

## Strategic Planning Board

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**Date of Meeting:** Friday 02 October 2020

**Report Title:** Site Allocations and Development Policies Document – Revised Publication Draft

**Senior Officer:** Frank Jordan – Executive Director of Place

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### 1. Report Summary

- 1.1. The Site Allocations and Development Policies Document (SADPD) forms the second part of the Council's Local Plan. The Council published an initial Publication Draft SADPD and invited representations to be made about it over a period of six weeks during August and September 2019. This report seeks the views and recommendations of the Strategic Planning Board regarding the approval to publish a Revised Publication Draft SADPD, which makes a number of proposed changes to the initial version, and invite representations to be made about it, similarly over a six week period. The proposed changes follow the careful consideration of representations received in 2019 and reflect updated evidence and circumstances regarding the Plan.
- 1.2. The purpose of the Local Plan is to achieve sustainable development by enabling jobs growth and maintaining a strong local economy, protecting the environment and delivering the new homes needed for existing and future residents. The Revised Publication Draft SADPD remains consistent with the strategic policies of the adopted Local Plan Strategy (LPS) and supports priority actions within the Council's recently approved Environment Strategy including the urgent need to tackle climate change.

### 2. Recommendations

- 2.1. That Strategic Planning Board;
  - 2.1.1. Consider the Revised Publication Draft version of the Site Allocations and Development Policies Document (Appendix 1), its Sustainability

Appraisal (Appendices 2 and 2a) and Habitats Regulation Assessment (Appendix 3) and recommend to Cabinet that the documents are approved for publication so that representations can be made about them over a period of six weeks; and

- 2.1.2. alongside the documents listed in 2.1.1, recommend that Cabinet approves and publishes the draft Plan's supporting evidence base (listed in Appendix 6), including the draft Statement of Common Ground (Appendix 8).

### **3. Reasons for Recommendations**

- 3.1. To enable residents, local councils, developers, landowners, organisations and others to make representations about the SADPD, as amended, following its initial publication in August and September 2019.

### **4. Other Options Considered**

- 4.1. There is no realistic alternative to progressing the SADPD. The Council has expressed its intention to prepare the SADPD within its Local Development Scheme. The SADPD is the route by which a comprehensive set of up-to-date planning policies for the borough can be put in place at the earliest opportunity, leading to the replacement of policies in the legacy local plans.
- 4.2. The Council could submit the initial Publication Draft SADPD for examination following its six-week period representations period in August and September last year; however this would not enable the changes proposed to it to be made. The changes are significant and, as such, a further period for making representations would be required ahead of the Plan's submission to the Secretary of State for examination (see paragraphs 5.4-5.9).

### **5. Background**

- 5.1. The first part of the Council's Local Plan, the LPS, was adopted in July 2017. It sets out the vision and overall spatial strategy for the borough to 2030. It includes strategic policies and allocates 'strategic sites' for development.
- 5.2. The SADPD is the second part of the Local Plan. It follows the strategic lead of the LPS and sets out more detailed, non-strategic policies to guide planning application decisions. It also allocates a limited number of additional, non-strategic sites for development.

## The preparation of the SADPD

- 5.3. The preparation of the SADPD commenced in 2017 and has been shaped by feedback received through public consultation and relevant evidence (see paragraph 5.6). Table 1, below, identifies the key feedback stages that the Plan has gone through.

<b>Table 1: Key stages in the development of the SADPD to date</b>	
<b>Stage</b>	<b>Details</b>
<p><b>Issues Paper (Regulation 18)</b></p> <p>February 2017</p>	<p>Consultation on the SADPD Issues Paper took place for 6 weeks between February and April 2017. It was the first opportunity for residents, developers and other organisations to give their views on the scope of the SADPD and the direction that its policies should take.</p> <p>The Issues Paper identified a range of matters and issues that the SADPD was likely to address, and asked a series of questions to encourage feedback on them. In parallel, consultation also took place on a draft sustainability appraisal scoping report, setting out the proposed environmental, economic and social issues against which SADPD policies and proposals would be tested.</p> <p>The consultation also included a ‘call for sites’ exercise, through which landowners and developers were invited to submit sites for consideration, to inform the selection of land allocations in the SADPD.</p> <p>A Report of Consultation, summarising the 1,478 responses to the Issues Paper was published on the Council’s website.</p>
<p><b>First Draft SADPD (Regulation 18)</b></p> <p>September 2018</p>	<p>The First Draft SADPD was published for consultation between 11 September and 22 October 2018. It was close to a full draft Plan.</p> <p>During the consultation, a further ‘call for sites’ took place providing an additional opportunity to submit sites that may be suitable for Gypsy, Traveller and Travelling Showpeople accommodation.</p> <p>A Report of Consultation, summarising the 3,042 responses made to the First Draft Plan was published on the Council’s web site.</p>
<p><b>Publication Draft SADPD (Regulation 19)</b></p> <p>August 2019</p>	<p>The initial Publication Draft version of the SADPD was subject to a six-week period for representations from 19 August to 30 September 2019.</p> <p>A Report of Consultation, summarising the 2,698 responses made to the initial Publication Draft Plan was published on the Council’s web site in May this year.</p>

