be included in the five year housing land supply calculation is welcomed we are of the opinion that this undersupply should be addressed in the 5 year period, as supported by a number of Inspector's Decisions referred to in our representations. We are also disappointed that the other proposed changes which we requested to the SHLA have not been introduced to the document.

We are of the opinion that the summary of the proposed representations set out in your email of 5th March 2012 does not properly reflect the extent of our concerns. It is most disappointing that as part of the Council's response there has been no explanation given as to why HLPC's proposed changes have not been included in the document.

In our opinion the five year housing land supply calculation in the document is fundamentally flawed for the reason we have explained in our letter to you of 21st February 2012. It cannot be considered robust and consequently should not appear in the SHLAA. We therefore request that it should be noted that neither HLPC nor Muller Property Group support the SHLAA as currently drafted. We would welcome the opportunity to meet with you to explain our position and representations further if that is of assistance to you.

To: Joanne Dutton

Date: 7th March 2012

Yours sincerely

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

MÜLLER

Our Ref: CRM/DNF/9180
9 March 2012

Mr A.Fisher
Cheshire East Council
Spatial Planning
Westfields
Sandbach
CW11 1HZ

Dear Adrian,

Cheshire East Draft SHLAA Report 2011

As a longstanding local house builder and property company and member of the Cheshire East Housing Market Partnership, I am writing to express my serious concerns regarding the latest version of the draft Cheshire East SHLAA Report 2011.

Of particular concern is the lack of transparency and explanation as to how the five housing land supply has been calculated to arrive at the latest revised figure of 3.9 years. Whilst Officers have listed the comments made in the "Consultee" responses, the particular points raised in respect of calculating the five year housing land supply have not been adequately addressed. Without a clear, reasoned and robust justification which accords with national planning guidance which provides clear direction on how the five year supply figure should be determined, then I do not believe Officers have properly addressed this important issue.

Lessons do not appear to have been learnt from experiences at the recent Richborough and Fox Strategic Land appeal inquiries. Unless the five year housing supply figure is properly and transparently addressed in the SHLAA report, then I envisage similar situations arising at future planning appeals with the prospect of costs awards against Cheshire East Council. I would therefore ask that you give this matter your most urgent and serious attention.

Regretfully I am not able to support the SHLAA Report 2011 as it is presently drafted.

COLIN MÜLLER

Muller Project Management Limited The Point Crewe Road Alsager Cheshire ST7 2GP
Telephone 01270 878888 Fax 01270 873333 Email mail@muller-property.co.uk Web www.muller-property.co.uk

Company registered in England No. 4640581

DUTTON, Joanne

From: Hope, Jenny @ Manchester [Jenny.Hope@cbre.com]
Sent: 08 March 2012 17:19
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Joanne,

Unfortunately due to personal circumstances I have not been able to review your email or the attached comments as of yet and therefore will not be able to respond by your deadline of 9th March.

I am hopeful that I will be in a position to review and respond to you by early next week, therefore please take this as a confirmation that presently I am unable to support the Cheshire East SHLAA, however will provide you with an updated position next week.

Best regards

Jenny

Jenny Hope | Planner
CBRE Ltd
Belvedere | 5th Floor | 12 Booth Street | Manchester | M2 4AW
DDI 0161 233 5694 | F 0161 233 5684 | T 0161 455 7666 | M 07515 069171
jenny.hope@cbre.com | www.cbre.co.uk

Please consider the environment before printing this email.

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

Sent: 05 March 2012 15:54

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 SHLAA

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If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

Kind regards

Joanne Dutton MRTPI
Principal Planning Officer
Cheshire East Council
Westfields

DUTTON, Joanne

From: Michael Robson [michael.robson@cerda-planning.co.uk]
Sent: 08 March 2012 17:22
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

Thanks for your e-mail on this. I would confirm that whilst I am on the HMP I am not presently actively promoting any development on behalf of clients. You should not, therefore, take it as read that a lack of response is an approval from me to the work that has been undertaken. In the interests of clarity I would therefore confirm that I do not support the draft SHLAA.

