

Environment and Communities Committee

Supplementary Agenda

Date: Thursday, 20th January, 2022

Time: 10.30 am

Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

6. **Referral of Notice of Motion: Protect the Right of Communities to Object to Individual Planning Applications** (Pages 3 - 34)

To consider a report in response to a Notice of Motion on the right of communities to object to individual planning applications.

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Cheshire East Local Plan

Statement of Community Involvement

January 2022





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1 Introduction

Role of the Statement of Community Involvement

1.1 The Statement of Community Involvement (SCI) sets out how Cheshire East Borough Council intends to involve all sectors of the community in the planning process. It relates to the preparation of planning policy and the determination of planning applications. The SCI explains how and with whom the Council will consult when carrying out its planning duties. Whilst this document relates only to planning functions it is intended to dovetail with the Council's wider approach to community engagement.

1.2 Due to regulations introduced in response to the on-going Covid-19 pandemic, the October 2020 SCI included temporary changes to the way the Council consulted and engaged with its stakeholders on matters related to its planning function. Changes were introduced to the regulations concerning publicity and physical inspection of planning documents. Temporary changes in relation to the publicity requirements related to planning applications expired on 30th June 2021 and temporary changes relating to the inspection of physical documents at offices expired on 31st December 2021.

1.3 Given the uncertain nature of the pandemic and the potential for variants to emerge, it is feasible that these temporary measures may be reintroduced in the future. In such circumstances, these changes will be implemented locally and will replace the requirements set out in this updated SCI. This will avoid having to revise the SCI.

Status of document

1.4 The Statement of Community Involvement reflects the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Town and Country Planning (Development Management Procedure) (England) Order 2015, the National Planning Policy Framework and the National Planning Practice Guidance

1.5 This 2022 update also reflects the expiration of temporary changes to the Regulations, introduced by the Town and Country Planning (Local Planning (England) (Coronavirus) Amendment Regulations (2020).

1.6 The National Planning Practice Guidance states that:

1.7 *Local Authorities have discretion about how they inform communities and other interested parties about planning applications. Article 15 of the Development Management Procedure Order sets out minimum statutory requirements.....In addition, local authorities may set out more detail on how they will consult the community on planning applications in their Statement of Community Involvement, prepared under section 18 of the Planning and Compulsory Purchase Act 2004. Publishing information online in an open data format can help facilitate engagement with the public on planning applications. (Paragraph: 004 Reference ID: 15-004-20140306)*



Revised Statement of Community Involvement

1.8 The first Cheshire East Statement of Community Involvement was adopted by the Council in June 2010. The SCI was updated in the Autumn of 2018 and again in 2020, primarily in response to measures introduced related to the coronavirus pandemic.

1.9 This 2022 update to the SCI revokes the measures introduced in 2020.

Monitoring and review of the Statement of Community Involvement

1.10 The Council will review its Statement of Community Involvement from time to time (and at least every 5 years) in the light of any changes to statutory requirements, national policy or guidance and good practice.

1.11 There is no requirement to consult on a SCI, however, the approach set out here will be communicated to stakeholders and published on the Councils website for public viewing.



2 Community involvement in planning

National policy

2.1 The NPPF stresses the importance of engaging the community in plan making and decision taking. The Framework states that Local Plans should be:

2.2 *shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; [Paragraph 16]*

2.3 It also stresses the benefits for development and planning processes that arise from effective engagement:

2.4 *Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. [Paragraph 39]*

2.5 The Framework also emphasises the role that community involvement can play in securing good design:

2.6 *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process [paragraph 126]*

2.7 *Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot. [paragraph 132]*

Local Principles and Linkages with Other Strategies

2.8 The Council recognises and appreciates the positive contribution that community involvement can have in all aspects and areas of planning. The Statement of Community Involvement explains how the local and wider community (including stakeholders and specific, general and other consultation bodies such as statutory consultees) will be engaged and consulted on planning issues.

2.9 There is no legal requirement to consult on a SCI and therefore, to avoid stakeholders suffering from “consultation fatigue”, the Council will publish its updated SCI on its webpages and communicate the changes to stakeholders appropriately.