## Proposed next steps

- 5.4. The publication draft (Regulation 19) version of a plan should be the version that a Council considers legally compliant and sound and therefore ready for submission for examination and capable of adoption. However, National Planning Practice Guidance (PPG) acknowledges that local planning authorities may identify proposed changes following the publication of their plans and the period in which representations have been invited<sup>1</sup>. The PPG refers to the practical guidance on the procedural aspects of the examination of local plans produced by the Planning Inspectorate (PINS)<sup>2</sup>. The PINS Guide advises that if a local planning authority wishes to make changes to a plan following the Regulation 19 consultation and before submission, and wishes the changes to be considered as part of the submitted plan, they should prepare an addendum to the plan containing the proposed changes. It goes on to say that the addendum, together with a sustainability appraisal [SA] of the proposed changes if they are significant, should be published for consultation, on the same basis as the Regulation 19 consultation, before the plan is submitted for examination.
- 5.5. The proposed changes to the SADPD are significant and, therefore, if they are agreed to at the Cabinet meeting of 6 October 2020, a further period to allow representations to be made to the Plan would be necessary. The proposed changes to the Plan would be presented in a 'track changes' format (Appendix 1) and although stakeholders would be encouraged to focus on the proposed changes to the Plan, representations would be accepted on any part of the Plan, even where they related to policies or parts of it that would be unchanged. Representations to the initial Publication Draft SADPD would, unless withdrawn or superseded, also remain 'live' and be submitted for consideration by the appointed Inspector at the examination stage.
- 5.6. A 'clean' version of the revised Plan<sup>3</sup> and a Schedule of Changes document (Appendix 4) would also be made available for the consultation. The latter describes the reasons for the proposed changes. A list of proposed policies and site allocations in the Revised Draft SADPD is set out in Appendix 5. In terms of other supporting documents and related evidence base to the Plan, these would be published, where necessary, as 'clean', updated versions. There is an extensive evidence base which has informed the SADPD and these

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<sup>1</sup> Planning Practice Guidance Paragraph: 050 Reference ID: 61-050-20190315 Revision date: 15 03 2019

<sup>2</sup> Procedural Guide for Local Plan Examinations, June 2019 (5<sup>th</sup> Edition)

<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

<sup>3</sup> Reference ED 01b in the Revised Publication Draft SADPD library

documents are available to view in the Revised SADPD library which would become the examination library in due course (<https://cheshireeast-consult.objective.co.uk/portal/planning/cs/sadpd/revpubevidence>). A list of documents published in connection with the Revised Publication Draft SADPD is also included in Appendix 6.

- 5.7. As with the Regulation 19 Plan in 2019 (the initial Publication Draft SADPD), representations would be invited on whether or not the Revised Publication Draft SADPD has met the legal requirements for its preparation and whether or not it is sound, namely that it has been positively prepared and is justified, effective and consistent with national policy. These will be tested at during the Plan's examination. The National Planning Policy Framework says that these tests of soundness will be applied to non-strategic policies in a proportionate way taking into account the extent to which they are consistent with relevant strategic policies for the area. It is considered that the Plan, appended to this report, meets these tests.
- 5.8. The period for making representations on the Revised Publication Draft SADPD would continue to be carried out in accordance with the Council's Statement of Community Involvement 2018, subject to a number of temporary revisions to be agreed through a Planning Portfolio Holder decision at the beginning of October. These revisions reflect temporary changes<sup>4</sup> made by the Government to the regulations<sup>5</sup> governing how Plans are made available at the Regulation 19 Stage. The changes temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority's principal office and at such other places as the authority considers appropriate, although every effort will still be made to make physical copies of documents available for inspection at libraries where this can be done with safety measures in place. They also make temporary changes to remove the requirement on a local planning authority to provide hard copies of documents. These provisions apply until 31 December 2020. Documents are still required to be made available on the local planning authority's website. Planning Practice Guidance advises that authorities should continue to promote effective community engagement by means which are reasonably practicable, using online engagement methods to their full potential.
- 5.9. Following the period for making representations, the next step would be to collate and summarise the responses and submit the SADPD and its associated documents to the Secretary of State (Planning Inspectorate)