Regards,

Michael Robson BA(Hons) DipTP MRTPI
Director

Cerda Planning
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Fort Parkway
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From: DUTTON, Joanne [mailto:Joanne.Dutton@cheshireeast.gov.uk]

Sent: 05 March 2012 15:54

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 SHLAA

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If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

DUTTON, Joanne

From: Lorraine Davison [Lorraine.Davison@dpp-ltd.com]
Sent: 09 March 2012 09:25
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); Taylor, Andrew (DWH North West) (andrew.taylor@dwh.co.uk); Stanley, Paul (paul.stanley@barratthomes.co.uk); Kitchingman, Paul J (paul.kitchingman@dwh.co.uk); Richard Purser
Subject: 2011 SHLAA Update- Response on behalf of DWH NW (HMP Member comments)
Attachments: Cheshire East 2011 SHLAA Update- DWH NW HMP Member response.pdf
Categories: SHLAA

Joanne-

Please find attached our response on behalf of David Wilson Homes (as an HMP Member) with regard to the Council's intention to progressing towards the approval of 2011 SHLAA Update . A hard copy will follow in tonight's post.

I trust you will take these comments into consideration and if you require anything further, please do not hesitate to contact us.

Regards

Lorraine

Lorraine Davison (lorraine.davison@dpp-ltd.com)

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DPP

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9 March 2012

Tel: 0161 238 9150 Fax: 0161 238 9878

www.dpp-ltd.com

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

Dear Joanne

**Cheshire East 2011 SHLAA Update
Response on behalf of David Wilson Homes North West, HMP Member**

I write on behalf of David Wilson Homes North West, member of the Housing Market Panel, their recent submission to the SHLAA Update and your confidential release of revisions for the 2011 SHLAA Update.

Firstly, David Wilson Homes wish to register they do not support the Council's proposed revisions. I set out their reasons below. Secondly, David Wilson Homes do not support the Council's presumption that no response from a HMP member represents 'support' to the proposed revisions.

David Wilson Homes made specific representation on site 2911 to request that the site area be redefined into two separate SHLAA sites. David Wilson Homes has a specific land interest in the land adjacent to Shavington Hall which forms part of site 2911. In accepting their representation that the site is available it is perverse not to clearly identify the area that is being promoted as available, rather than the whole site 2911. We seek correction on this point.

David Wilson Homes also seek for their land interest at site 2911 and for site 3025 (Maw Green) that the availability is recorded within the 0-5 year opportunity on the basis they intend to bring forward planning applications at both sites, and have already held pre-application discussions. We seek amendment to both sites on this point.

David Wilson Homes disagree with the Council's presumption in support of the proposed revisions from those HMP members who do not respond. There is no basis to make such a sweeping generalisation and assumption. At best silence can mean no further comment, but it is as probable a member has not had chance to reply with the very short timescales imposed for replies. By taking this action the Council is setting itself up for future



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challenge on the validity of the SHLAA Update as a robust and supported piece of evidence. The Council's ambition to reach a decision and publish the Update quickly is laudable, but this should not be done at the expense of undermining the very support you are seeking to claim from the HMP. David Wilson Homes would urge the Council to reflect on this point and make a clearer statement in the published SHLAA Update on the number who support, object and make no comment; and not to infer tacit support from those that do not comment.

Yours sincerely

Richard Purser

(*richard.purser@dpp-ltd.com*)

DPP

Direct Line: 0161 238 9869

cc. P Kitchingman, DWHNW
A Taylor, DWHNW
P Stanley, Barratts

DUTTON, Joanne

From: Martyn Twigg [m.twigg@gladman.co.uk]
Sent: 06 March 2012 15:08
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); HOUSE, Richard; rosemary.kidd@cjeshireeast.gov.uk; File
Subject: RE: Cheshire East SHLAA
Categories: SHLAA

Joanne

As you will be aware, Adrian Fisher made a presentation to the Strategic Planning Board in January 2012 to explain to Members the role and purpose of the SHLAA and the way it is prepared. Mr Fisher made clear to Members that the document was prepared in partnership with the HMP, stating that it was produced alongside others as it is *"quite important that there is a consensus around some of the sites and level of supply"*. He also underlined that it was not prepared by the Council in isolation, before moving onto explain the detail of the methodology.

Given this in the publicly stated approach of CEC, I am surprised and disappointed by the tenor and thrust of your response. Far from the importance of partnership working, your email conveys the impression of an attempt to 'railroad' the approval of SHLAA despite outstanding, serious and legitimate concerns about the robustness by many members of the HMP. Your email has the impression of a 'sign it off or else' ultimatum. This cannot be the approach that Members would have envisaged from Mr Fisher's presentation.

