

# CHESHIRE EAST COUNCIL

## STRATEGIC PLANNING BOARD

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**Date of meeting:** 29 July 2009  
**Report of:** John Knight, Head of Planning and Policy  
**Title:** Village Design Statements for Audlem and Bunbury

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### **1.0 Purpose of Report**

- 1.1 To consider the adoption of two “non statutory” Village Design Statements originally adopted by Crewe and Nantwich Borough Council in March 2009.

### **2.0 Decision Required**

- 2.1 To agree to adopt the documents as “material considerations” in the determination of planning applications within the parishes concerned. .

### **3.0 Background And Legislative Framework**

- 3.1 The Cheshire East Local Development Scheme, which was approved in February 2009, identifies those Supplementary Planning Documents and Guidance notes which were to be inherited by the new Council as material considerations in planning decisions within the former local authority areas.
- 3.2 In March 2009, Crewe and Nantwich Borough Council’ Development Control Committee adopted two separate Village Design Statements (VDS’s) for Audlem and for Bunbury as “*a material consideration in relation to planning applications affecting the parish.*” It was not possible to deal with them as statutory Supplementary Planning Documents because they were not listed in the Borough Council’s Local Development Scheme.
- 3.3 Both documents had been subject to extensive public consultation within the respective parishes. As a result it would be expected that they would be given due weight by any Planning Inspector if they were referred to in any appeal.
- 3.4 Today’s report has been generated by an enquiry from the authors of the Bunbury document which relates to its status under Cheshire East Council.

### **4.0 Proposals and Recommendations**

- 4.1 It is recommended that the Council formally embraces the policy of the former Crewe and Nantwich Borough Council; and resolves:

**That the contents of the two documents be endorsed; and be given due weight as a material consideration when planning applications in the parishes of Audlem and Bunbury are considered.**

## **5.0 Financial Implications**

5.1 None

## **6.0 Legal Implications**

6.1 The clarification of the status of these documents will provide a fair and transparent decision-making process in accordance with the Constitution and best practice. It will reduce the risk of appeals, costs applications and legal challenges.

6.2 In its review of the 2004 Planning and Compulsory Purchase Act, the government recognised that its original approach to Local Development Schemes was unduly restrictive. Consequently from 6 April 2009, the legislation was amended to remove the necessity of identifying SPDs in the Local Development Scheme. They can now be produced when ever the need arises. In addition it will normally no longer be a requirement to produce an accompanying sustainability appraisal. Future Village design statements can therefore be dealt with in this streamlined manner.

## **7.0 Risk Assessment**

7.1 To mitigate against the potential for appeals, costs and legal challenges.

## **8.0 Reasons for Recommendation**

8.1 To clarify the position regarding the status of the two Village Design Statements.

### ***For further information:***

Portfolio Holder: Councillor Jamie Macrae  
Officer: Paul Urwin  
Tel No: 01270 537476  
Email: Paul.Urwin@cheshireeast.gov.uk

### ***Background Documents:***

*Cheshire East Local Development Scheme  
Minutes of Crewe and Nantwich Borough Council's development Control Committees,  
5<sup>th</sup> and 26<sup>th</sup> March 2009  
Audlem Village Design Statement  
Bunbury Village Design statement*

*Documents are available for inspection at:*

- *Town Hall, Macclesfield*
- *Municipal Buildings, Crewe*
- *Westfields, Sandbach*