2.10 It is important to consult a broad range of groups during the preparation of each planning policy document and at various stages thereafter. In general terms, key stakeholders include:

- Ward Councillors
- General public – residents and people who undertake business, leisure activities or have a general interest in the area;
- Town and Parish Councils;
- Business interests and major landowners including developers and agents;
- Government departments and statutory bodies;
- Infrastructure providers;
- Interest groups - environmental, amenity, community and voluntary groups at a local, regional or national level.

2.11 In the production of planning policy documents, the Council will aim to achieve the following:

- Ask for views at an appropriate stage;
- Provide sufficient information to enable an effective response to any consultation;
- Provide details of how to respond to any consultation and in what time period;
- Avoid jargon and include a glossary of terms where required;
- All comments will be made publicly available and the Council will report on all consultation stages;
- Publicise any consultation events on the Council's website and hold them at appropriate locations in the Borough that are accessible with appropriate disabled access.

Your Data

2.12 When engaging with consultations on local plan documents individuals personal information and data will be treated in accordance with the Councils [Strategic Planning Privacy Notice](#).



3 Duty to cooperate

3.1 As part of the statutory Duty to Co-operate, neighbouring councils and other relevant organisations must work together across boundaries on strategic planning issues that affect them all. In future such cooperation will be formalised within the forthcoming statements of common ground.

3.2 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the council will work together on strategic planning issues with the following organisations:

Duty to co-operate bodies:

Table 3.1

1. Environment Agency	6. Clinical commissioning groups.	11. Highway authorities
2. Historic England	7. NHS England	12. Local enterprise partnerships
3. Natural England	8. Office of the Rail Regulator	13. Neighbouring and other relevant local authorities
4. Civil Aviation Authority.	9. National Highways	14. The Greater Manchester Combined Authority
5. Homes England	10. Integrated transport authorities	

3.3 In addition to the above, the Council is required to consult 'specific' and 'general' consultation bodies and other consultees including the community, business and third sector groups when consulting on planning policy documents. The council will aim to inform the following list of organisations of any relevant consultation being undertaken, as appropriate:

Table 3.2 Consultation bodies and consultees

Specific consultation bodies	General consultation bodies
<ul style="list-style-type: none"> Adjoining Local Authorities (including the Peak District National Park) Other relevant Local Authorities with strategic policy links to Cheshire East e.g. on minerals and waste matters Parish and Town Councils within and adjoining the boundary of Cheshire East Cheshire Constabulary The Coal Authority The Environment Agency Historic England Natural England The Secretary of State for Transport Electronic Communications Operators 	<ul style="list-style-type: none"> Voluntary Bodies Ethnic/Racial/National Groups Religious Groups and Churches Disabled Groups Local Businesses Business Support Agencies
	Other Consultees <ul style="list-style-type: none"> Health Agencies Learning Agencies Schools Transport Bodies and Groups Sports Clubs/Bodies



Specific consultation bodies	General consultation bodies
<ul style="list-style-type: none"> • Telephone Operators • Electricity Operators • Gas Undertakers • Sewage Undertakers • Water Undertakers • Homes England • Network Rail • National Highways • Public Health England • Electricity and Gas Companies • Sport England • Manchester Airport 	<ul style="list-style-type: none"> • Recreation Bodies • Infrastructure and Service Providers • Design/Townscape/Urban • Conservation Bodies • Nature Conservation/ Countryside • Bodies • Environmental Groups • Planning Consultants and Agents • The Development Industry • The Canal & River Trust • Other miscellaneous bodies



4 Planning policy documents

The Cheshire East Local Plan

4.1 The Cheshire East Local Plan is the principal statutory development plan for the borough. It comprises three documents and once adopted each, forms the basis for planning decision making in the borough.

4.2 The three parts of the Local Plan are:

- Cheshire East Local Plan Strategy sets out the overall vision, objectives and strategy for how Cheshire East will develop between 2010 and 2030, including strategic sites. This plan was adopted in July 2017.
- Cheshire East Site Allocations and Development Policies Document contains a suite of detailed policies to support the delivery of the Local Plan Strategy alongside more detailed and localised development proposals / site allocations. A Policies Map on an Ordnance Survey base will show proposals, designations and site specific policies. This Plan is currently subject to examination in public and expected to be adopted in 2022.
- Cheshire East Minerals & Waste Development Plan Document which will set out policies for dealing with Minerals and Waste and identify specific sites and areas. This plan is currently in production.