Detailing my general concerns, first can you clarify what is meant by the comment *"If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly."* How many organisations or people are members of the HMP, and how many of these members are being asked to provide sign off? We are aware that there are a number of consultants on the HMP who no longer have an interest in the SHLAA as they are no longer representing clients with interests the jurisdiction of the Local Authority. What happens if an organisation does not respond to your email – does this constitute support or disagreement with the SHLAA? Quite frankly this is a wholly unsatisfactory stance to adopt.

Secondly, I have serious concerns about the transparency of the process that has been undertaken and can see no good reason why the comments you have received cannot be published in full. I am not aware of any part of the planning system (whether the development management or development plan systems) where comments are not made available for inspection or scrutiny. Equally, as the evidence base used to prepare plans must be robust and open to challenge, it is unsound to use anonymous information in the preparation of the SHLAA. Finally, I am sure the Council would have to release these if a freedom of information request was made. Please therefore explain on what basis this irregular approach has been taken.

In terms of the detail of the amendments, I wish to make the following observations:

1. Sites without planning permission

We have made our position on the inclusion of sites without planning permission entirely clear. Unless a site has planning permission, or very clear evidence of delivery within the five years, it should not be included in the 5 year assessment. In order to substantiate the inclusion of these sites within the 5 year supply, the document must be amended to include a 'Commentary' column setting out the very clear evidence which supports why such sites are considered deliverable so that this can be tested. Indeed, it would be extremely helpful to include this information for each site in the SHLAA, including planning permission references. At present it is necessary to cross-refer between documents to find this information. It is better presented in a single document.

I would also add that it is unclear from the summary of responses included in your email how or where the comments that we (Gladman/FLP) have made about rolling forward sites without planning permission from the 2010 SHLAA. Please clarify.

2. Current Year

If the Council continues to adopt the inclusion of the current year then it must use this approach correctly. The purpose of the using the 'current year' is to provide a more accurate assessment of the 5 year supply because AMR's are usually published in the December of each year and the 5 year period run 1st April of the following year, and as consequence the data in the AMR is effectively 9 months old by the time it is published. Using the 'current' year allows for the 5 year supply to have a more realistic assessment of supply – rather than effectively it being out of date before it is published.

Accordingly, any under supply estimated in the 'current year' must be added to the shortfall in the residual requirement for the 5 year period. This has not been done in the SHLAA, but it must be if the 'current year' approach is to be used correctly.

Otherwise what is the purpose of making an assessment about delivery in the current year? On this basis the SHLAA is predicting an under delivery of 386 for the 'current year'. This will increase the shortfall to 1,036 (ie 650 plus 386).

It is also essential that the estimate of delivery in the 'current year' is accurate. I would draw attention to the difference between the 'current year' estimate in the 2010 SHLAA and actual delivery for that year as this shows how delivery was substantially over-estimated (ie. predicted 'current year' in the SHLAA 2010 was 801 whereas actual delivery for the same year was 466).

3. Updated Information

Time does not allow for detailed responses to be made on the updated site information contained in your email and therefore these comments should not be taken as indicating our endorsement of this or other aspects of the SHLAA.

Summary

Accordingly, we still have very serious concerns about the robustness of the SHLAA and therefore Fox Strategic Land and Property is unable to support the document in its current form.

Regards.

Martyn Twigg
Fox Land and Property
Gladman House
Alexandria Way
Congleton
Cheshire
CW12 1LB

Tel: 01260 288870
Fax: 01260 288871
Mobile: 07912 669443



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

Sent: 05 March 2012 15:54

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 SHLAA

All,

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If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

DUTTON, Joanne

From: Caroline Simpson [csimpson@nlplanning.com]
Sent: 07 March 2012 10:18
To: DUTTON, Joanne
Cc: Thorley, Andrew - TW North West
Subject: Cheshire East SHLAA [NLP.FID174842]

Categories: SHLAA

Joanne,

Thank you for the proposed amendments to the SHLAA. Whilst we [Taylor Wimpey UK Limited and NLP] broadly support the proposed changes to the SHLAA document and the re-calculation of the 5 year housing land supply we cannot formally sign-off the document until we have seen the final draft version with all the proposed changes made.