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<sup>4</sup> The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020

<sup>5</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

for examination. The submission of the Plan would be a Full Council decision. Taking into account the length of time that the examination might take, the Council could be in a position to adopt the SADPD in late 2021 or early 2022.

#### The proposed changes

5.10. All of the proposed changes to the SADPD can be viewed in the documents described above and are appended to this report or available in the Revised Publication Draft SADPD library. The proposed changes include:

□ The removal of housing allocations at Local Service Centres (LSCs)

There is evidence that now, arguably, points to a different conclusion being reached in relation to the allocation of further housing sites at the LSCs. The LPS (policy PG 7 Spatial Distribution of Development) says that the 13 LSCs are expected to accommodate in the order of 3,500 homes. This figure is neither a ceiling nor target to be reached and the supporting material to the policy advises that the numbers it sets out for individual settlements or tier of the settlement hierarchy are an indicative distribution.

The results of 2020 housing monitoring<sup>6</sup> shows that the supply of new homes (completions, commitments and a neighbourhood plan allocation) at the LSCs has increased by only a small amount (12 homes) in 2019/20. It now stands at 3,210 homes against an indicative figure of 3,500 homes. Although this is not a marked shift in the level of supply, there are a number of other changes in circumstances which, it can be argued, now warrant the removal of LSC allocations, most particularly in the context of many of the allocations currently proposed being dependent on amendments to the Green Belt boundary which can only be justified if exceptional circumstances exist.

The changes are:

- The balance between the components of LSC housing supply shifted substantially towards completions during 2019/20. A total of 418 net additional homes were completed across the LSCs in 2019/20, which now means that 2,007 net additional homes have been built across these villages in the first 10

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<sup>6</sup> Available on the Housing Supply page on the Council's web site

[https://www.cheshireeast.gov.uk/planning/spatial\\_planning/research\\_and\\_evidence/strategic\\_housing\\_land\\_assmnt/housing-monitoring-update.aspx](https://www.cheshireeast.gov.uk/planning/spatial_planning/research_and_evidence/strategic_housing_land_assmnt/housing-monitoring-update.aspx)

years of the Plan period. This represents 57% of the 3,500 figure, noting that this figure is indicative only.

- In the light of representations to the initial Publication Draft SADPD, further work has been carried out to identify the potential level of small site windfall development that could take place at LSCs that would add further to their housing supply by the end of the Plan period. If this replicated the average number of homes built on small-site windfall sites during the first 10 years of the Plan period (2010 to 2020), this source of supply would deliver a further 189 homes at LSCs by 2030. With this small site windfall allowance, the current housing supply at LSCs increases to 3,399 homes.
- The 2020 monitoring results show that there remains a significant overall housing supply in the borough. The level of supply flexibility now stands at 13.9%. This compares to a figure of just under 10% when the LPS was examined and found sound. More particularly, the substantial level of housing completions in 2019/20 (3,065 homes) means that supply flexibility, expressed as a proportion of homes still to be built to reach the overall requirement for 36,000 homes, now stands at 24.6%. Adding in the proposed SADPD housing allocations at Middlewich and Poynton (275 homes in total), the respective levels of flexibility increase to 14.6% and 25.9%. The latter figure now means that even if one in five homes within the current housing supply was not built by 2020, the Plan's minimum requirement would still be exceeded.