Neighbourhood Plans

4.3 A Neighbourhood Plan is a planning policy document that sets out policies for the area in question and can be used to influence the shape and form of development that will take place in the Neighbourhood Plan area. A Neighbourhood Plan can also allocate sites for development including land for housing and employment. Unlike the other policy documents listed in this section, neighbourhood plans are primarily developed by local communities through town and parish councils, and not produced by the Local Planning Authority itself.

4.4 There has been a considerable take-up of Neighbourhood Plans across the borough.

Supplementary Planning Documents

4.5 These documents cover a range of issues, both thematic and site specific. They provide more detailed guidance on how Development Plan policies are to be applied or design guidance for the development of a site or area. Supplementary Planning Documents will be a “material consideration” in the determination of planning applications.



5 Planning policy - consultation and engagement

5.1 This section details the process involved in the production of documents contained within the Local Plan. The legal requirements for consultation and engagement for the Local Plan are set out within the Town and Country Planning (Local Planning) (England) Regulations 2012.

5.2 Within these regulations, there are statutory requirements for Local Planning Authorities to make documents available for inspection (at our principal office and at such other places within our area as we consider appropriate), during normal office hours and to provide a copy of a document as soon as reasonably practicable after receipt of a person's request.



Development Plan Documents

5.3 The following table sets out a summary of the consultation stages, duration and methods that the council may use when consulting on a Development Plan Document.

Table 5.1 Development Plan Documents consultation methods

Development Plan Document stage	Consultation duration	Consultation methods
Scoping consultation (Regulation 18 - Town and Country Planning (Local Planning) (England) Regulations 2012)	Minimum of 6 weeks (excluding Bank Holidays)	<ul style="list-style-type: none"> • Written/Email consultations with statutory consultees, relevant general consultees on our database, other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have previously made comments on the development plan document being considered; • Digital consultation using the Council's on-line consultation portal; • Use of digital engagement tools; • Promotion of the plan and advice on how to engage with its development through social media platforms; • Consultation documents available for public inspection on the Council's website; • Hard copies of the consultation document available at the Council's principal offices and any other places considered appropriate. • Public & Parish Council digital consultation events as appropriate.
Preferred option consultation (Regulation 18 - Town and Country Planning (Local Planning) (England) Regulations 2012)	Minimum of 6 weeks (excluding Bank Holidays)	
Publication version consultation (Regulation 19/20 - Town and Country Planning (Local Planning) (England) Regulations 2012)	6 weeks consultation (excluding Bank Holidays)	

5.4 Further Information on the Cheshire East Local Plan can be found on the relevant section of the council's website at www.cheshireeast.gov.uk/localplan

Neighbourhood Plans

5.5 Consultation on the early stages of the Neighbourhood Plan preparation is carried out by the Qualifying Body preparing the Neighbourhood Plan.



5.6 When a Neighbourhood Plan is submitted to examination, it must include a statement describing what consultation has been carried out and how this has informed the preparation of the draft Plan. the Council is required to consult on the draft Neighbourhood Development Plan as set out below.

5.7 Following receipt of the Examiner's report and before the Neighbourhood Plan can be 'made' (adopted) by the Council, a referendum must be held for the community to approve the Plan in its final form. A simple majority of the votes is required before Cheshire East Council can formally 'make' the Plan so that it becomes part of the Development Plan.

5.8 The following table sets out a summary of the consultation stages and methods that the Council may use when consulting on a Neighbourhood Plan.

Table 5.2 Neighbourhood plans consultation methods

Neighbourhood Plan stage	Consultation duration	Consultation methods
Neighbourhood Area designation consultation	Minimum of 6 weeks (excluding Bank Holidays). Where a neighbourhood area application is coterminous with an existing parish boundary, there is no requirement to consult on the application.	<ul style="list-style-type: none"> Written/Email consultations with statutory consultees, relevant general consultees on our database, other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have previously made comments on the development plan document being considered; Notice on the council's website; Digital consultation using the Council's on-line consultation portal; Consultation documents available for public inspection on the Council's website;
Submission consultation and publicity of a plan	6 weeks consultation (excluding Bank Holidays).	<ul style="list-style-type: none"> Promotion of the plan and advice on how to engage with consultation through social media platforms; Making hard copies of the Neighbourhood Plan and supporting documents available in primary council offices and any other places considered appropriate (Regulation 16 submission stage only).