Please can you confirm that you will issue the final draft version and then allow for a short period of consultation to enable all HMP Members to provide any final comments. Taylor Wimpey is not in agreement until they have seen the final draft 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@nlplanning.com

nlplanning.com

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Nathaniel Lichfield & Partners Limited is registered in England, no. 2778116. Our registered office is at 14 Regent's Wharf, All Saints Street, London N1 9RL.

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

Sent: 05 March 2012 15:54

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 SHLAA

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Kind regards

DUTTON, Joanne

From: David Short [David.Short@emerson.co.uk]
Sent: 07 March 2012 12:32
To: DUTTON, Joanne
Cc: Joe Savage
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Dear Joanne,

On behalf of Jones Homes I am responding to indicate that it is noted that some positive changes have been made to the SHLAA in terms of answering the comments made at the last HMP meeting. These are welcomed.

There is still some concern over the inclusion of such a large number of sites that currently do not have a planning permission at this stage within the 5 year housing land supply. As and when these sites are brought forward this could be reflected in the annual updates of the SHLAA as commitments instead.

Kind Regards

David Short
Emerson Group/Jones Homes

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

Sent: 05 March 2012 15:54

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

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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

DUTTON, Joanne

From: Richard Chamberlain [Richard.Chamberlain@wainhomes.net]
Sent: 07 March 2012 15:30
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA

Categories: SHLAA

Joanne,

With regards to the 2011 SHLAA published by Cheshire East Council; unfortunately despite the amendments which you have made to the document, the Company's position remains that we cannot support the SHLAA in its current form. I trust that this is sufficient for your needs at this time. Please keep me informed if any further amendments are suggested.

Regards

Richard

Richard Chamberlain
Senior Land Manager

Wainhomes (North West) Limited

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F 01925 859651
E richard.chamberlain@wainhomes.net

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

Sent: 05 March 2012 15:54

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 SHLAA

All,

Please find attached a summary of all the comments received from the Housing Market Partnership, this document also contains the proposed amendments to the SHLAA and a number of comments in response to the other points raised during the consultation.

If we do not receive a response to the contrary by Friday 9th March we will now presume that you, as a member of the Housing Market Partnership, are able to support the revised Cheshire East SHLAA.

If the SHLAA receives a majority of support we will take the SHLAA forward to Portfolio holder sign off and will hope to publish the document shortly.

Kind regards

DUTTON, Joanne

From: Simon Artiss [simon.artiss@bellway.co.uk]
Sent: 07 March 2012 16:13
To: DUTTON, Joanne
Subject: RE: Cheshire East SHLAA
Attachments: Cheshire East 2011 SHLAA Update 23 Feb 2012.doc

Categories: SHLAA

Dear Joanne

I am not able to invest further time on this, only to say that the issues raised by the HBF in their letter, and referred to in ours, must be addressed. I also understand that the comments made by others may also have substance and if that is the case, they too must be addressed if your SHLAA is to be robust. I simply don't have the time to assess whether that is the case, but hope that my letter assists in that process.

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: DUTTON, Joanne [mailto:Joanne.Dutton@cheshireeast.gov.uk]
Sent: 05 March 2012 15:54
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 SHLAA

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Kind regards

Date: 12 March 2012

Adrian Fisher
Head of Strategic Planning
Cheshire East Council
Westfields
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Bellway Homes Limited
North West
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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: Marc Hourigan [marc.hourigan@houriganconnolly.com]
Sent: 07 March 2012 16:31
To: DUTTON, Joanne
Cc: 'Daniel Connolly'; 'Richard Lomas'
Subject: RE: Cheshire East SHLAA

Importance: High

Categories: SHLAA

Dear Joanne

Four days to reflect and comment on the documents issued towards the end of the day on Monday is not nearly enough. It seems to me that this is an attempt by the Council to force the approval of SHLAA despite outstanding concerns of various members of the HMP.

It doesn't seem right or indeed fair to say that because someone didn't respond to your email they support the SHMAA. How do you know that all of the HMP members are still at the organisations in your database? Have you factored in that many consultants who are no longer retained on sites in Cheshire East (but are still part of the HMP) might not respond simply because they are no longer acting for a client and might not be able to get authorisation from their employers to spend both time and money examining such a detailed document? Needless to say we are very concerned about the approach that is being adopted.