Whilst taking account of the Council's position on this issue in the initial Publication Draft SADPD and the evidence that supported it, with the change in circumstances described above, it is no longer considered that exceptional circumstances exist to justify the further changes to the Green Belt boundary involved in making the additional allocations in the initial Publication Draft SADPD. There are four allocations that fall outside the Green Belt in the initial Publication Draft SADPD. Three of these are located within northern LSCs on sites outside of the Green Belt. Subject to the application of other policies, these could still, in principle, contribute further towards the LSC and Plan housing supply. The initial Publication Draft SADPD also includes a housing allocation on the edge of Audlem which is surrounded by the Open Countryside but not the Green Belt. Although there is no exceptional circumstances test to apply in relation to this site on the edge of the village it would nevertheless involve the loss of a site greenfield site within the Open

Countryside which should, arguably, be avoided in the context of there being a LPS compliant level of housing supply at the LSCs and a significant Plan supply overall.

- Aircraft Noise

Policy ENV 13 (Aircraft Noise) seeks to manage new development in the area around Mobberley and Knutsford affected by noise from aircraft approaching and taking off from Manchester Airport, in order to avoid this having a significant impact on the health and quality of life of people. The policy has been revised to reflect updated advice from the specialist consultants engaged to assist the preparation of the policy. Most significantly it removes the presumption against new residential development between the 60 and 63 dB LAeq 16 hour contours but applies criteria requiring particular noise levels not be exceeded within new homes, consistent with achieving adequate ventilation, and controlling noise within outdoor garden/balcony areas. The justification for the revised policy is set out in Aircraft Noise Policy Background Report [reference ED 15] available in the Revised Publication Draft SADPD library.

- Environment Strategy

In the light of the Council's recently approved Environment Strategy, two additional elements have been added to Policy ENV 7 (Climate Change).

The first would introduce a requirement, permissible under the Planning and Energy Act 2008, for new build residential development to achieve a reduction in CO2 emissions 19% below what is currently required under the Building Regulations. However, viability evidence<sup>7</sup> indicates that this could not be achieved in all new residential schemes. This new element of the policy would also fall away in the event that the Government, as they intend, introduce a higher environmental performance standard for new homes some time this year through the Building Regulations, as part of the progression towards a Future Homes Standard in 2025.

The second would introduce a requirement for all new major residential development to provide for at least 10% of its energy needs from on site renewable or low carbon energy generation – the 'Merton Rule' as it is commonly known. Similarly, this could not viably be achieved for all schemes in the Borough.

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<sup>7</sup> Local Plan Site Allocations and Development Policies Viability Assessment. Reference ED 52 in the Revised Publication Draft SADPD library



- Houses in Multiple Occupation (HMOs)

Policy HOU 4 sets out a number of requirements that proposed new HMOs should meet. These have been expanded to include a criteria that seeks to manage the concentration of HMOs in an area. It states that applications will be permitted provided that the proportion of HMOs would not exceed 10% of all residential properties within a 50m radius of an application site. This is consistent with the proposed approach set out in an emerging draft HMO Supplementary Planning Document and is intended to eventually give development plan status to this requirement

- Retail and town centres

Retail and town centre policies within the initial Publication Draft SADPD along with the definition of town centre boundaries on the Local Plan policies map were informed and are supported by the Cheshire East Retail Study 2016 and a 2018 quantitative update. The retail sector has, and continues to, change rapidly affecting the future of town centres. A study that is four to five years old at the time of the Plan examination is likely to be viewed as out of date. The Study has therefore been updated and this has fed into retail and town centre policies. Most notably, it identifies a reduction in future retail floorspace needs generally in the Borough. It highlights the acceleration of recent retail trends and the ongoing uncertainty arising from the COVID-19 situation. The Plan has also been updated to reflect the Government's recent changes to the Use Classes Order, effective from 1 September 2020, which creates a new commercial, business and service use class (Class E). This brings together the previous shops (A1), financial and professional services (A2), restaurants and cafes (A3) with, amongst other uses, offices (B1) to provide greater flexibility for changes in uses within town centres and elsewhere without the need for planning permission.

- Gypsy and Traveller accommodation

It is proposed that a further site is allocated for 4 permanent residential Gypsy and Traveller pitches at Mill Lane, Smallwood (Policy HOU 5a Gypsy and Traveller site provision). It would involve the extension of an existing site with planning permission for 4 pitches. This additional provision would assist in meeting the identified need for additional pitches in the borough.