5.9 The Council will publish any decision notices relating to the designation of a Neighbourhood Plan area, as well as all Examiner's reports on its website.

5.10 The Council will also update details of the progress of each Neighbourhood Development Plan (including details of examination or referendum arrangements) on the same section of its website.

5.11 The website also details the support that the Council is able to provide to Town & Parish Councils undertaking Neighbourhood Plans. The Current support package is set out in Appendix 5.



Supplementary Planning Documents

5.12 When preparing Supplementary Planning Documents (SPD) and other non-Development Plan planning documents the Council will use the methods to engage with the local community as set out in the table below.

5.13 It is generally expected that two stages of consultation will be necessary, an initial consultation will be held on a draft document, followed by a consultation seeking representations on the final document.

5.14 The following table sets out a summary of the consultation stages and methods that the Council may use when consulting on a Supplementary Planning Document.

Table 5.3 Supplementary planning documents consultation methods

SPD stage	Consultation duration	Consultation methods
Initial / scoping consultation (where necessary)	No minimum	<ul style="list-style-type: none"> Written/Email consultations with statutory consultees, relevant general consultees on our database, other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have previously made comments on the document being considered;
Draft SPD consultation	4 weeks consultation (including Bank Holidays)	
Final Draft SPD Consultation	4 weeks consultation (including Bank Holidays)	<ul style="list-style-type: none"> Digital consultation using the Council's on-line consultation portal; Use of digital engagement tools; Promotion of the plan and advice on how to engage with its development through social media platforms; Consultation documents available for public inspection on the Council's website; Hard copies of the consultation document available at the Council's principal offices and any other places considered appropriate. Public & Parish Council digital consultation events as appropriate



6 Planning applications

6.1 Development Management is a positive and proactive approach to shaping, considering, determining and delivering development proposals. It is led by the Local Planning Authority (LPA), working closely with those proposing developments and other stakeholders. It is undertaken in the spirit of partnership and inclusiveness, and supports the delivery of key priorities and outcomes.

6.2 The Council is committed to engaging both individuals and the wider community in the decision-making process. The scale and scope of the consultation process will depend on the nature of the application and a balance needs to be struck between ensuring proposals are widely publicised, providing a reasonable opportunity for people to comment on applications, and the cost and speed of decision-making.

Consultation on planning applications

6.3 The council undertakes appropriate consultation with statutory and other consultees on the majority of applications received. While not exhaustive these are listed within Appendix 3.

Pre-application advice

6.4 Whilst the council strongly encourages applicants to undertake pre-application discussions prior to the submission of planning applications and/or related applications (e.g. Conservation Area Consent applications, Listed Building Consent applications and Tree Works applications), there may be occasions where the pre-application service is temporarily suspended. For example, during periods where the Council experiences a significant pressure on the delivery of its development management function, pre-application services may be temporarily suspended to focus on priority business needs.

6.5 Pre-application discussions are critically important and benefit developers, the council and the wider community in ensuring a better understanding of the existing, and potential, objectives and constraints to a development. In the course of such discussions proposals can be adapted to ensure they better reflect community aspirations. The benefits of such an approach include:

- better quality, more straightforward, applications which can be quickly processed;
- a means of resolving problems at an early stage;
- an inclusive and transparent approach to determining applications;
- better design, and greater opportunity to meet the needs and aspirations of local communities;
- greater efficiency in both time and resources for both developers and the council.

6.6 For significant or major applications, developers will be encouraged to carry out pre-application consultation with interested local parties and community bodies, and also encouraged to consult any neighbourhood plan that may be in place. This should allow any issues to be addressed early in the planning process, and hopefully prior to the submission of a planning application, to reduce the potential for delay in the decision making process, and improve the quality of applications. The content and method of any pre-application consultation exercise should be agreed with council planning officers in advance, and a



summary of both the methods used and results should normally accompany the submitted planning application. Councillors may be involved in pre-application discussions in accordance with the Council's Code of Conduct Protocol in relation to planning matters.