In terms of the amendments proposed, I wish to make the following comments:

Sites Without Planning Permission

Our position on the inclusion of sites without planning permission is clearly set out in our submission of 6 February 2012. Unless a site has planning permission it should not be included in the 5 year assessment. If the Council wants to include sites without planning permission in the 5 year supply then the deliverability evidence as to why such sites are included must be made available for scrutiny, failure to do so leaves the Council open to criticism going forward.

Site Specific - Updated Information

It is completely unreasonable in the time available to expect the HMP to issue a detailed response in respect of the site specific up-dates.

Residual Requirement

I note that the Council is now willing to adopt the residual requirement for the calculation of future housing land requirements; it's a shame that agreement wasn't forthcoming at the Inquiry in relation to the refusal of planning permission at Loachbrook Farm Congleton, however the change is a welcome one.

Summary

Unfortunately on the basis of the above we are not yet able to support the 2011 SHLAA.

Yours sincerely

Marc Hourigan BA(Hons) BPI MRTPI
Director

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M2 1DH

Telephone: 0161 212 7745

DUTTON, Joanne

From: Mike Jones [mike@RichboroughEstates.co.uk]
Sent: 08 March 2012 10:40
To: FISHER, Adrian G (Planning & Housing); DUTTON, Joanne
Cc: HOUSE, Richard; Kidd, Rosemary; Paul Campbell
Subject: RE: HMP. Draft 2011 SHLAA

Categories: SHLAA

Dear Adrian,

Thank you for your reply.

Where I can agree with you is that the calculation of a 5 year land supply is not an exact science nor indeed is our profession. Therefore it is important to consider the views of others and to take note of practices and decisions on such matters which is precisely the stance we have taken in responding to the consultation on the SHLAA.

I am pleased that you have now accepted the many views expressed to you by ourselves and other HMP members on how to deal with the shortfall in completions against the housing requirement. This in itself demonstrates the usefulness of the consultation exercise that has been carried out and corrects what I believe to be a fundamentally wrong position which the Council had intended to adopt.

On the supply side, I will not repeat the concerns I have clearly set out in my letter of 21st February and my email of yesterday since you have my comments and I trust that you will, as you say, take them into consideration. We have spoken to many HMP members over the last weeks and I can say that our view that sites without planning consent should not be included within the 5 year supply unless compelling evidence of deliverability exists and is subject to scrutiny are overwhelmingly supported. We are involved in SHLAAs throughout the Country and Cheshire East is the only Authority we have experienced who rely upon sites without planning permission from forming such a significant element of the 5 year land supply without demonstrating evidence of deliverability. You will know that when we examined this category of site in the 2010 SHLAA the Council was forced to concede that it hadn't any evidence of deliverability on a large number of sites that stood up to scrutiny. Whilst you may have removed some of these sites from the 2011 SHLAA, others remain and new ones have been included, yet the SHLAA contains no evidence to demonstrate they are deliverable. Given that Inspectors, in examining the 5 year supply in planning inquiries, have been applying discounts to sites with planning permission in strong market areas such as Solihull, the weight of evidence strongly points to Cheshire East Council being out of kilter in the way it calculates its housing land supply.

As regards your comment that we have not been even handed in our comments on deliverability, I refute that assertion entirely. Any site can be promoted through the planning system if the applicant feels that the planning issues weigh towards permission being granted and that the development being proposed is deliverable. That is why we promoted the land at Hind Heath Road where the Inquiry Inspector recommended that the appeal be allowed due in part to the lack of a 5 year supply in Cheshire East and why we are promoting the land at Maw Green road, Crewe in conformity with the IPP. Other developers have also submitted their sites following similar principles. There you have applicants who consider their site to be deliverable and are therefore prepared to fund the not inconsiderable amount of application costs in order to bring sites forward. It does not follow that the same circumstances will apply for each and every site listed in Table 6 in the SHLAA as in many circumstances these sites are not available, suitable or viable in the current market conditions. That is why they cannot possibly accord to the clear advice on deliverability in PPS 3 unless the Council can produce evidence that stands up to scrutiny to confirm that the sites are deliverable. The SHLAA contains no such evidence and based upon the flawed assessment of sites in the 2010 SHLAA HMP members can have no confidence that 90% of the sites in Table 6 will deliver completions within the next 5 years.