The policy approach towards Gypsy and Traveller provision is proposed to be changed so that the local need for further pitches for people falling within the category of 'unknown need' and also for people requiring culturally appropriate accommodation but falling

outside the planning definition for Gypsy and Travellers can be properly addressed.

- Safeguarded land at LSCs

The SADPD continues to make provision for 13.6 hectares of safeguarded land at the LSCs. This is land removed from the Green Belt to meet longer-term development needs, beyond the current plan period. In the initial Publication Draft SADPD, the apportionment of safeguarded land generally followed the apportionment of new development across the northern LSCs. In the absence of housing allocations and apportionment of development in the Revised Publication Draft SADPD this approach has changed and the apportionment is now based on a number of factors – the level of services and facilities in the LSC, constraints (e.g. landscape quality and heritage assets), minimising the impact on the Green Belt and site opportunities. In the absence of there being any suitable and available sites in Mobberley to meet its apportionment, additional safeguarded land is directed to Chelford, following the consideration of this and other options. This is set out in evidence<sup>8</sup> and Policy PG 12 (Green Belt and safeguarded land boundaries) identifies the sites that would be designated.

### Policies Map

- 5.11. Councils are required to prepare a policies map, setting out the spatial application of adopted local plan policies on a map base. A map booklet accompanies this report showing the spatial application of the Revised Publication Draft SADPD policies along with LPS policies (Appendix 7). An interactive, on line version of the map will be available when the Plan is published for representations.

### Neighbourhood Development Plans (NDPs)

- 5.12. Careful consideration has continued to be taken of the many NDPs prepared and in preparation in the borough. The aim in developing the SADPD has been to support NDPs whilst meeting the strategic requirements of the LPS. There has been a significant amount of engagement with local councils at each stage of the Plan's development. All local councils would be invited to make representations to the Revised Publication Draft SADPD.

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<sup>8</sup> Local Service Centres Safeguarded Land Distribution Report. Reference ED 53 in the Revised Publication Draft SADPD library

## Duty to Co-operate

5.13. The Council is required to co-operate with other local authorities and other bodies on strategic planning matters that cross administrative boundaries. This was clearly a key consideration in the preparation of strategic policies in the LPS. It is not considered that any new, crossboundary strategic matters arise through the preparation of the SADPD. This is evidenced through a proposed Statement of Common Ground (Appendix 8) which would be published alongside the Revised Publication Draft SADPD. Neighbouring authorities and other relevant statutory and non-statutory bodies would be invited to sign a final Statement of Common Ground following the period for representations, which would accompany the Plan when submitted for examination.

## The effect of COVID-19

5.14. COVID-19 has had unprecedented effects for society. It has had a major impact on the UK economy and the country suffered its biggest slump on record between April and June as coronavirus measures pushed the country officially into recession.

5.15. It is still too early to know what the longer-term impacts of COVID-19 may be. It is evident, however, that vulnerability to COVID-19 has varied across society with greater vulnerability being linked to deprivation and existing health inequalities. Land-use planning influences how resilient places and communities are to risk and their recovery.

5.16 The impact of COVID-19 has been considered in the context of the SADPD. It is important to remember that its role is to set out more detailed, non-strategic policies under the umbrella of the adopted LPS. It is not the role of the SADPD to revisit key strategic matters settled through the LPS process. The updated Viability Assessment and Retail Study accompanying the SADPD both point to the uncertainties that have arisen because of COVID-19.

5.17. National planning policy has not been changed in the light of COVID19, although this would not be expected at this time. The Government's focus has been to introduce greater planning flexibilities through changes to permitted development rules and the Use Classes Order so buildings and changes of use can take place without the need for a planning application. Many of these changes were signalled before the current COVID-19 situation. The Government has also made changes to enable planning decision making and consultation to continue and has brought in provisions to automatically extend certain planning

permissions. The Government has also announced proposed radical changes to the planning system which it will bring into effect through new legislation and updated national policy.