Publicity on applications

6.7 Once registered applications will appear on the council's website. This will include the appropriate application form, plans and supporting information in accordance with the council's statutory requirements which form Part 1 of the Planning Register.

6.8 Article 15 of the Town & Country Planning (Development Management Procedure) Order 2015 sets out the statutory framework for publicity on applications. This requires certain specified types of application to be publicised by way of a site notice and newspaper advertisement and in some cases also by way of notification for adjoining owners or occupiers.

6.9 The Council's procedure for publicising applications is contained in the *Publicity for Planning Applications Protocol*. This is available on the Council's website and updated from time to time. A copy of the latest protocol is attached as Appendix 4 for reference however it should be noted that any updates to this Protocol will take precedence over information contained in the SCI 2022.

6.10 Where appropriate and the type of application requires it the timeframe for responding is generally 21 days, unless any notifications specify otherwise. Regardless of how you hear about a proposal, anyone can submit comments on an application (of the required type). Any comments must focus on planning matters and will become 'public documents' as part of the application. The publication of some material may be restricted by law, for example material containing racist or other offensive comments, or falling within statutory exemptions or protected by confidentiality.

6.11 Applications are available to view on the Council [website](#). Further information on Committee decisions can be found on the Council & Democracy web page.

Making a decision

6.12 Decisions on planning applications are made by either planning officers under delegated authority, or by planning committee. The council's scheme of delegation is available on the council's website.

6.13 For delegated applications made by officers a report will be written summarising the main issues, including comments received and then an assessment of the application will be made. The report and subsequent decision will be made by a senior officer.

6.14 For committee applications, planning officers will prepare a report summarising all the relevant issues, comments received and then an assessment of the application. The report and officer's recommendation will be published on the council's website in advance of the meeting. Further information on committee decisions can be found on the council's website at www.cheshireeast.gov.uk/planning/view_a_planning_application/planning_committees.aspx.

6.15 In both instances consideration is given to all consultation responses, and comments received. However decisions on applications must be made in accordance with the development plan unless material considerations indicate otherwise.



6.16 Following the determination of the application the decision is sent to the applicant/agent. The decision notice will also appear on the council's website which forms Part 2 of the statutory Planning Register.

Appeals

6.17 In circumstances where an application has been refused, or a decision is not made within a specified timeframe, the applicant may choose to appeal. When this happens, an independent Planning Inspector or the Secretary of State will make a final decision. There are associated notification processes for those who commented on the original application including an opportunity for further comments or involvement in the process.

Information updates

6.18 Appendix 1 'Contact details / how to register interest' sets out contact details for the Development Management service. The council's website is the primary source for information about planning applications including updated information, when they may be determined and if they are due to go before a committee and when. The link www.cheshireeast.gov.uk/planning will take you to the main planning pages for further information and any updates.



7 Further information

7.1 Further information on the planning policy process can be obtained by contacting the Strategic Planning Team, as detailed in Appendix 1 'Contact details / how to register interest' in Appendix 1. Alternatively, the following organisations offer advice and information on all aspects of the planning system and process:

- **Planning Portal** - This is a government sponsored website setting out the current process and systems of town and country planning. The site can be used to learn about the planning system, the Local Plan process, and the latest government policy. The site also details how to apply for planning permission, how to find out about development near to where you live or work, and how to appeal against a planning decision (www.planningportal.co.uk).
- **Department for Levelling Up, Housing & Communities** - The Planning Directorate of the DLUHC is the Government Department that legislates, regulates, and prepares guidance on planning in England and Wales. (<https://www.gov.uk/housing-local-and-community/planning-and-building>).
- **Planning Aid** - Planning Aid is a voluntary service linked to the Royal Town Planning Institute, offering free, independent and professional advice on town planning matters to community groups and individuals who cannot afford to employ a planning consultant. Planning aid is a vital part of the planning system. It enables local communities, particularly those with limited resources, to participate effectively in planning matters. Every effort will be made to seek to ensure that members of the community are aware of the advice and support that may be available from this source (www.planningaid.rtpi.org.uk).