Finally, I must pick-up on your comment that your objective "is to reach a credible final version of the document that can be accepted by the greater part of the HMP." I take no issue with this as an objective, but I take great exception to the tactics you are intending to employ to try to railroad through your objective. It is clear from comments

submitted by HMP members to the previous consultation exercise that the large majority of members have concerns about the way you have calculated supply. HMP members like Council's officers are busy people and expect that they have taken time to consider the SHLAA and to submit their comments shows that the matter is being taken very seriously. However, the HMP membership is very large and the Council's data base is in part outdated and includes a number of organisations who may no longer be active in Cheshire East and who are therefore not going to submit a response. To suggest that non-respondents will be considered by the Council to be supportive of the SHLAA is wrong and manipulative. Only comments received can be taken into account and any attempt to differ from this recognized practice can have no credibility whatsoever and hence cannot achieve the objective you seek.

Kind regards,

Mike Jones
Strategic planning director

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From: FISHER, Adrian G (Planning & Housing) [mailto:Adrian.Fisher@cheshireeast.gov.uk]
Sent: 08 March 2012 09:17
To: Mike Jones; DUTTON, Joanne
Cc: HOUSE, Richard; Kidd, Rosemary; Paul Campbell
Subject: RE: HMP. Draft 2011 SHLAA

Mike

Thank you for your comments on the latest version of the SHLAA. Our consultation process has revealed that there is no consensus about the methodology on calculating 5 year supply - this is not an exact science and there are flaws and benefits in each of the calculations espoused.

In these circumstances there seems little prospect of every party agreeing to the SHLAA methodology. Our main priority therefore is to reach a credible final version of the document that can be accepted by the greater part of the HMP. By adopting the stance suggested by the HBF we are seeking to draw a line under the debate and adopt a

endorsed by the industry itself; this appears to give the best prospect of agreement across the different views
used.

don't comment in detail on the points made below but we will consider them as part of the completion of the
document. However I do feel your comments about deliverability are not even handed; the claims you make for the
deliverability of the sites you have been promoted can and have been repeated for many others. As your own sites do
not enjoy planning permission, nor do others. Consequently whilst the Council should not view prospects for delivery
through Rose tinted spectacles, I think we can and should take account of sites without permission where
circumstances merit it.

Regards

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

From: Mike Jones [<mailto:mike@RichboroughEstates.co.uk>]
Sent: 07 March 2012 18:12
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); HOUSE, Richard; Kidd, Rosemary; Paul@RichboroughEstates.co.uk
Subject: HMP. Draft 2011 SHLAA

Dear Joanne,

You will have received my email of yesterday in which I set out my concerns with regard to the procedure you are
proposing to adopt in order to try to railroad through approval of the SHLAA under the auspices of the HMP.
Pending your reply to the concerns I have raised I will confine this email to responding to the proposed amendments
the Council is agreeing to make to the SHLAA, although before I do so I would raise one additional matter of
procedure which follows on from your confirming the latest membership of the HMP to my colleague Paul
Campbell.

The list you provided contains 155 names but involves only 112 organisations. Whilst I completely reject your
suggestion to treat non-replies to your email as supporters of the Council's position on the SHLAA, can you please
confirm by return whether you see this applying to individual names or organisations. Can you also confirm whether
the structure of the HMP has a formal composition and whether it has terms of reference and if so can you please
let me have this.

Turning now to the detail of the Council's proposed amendments to the SHLAA, I would make the following
comments:

Shortfall in Housing Supply

We are delighted to see that the Council has eventually agreed to acknowledge that the shortfall in housing supply
against the RSS requirement has to be addressed in calculating the 5 year housing supply. You will be well aware
that this is the position we have put to the Council consistently over the last 12 months and that we believe the
shortfall should be addressed within the 5 year period and not spread over the remaining years of the RSS. However
as I made clear in my letter to Adrian Fisher of 21st February, whilst we believe that circumstances in Cheshire East
are such as to justify dealing with the shortfall in the 5 year period, that is a matter of judgement and the fact that
the shortfall has now been acknowledged is to be welcomed.