- 5.18. In assisting with economic recovery, both in terms of supporting future investment in employment development and housing, it is helpful that the Council has a growth-focused, up to date LPS. The current COVID19 situation has brought about changes to many aspects of our lives, some of which may be continue in the longer-term. For example, there has been more home working for many office-based roles, an acceleration of shopping trends resulting in contracting retail floorspace on the high street and an increase in the use of digital communication technology. It has also highlighted the need for people to be able to access open and green spaces locally.
- 5.19. The LPS and the policies within the emerging SADPD are generally well placed to respond to these challenges. The ambition of good placemaking and the need to create quality homes and neighbourhoods existed before COVID-19, however the COVID-19 situation has focused more attention on these and exposed those places where they have not been achieved.
- 5.20. SADPD policies towards promoting accessibility standards and space standards for new homes, greenspace protection and provision and greater flexibility in uses within town centres are examples of how the Plan could assist in addressing some of the potential longer-term implications of COVID-19. At this time, however, it is not considered that any further specific policy is warranted in the SADPD in the light of COVID-19.

#### National planning reforms

- 5.21. At the beginning of August, the Government published, in the White Paper: Planning for the Future, proposals to radically reform the planning system, including the way in which local plans are prepared. Consultation on the proposals is open until 29 October. The White Paper makes clear that the Government wishes to move quickly to a proposed new system of plan-making. Amongst many other changes, the Government intends, in future, that the National Planning Policy Framework (NPPF) would become the primary source of policies for development management and there would be no provision for the inclusion of generic development management policies which repeat national policy within local plans. The proposed reforms have the potential to affect how the SADPD is taken forward, however the White

Paper contains insufficient detail to fully gauge the impact of the proposed reforms at this stage. For example, it is unclear what status the SADPD would have under transitional arrangements and how its policies would be affected by the intention that generic development management policies would be set out only in the NPPF.

- 5.22. The proposed reforms inevitably raise a number of issues and uncertainties for many authorities currently preparing plans. Because the proposed reforms are in draft and subject to consultation, and because of the lack of detail within them, it is not recommended that work on the SADPD be halted at this time. However, it will be important to closely track the progress of the reforms and continue to consider their impacts on the SADPD.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. In accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'), the Council has a statutory duty to prepare planning policies and maintain an up-to-date development plan.
- 6.1.2. Secondary legislation relating to the preparation of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The proposed consultation on the revised draft SADPD will be carried out in the stage of the planmaking process governed by Regulation 19. Regulation 19 requires Councils to notify particular bodies and groups on the published Plan, and to ensure they are able to make representations on it.
- 6.1.3. As noted earlier in this report, the publication draft (regulation 19) version of a plan should be the version that a Council considers legally compliant and sound and therefore ready for submission for examination and capable of adoption. However, National Planning Practice Guidance (PPG) acknowledges that local planning authorities may identify proposed changes following the publication of their plans and the period in which representation have been invited. PPG refers to the practical guidance on the procedural aspects of the examination of local plans produced by the Planning Inspectorate (PINS). The PINS Guide advises that if a local planning authority wishes to make changes to a plan following the Regulation 19 consultation and before submission, and wishes the changes to be considered as part of the submitted plan, they should prepare an addendum to the plan containing the proposed changes. It goes on to say that the addendum,

together with a sustainability appraisal [SA] of the proposed changes if they are significant, should be published for consultation, on the same basis as the Regulation 19 consultation, before the plan is submitted for examination.

6.1.4. In line with the requirements of Section 19 of the 2004 Act, the Council has carried out a Sustainability Appraisal of the proposals in the Plan and prepared a report of the findings of the Appraisal. The Plan has been prepared:

- in accordance with the Local Development Scheme that came into effect on 1<sup>st</sup> October 2018,
- having regard to national policies and advice, and
- in accordance with the Council's Statement of Community Involvement.

## **6.2. Finance Implications**

6.2.1. The preparation of the Revised Publication Draft Plan, including public consultation on it, is included in existing budgets of the Planning Service. The particular resources involved in carrying out public consultation comprise officer time and up to an estimated £2,000 in printing costs.

## **6.3. Policy Implications**

6.3.1. The Local Plan is a key policy document, central to the achievement of sustainable development in Cheshire East.

## **6.4. Equality Implications**

6.4.1. The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it; foster good relations between persons who share a "relevant protected characteristic" and persons who do not share it.

6.4.2. An Equality Impact Assessment is incorporated into the integrated Sustainability Appraisal of the Revised Publication Draft SADPD. This will consider how development proposals and planning policies will impact on different groups within the community.