Email: advice@planningaid.rtpi.org.uk

Write to: Planning Aid England, RTPi, 41 Botolph Lane, London EC3R 8DL



Appendix 1 Contact details / how to register interest

A1.1 Information on the Local Plan and the Local Plan consultation portal can be accessed using the following website link: www.cheshireeast.gov.uk/localplan

A1.2 Information on Planning Applications including viewing current applications can be accessed by using the following website link: www.cheshireeast.gov.uk/planning

Contact details

A1.3 For all matters relating to the Local Plan and planning policy please contact the Spatial Planning Team:

Telephone: 01270 685893

Email: localplan@cheshireeast.gov.uk / planningpolicy@cheshireeast.gov.uk

Letter: Spatial Planning Team (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

A1.4 For all matters relating to Neighbourhood Planning, please contact the Neighbourhood Planning Team:

Telephone: 01270 686918

Email: neighbourhoods@cheshireeast.gov.uk

Letter: Neighbourhood Planning Team (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

A1.5 For all matters relating to planning and other applications please contact the Development Management Team:

Telephone: 0300 123 5014

Email: planning@cheshireeast.gov.uk

Letter: Development Management, PO Box 606, Municipal Buildings, Crewe CW1 9HP

Local Plan consultation database

A1.6 If you wish to be consulted on the Local Plan please register your details in our [on-line consultation portal](#) or, alternatively, please send your full contact details to the Spatial Planning Team (details above) so that you can be added to the Local Plan consultation database.



Appendix 2 Planning policy list of stakeholders

Specific Stakeholders

A2.1 The following organisations will be consulted in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2012. Please note that this list is not exhaustive and will relate to successor bodies where re-organisations occur:

- Cheshire West & Chester Council
- Derbyshire County Council
- Greater Manchester Combined Authority
- High Peak Borough Council
- Manchester City Council
- Newcastle-under-Lyme Borough Council
- Peak District National Park Authority
- Shropshire Council
- Staffordshire County Council
- Staffordshire Moorlands Borough Council
- Stockport Metropolitan Borough Council
- Stoke-on-Trent City Council
- Trafford Metropolitan Borough Council
- Warrington Borough Council
- West Midlands Local Enterprise Partnerships
- East Midlands Local Enterprise Partnerships
- Town and parish councils in the borough
- Town and parish councils adjacent to the borough
- Historic England
- Environment Agency
- Homes England
- Natural England
- The Secretary of State for Transport
- NHS clinical commissioning groups
- The Coal Authority
- Relevant telecommunications companies
- Relevant electricity and gas companies
- Relevant sewerage and water undertakers

Government departments

2.1 The Council will consult with the Secretary of State for Housing, Levelling Up, and Communities on each Development Plan Document. Other Government departments will be consulted where necessary.



General stakeholders

A2.3 The following are defined as general consultation bodies and will be consulted, as appropriate, in accordance with the Town and Country Planning (Local Development) (England) Regulations 2012:

- Voluntary bodies, some or all of whose activities benefit any part of the local authority's area;
- Bodies which represent the interests of different racial, ethnic or national groups in the local authority's area;
- Bodies which represent the interests of different religious groups in the local authority's area;
- Bodies which represent the interests of disabled persons in the local authority's area; and
- Bodies which represent the interests of business people in the local authority's area.

Other stakeholders

A2.4 Where necessary, the council will consult with a wide range of additional agencies and groups. The council has a planning policy database, which includes a range of stakeholders, individuals, groups and organisations who have requested to be consulted on the preparation of planning policy documents. A comprehensive list of stakeholders held on our database is available to view on request.

A2.5 Examples of types of stakeholders include:

- Airport operators
- Highways England
- Landowners
- Fire Authority
- Housebuilders and developers
- Minerals and waste operators and trade associations
- Environmental and amenity groups at local, regional and national Level
- Strategic transport authorities
- National controllers of waterways and navigation authorities



Appendix 3 Development management consultees

Statutory consultees

A3.1 These bodies must be consulted if the council considers that the body would be affected by what is proposed in a planning application. This list is not exhaustive.