Your email refers to the justification for adopting an assessment of the current year which is not included as part of
the 5 year period. We have previously questioned whether the NPI 159 you are basing this position upon is still
current, but this notwithstanding, if you are going to use the current year then you need to acknowledge the

ions of the analysis in calculating the 5 year supply. The draft SHLAA suggests that net completions for the year will be 764 dwellings. This if achieved would mean a shortfall in delivery against the annualised requirement of 386 dwellings. As such, this shortfall needs to be added to the existing shortfall and the residual calculation set out in your email varied accordingly. My calculation of the revised 5 year requirement accounting for the current year is

Residual Plan Period	2012 - 2021	= 9 years
Residual Dwellings	20,700 - 9,314	= 11,386 dwellings
Residual annualised figure		= 1,265 dwellings
Amended 5 year housing requirement		= 6,325

This would revise down the 5 year supply based upon the Draft SHLAA calculation of its 5 year housing land supply to 3.78 years. It must also be borne in mind that in the 2010 SHLAA not only did the Council significantly over-estimate its 5 year housing land supply, it also over-estimated completions for the year April 2010 to April 2011. The estimate was nearly 50% incorrect which if repeated in the current year would require the 5 year calculation to be amended accordingly. As we are nearly at the end of the current financial year, the Council should be able to provide a more reliable figure for completions which should be adopted in place of the existing estimate and the 5 year calculation be adjusted accordingly.

Council's response on Land Supply

In my letter of 21st February I set out our position with regard to housing land supply and the way the SHLAA should be revised to produce a more robust assessment. All of my previous comments still stand given that the response set out in your email resists any changes whatsoever to the Council's calculation of its 5 year land supply. On this I should reiterate that all of our comments on the draft SHLAA relate to our analysis of the 5 year supply and do not concern the SHLAA analysis for later years.

On this basis I will comment upon the bulleted points set out in your email which respond to the concerns raised by HMP members. I will do so in the order you adopted.

- The Council's position is no different to that for the 2010 SHLAA when presumably the Council were satisfied with the assessments in that report. Our criticism of the SHLAA in the Hind Heath appeal showed that the Council's analysis for the 2010 SHLAA was significantly flawed and as such there can be no confidence that the mistakes made in 2010 have not been repeated. Only a full audit of the Council's analysis can establish the extent to which the 2011 analysis has corrected the mistakes made in 2010 and until this is undertaken no reliance can be placed on robustness of the analysis in the 2011 SHLAA.
- At the Inquiry last February into our Hind Heath appeal, the Council admitted that the SHLAA TASK GROUP had not undertaken a site by site analysis of the 2010 SHLAA. Although you have yet to forward me the comments made by the Task Group for the 2011 SHLAA, I strongly suspect that this will not include a site by site analysis. As such it is disingenuous to suggest that the SHLAA Task Group has analysed the sites in the 2011 SHLAA so as to give confidence that the Council's analysis has been thoroughly audited.
- With regard to sites without planning permission, the position is clear cut. These sites are not deliverable by reference to PPS3 unless there is very clear evidence that can substantiate that each and every site will come forward within the 5 year period. The SHLAA contains no such evidence and therefore no reliance can be placed upon the Council's analysis of the deliverability of these sites. Unless this evidence is set out clearly in the SHLAA to confirm availability, suitability and achievability within the 5 year period all of the sites in this category should be excluded from the 5 year supply. The point that the majority of dwellings within the category now have planning permission refers principally to the IPP sites. This ignores the vast majority of sites in the category that do not have planning permission and therefore the point being made is extremely weak.
- Build rates are set out in the SHLAA and have to be adhered to if the SHLAA is to have any credibility. Evidence submitted by applicants in support of planning applications needs to be subjected to proper analysis where it differs from the build rates agreed by the HMP and this has not been carried out by the

Council. Whilst the Council may be satisfied that the information on alternate build rates should be applied for Coppenhall East and Leighton West, it is very clear from replies from HMP members including those from major house builders, that the Council's position is not supported.

- No justification is given to substantiate the lower discount now being given to the Appendix C sites than that accepted by the Council at the Hind Heath Inquiry. These sites are highly susceptible to non-delivery and a 10% discount cannot be justified.

In the extremely limited time that you have allowed for responses, I have not been able to analyse the updated site information set out in your email and therefore I will reserve my position on this detail. However for the reasons set out in my letter of 21st February and in this email, Richborough Estates is not able to support the SHLAA in its present form and would again urge the Council to reconsider its position in order that a robust analysis can be produced.