## **6.5. Human Resources Implications**

6.5.1. There are no new implications.

## **6.6. Risk Management Implications**

- 6.6.1. The Revised Publication Draft SADPD has been prepared taking account of the need to demonstrate the Plan's legal compliance and soundness at examination.
- 6.6.2. Publication is an essential stage in the progression of the SADPD and a major milestone towards its completion. Currently the Council still relies for many planning decisions on detailed planning policies adopted by the former Borough Councils. There is hence a significant advantage in securing the timely progression of the SADPD.
- 6.6.3. In a similar vein, the SADPD addresses a number of contemporary policy agendas not covered within the older plans – and such policies can only be applied with full weight once the plan is adopted.
- 6.6.4. With these considerations in mind, there a sound rationale for progressing the SADPD without delay.
- 6.6.5. As highlighted earlier in the report, the progress and detail of Government's recently announced planning reforms will need to be closely monitored to gauge their impact on the SADPD.

## **6.7. Rural Communities Implications**

- 6.7.1. The Local Plan has implications for rural communities across a range of policies. The Revised Publication Draft Plan has been informed by a Rural Proofing Assessment as part of an integrated Sustainability Appraisal.

## **6.8. Implications for Children & Young People/Cared for Children**

- 6.8.1. There are a wide range of Revised Publication Draft SADPD policies that aim to protect and enhance the health and well-being of children and young people.

## **6.9. Public Health Implications**

- 6.9.1. There are a wide range of Revised Publication Draft SADPD policies that aim to support active and healthy lifestyles. These include promoting prosperity, protecting and providing open space and recreation facilities and encouraging walking and cycling. A Health Impact Assessment is incorporated into the integrated Sustainability Appraisal of the SADPD.

## **6.10. Climate Change Implications**

- 6.10.1. The Revised Publication Draft SADPD includes detailed policies to manage the impact of new development on the natural environment,

climate change mitigation, renewable energy, flood risk management, and natural resources. The Plan seeks to contribute to Objective 4 of

the Council's Environment Strategy in supporting sustainable development in the borough. As noted in section 5.9 of this report, the Revised Publication Draft SADPD includes two additional elements which have been added to Policy ENV 7 (Climate Change) - to seek improvements to the environmental performance of new dwellings and secure renewable and low carbon energy generation, where feasible and viable.

## **7. Ward Members Affected**

7.1. All Ward Members are affected.

## **8. Consultation & Engagement**

8.1. The report seeks approval to invite representations to be made on a Revised Publication Draft SADPD, building on the significant consultation and engagement that has already taken place in drafting the Plan.

## **9. Access to Information**

9.1. The proposed consultation documents are appended to this report. They can also be viewed online, along with the range of supporting documents listed in Appendix 6, at: (<https://cheshireeast-consult.objective.co.uk/portal/planning/cs/sadpd/revpubevidence>)

## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

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Or

Name: David Malcolm

Job Title: Head of Planning

Email: [david.malcolm@cheshireeast.gov.uk](mailto:david.malcolm@cheshireeast.gov.uk)

Appendix 1: Revised Publication Draft Site Allocations and Development Policies Document (tracked changes version)

OFFICIAL



This is included in the papers for the meeting as a separately bound document.

Appendix 2: Sustainability Appraisal

This is included in the papers for the meeting as a separately bound document.

Appendix 2a: Sustainability Appraisal (Non-technical summary)

This is included in the papers for the meeting as a separately bound document.

Appendix 3: Habitats Regulations Assessment

This is included in the papers for the meeting as a separately bound document.

Appendix 4: Schedule of changes to the initial Publication Draft SADPD.

This is included in the papers for the meeting as a separately bound document.

Appendix 5: List of Revised Publication Draft SADPD policies and site allocations

This is included in the papers for the meeting as a separately bound document.

Appendix 6: List of documents published in connection with the Revised Publication Draft SADPD

This is included in the papers for the meeting as a separately bound document.

Appendix 7: Draft Adopted Policies Map (Revised Publication Draft SADPD version)

This document, showing the location of proposed allocations and designations arising from the Revised Publication Draft SADPD, is included in the papers for this meeting as a separately bound document. An on-line, interactive draft policies map showing the allocations and designations arising from the Revised Publication Draft SADPD policies will also be available to view when the Plan is published for representations.

Appendix 8: Duty to Co-operate Draft Statement of Common Ground

This is included in the papers for the meeting as a separately bound document.