Regards,

Mike Jones
Strategic planning director

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ON, Joanne

From: Mike Jones [mike@RichboroughEstates.co.uk]
Sent: 06 March 2012 13:01
To: DUTTON, Joanne
Cc: FISHER, Adrian G (Planning & Housing); HOUSE, Richard; Paul Campbell
Subject: HMP : Draft 2011 SHLAA

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: SHLAA

Dear Joanne,

Further to your email to my colleague Paul Campbell setting out the Council's intention to progress towards approving the 2011 SHLAA, I would respond as follows:

1. The procedure you have adopted lacks transparency and as such it is not possible to establish from your summary of responses received either the identity of the HMP member or whether the summary fairly reflects the contents of the representation. I can see no clear reason why you should deliberately hide this information from other members of the HMP so please can you explain your justification and whether or not your doing so is consistent with the relevant regulations.
2. Setting aside the site specific representations which have been received, the detailed comments on the SHLAA that are contained in the attached summary consistently raise concerns with regard to the Council's position on both the calculation of the housing requirement and the analysis of supply. Only one representation (Consultee 13) is supportive of the SHLAA methodology. Whilst the Council has now conceded its previously held position with regard to dealing with the existing shortfall in the housing requirement, on the question of housing land supply the Council has resisted making any changes to the position put to the HMP meeting in February notwithstanding the concerns that have been made by HMP members. I will submit our further comments on the Council's response on housing land supply in due course, but suffice to say at this stage that I find the Council's response to be extremely regrettable and without foundation.
3. Your email asks for responses from HMP members by this Friday. This gives the HMP just 2 days to consider the Council's response and then to submit a further reply. This period is unreasonably short especially given the inadequacy of the Council's response and the lack of transparency the Council is affording to the process. I would therefore urge you to extend the timescale for endeavouring to finalise the SHLAAS to the end of the month to allow sufficient time for HMP members to respond properly.
4. Notwithstanding the concerns I have set out above, by far the most worrying matter is your threat that unless members submit objections by Friday 9th March then the Council will presume that those non responding members of the HMP are supportive of the Council's position. This is simply outrageous and I wholly reject that this proposition has any legitimacy as part of a proper and reasonable process of decision making. I cannot think of any democratic process that relies upon the implied consent of people or organisations that do not respond to an invitation as indicating full support. It is nonsensical and it would in no way give the SHLAA any credibility whatsoever. Furthermore, we suspect that your data base is out-dated as many members of the HMP that we have contacted using the HPM data are no longer employed at that organisation. Also we are aware of several HMP members who no longer have live development interests in Cheshire East on housing matters and who are not interested in the SHLAA. Any lack of response from this source can in no way be taken for support for the SHLAA. Accordingly, I trust that you will immediately reconsider this suggestion and adopt the normal procedure in such positions of evaluating support or objection to the SHLAA by reference to representations that are submitted. Should you not do so, then we intend to take this matter further as we cannot support any such approach.

Given the timescales you have proposed I trust that you will respond to the points I have raised by return in order that we can consider our position before responding on the detailed points you raise in your email.

Sincerely,

Mike Jones
Strategic planning director

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DUTTON, Joanne

From: Paul Campbell [Paul@RichboroughEstates.co.uk]
Sent: 08 March 2012 17:56
To: DUTTON, Joanne
Cc: Mike Jones; FISHER, Adrian G (Planning & Housing); HOUSE, Richard; Kidd, Rosemary
Subject: HMP list

Categories: SHLAA

Hi Jo

Upon reviewing the HMP list you emailed me yesterday, I think it might be sensible to update your records as there are a number of problems. Essentially it includes members who....

- have retired from the business with no one else taking over their role
- have been made redundant or moved on to new companies
- have no idea how they came to be on the HMP
- no longer have any interests in the HMP and are consequently not engaged in the process
- have not received your e-mail on Monday and Wednesday of this week despite being on the list

If I could perhaps make a suggestion, why do you not ask people to confirm if they wish to be a HMP member each year so that the membership remains a bit leaner and includes people who are genuinely engaged in the process.

I think the above does rather question the appropriateness of counting non replies to your email of Monday as tacit approval of the SHLAA, and I refer you to emails from Mike Jones on this point.

Kind regards

Paul Campbell
Director

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