- Brine Compensation Board
- Canal & River Trust
- Civil Aviation Authority
- Individual airports (in their role as Aerodrome Safeguarding Authority)
- Coal Authority
- Department for Digital, Culture, Media & Sport
- Department for Environment, Food & Rural Affairs
- Historic England
- Environment Agency
- Garden History Society
- Health & Safety Executive
- National Highways
- Local planning authorities adjoining Cheshire East
- Local Enterprise Partnerships
- Manchester Airport
- Manchester University (Jodrell Bank)
- Natural England
- Network Rail
- Sport England
- Theatres Trust
- Town & parish councils
- United Utilities (or other relevant water and / or sewerage undertaker)

Non-statutory consultees

A3.2 These bodies may be consulted if the council considers that the body would be affected by what is proposed in a planning application. This list is not exhaustive.

- Active Cheshire
- Adlington Civic Society
- Ancient Monuments Society
- Bollin Valley Partnership
- Bollington Civic Society
- Bridgewater Canal
- British Gas Plc
- British Pipeline Agency
- Campaign to Protect Rural England
- Cheshire & Wirral Ornithological Society
- Cheshire Brine Subsidence Compensation Board
- Cheshire Constabulary



- Cheshire Family Practitioner Committee
- Cheshire Fire and Rescue Service
- Cheshire Wildlife Trust
- Civic Trust
- Coal Authority
- Commission for Architecture and the Built Environment
- Council for British Archaeology
- DBERR
- DEFRA
- East Cheshire Ramblers
- Edge Association
- Footpaths Preservation Societies
- Forestry Commission
- Friends of the Earth
- Georgian Group
- Health Protection Agencies/Health Authorities
- Highways England (Northern Region)
- H M Alkali Inspectorate
- Inland Waterways
- Knutsford Civic Society
- Macclesfield Access Group
- Macclesfield Canal Society
- Macclesfield Civic Society
- Manchester Airport - in accordance with agreed criteria
- MANWEB Plc
- Ministry of Defence
- Ministry of Defence (Defence Estates)
- Mersey Basin Campaign
- National Farmers Union
- National Grid
- National Trust
- Network Rail London North Western
- North West Tourist Board
- Parish & town councils
- Peak District National Park Authority
- Planning Inspectorate
- Powergen Plc
- Prestbury Amenity Society
- Ramblers Association
- Residents of Wilmslow Group
- Royal Commission on Historic Monuments
- Royal Society for the Protection of Birds
- Scottish Power
- Society for the Protection of Ancient Buildings
- Sports Council (North West Region)
- Styal Village Association



- Sustrans
- Transco
- Twentieth Century Society
- Unipen
- United Utilities
- Victorian Society
- Wilmslow Fire Safety Office
- Wilmslow Trust
- Woodland Trust



Appendix 4 Publicity on planning applications protocol

Statutory requirements

A4.1 Statutory procedures are set out within the following legislation which establishes the basis for publicity on planning applications:

- The Town and Country Planning (Development Management Procedure) (England) Order 2015⁽¹⁾
- The Planning (Listed Buildings and Conservation Areas) Regulations 1990⁽²⁾
- Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015⁽³⁾
- Temporary regulations that set out the statutory procedure for advertising planning matters related to development management, listed building consent and environmental impact assessment were introduced in May 2020 and will expire on 31st December 2020. Where it is not possible to advertise relevant applications in the normal way, due to the effect of coronavirus, the regulations set out alternative arrangements which the Council will employ as appropriate.

[The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

A4.2 Further guidance is also available from the Planning Practice Guidance (www.gov.uk/guidance/consultation-and-pre-decision-matters).

Current Cheshire East Protocol

Table 4.1 Current Cheshire East protocol

Nature of development	Statutory publicity required and consultation timescale	Current Cheshire East protocol
All planning applications		
EIA application accompanied by Environmental Statement	Newspaper advertisement (14 days) and Site notice (21 days)	Newspaper advertisement Site notice Neighbour notification
Departure from Development Plan	Newspaper advertisement (14 days) and Site notice (21 days)	Newspaper advertisement Site notice Neighbour notification
Affecting Public Right of Way	Newspaper advertisement (14 days) and Site notice (21 days)	Newspaper advertisement Site notice Neighbour notification

1 www.legislation.gov.uk/ukSI/2015/595/contents/made
 2 www.legislation.gov.uk/ukSI/1990/1519/contents/made
 3 www.legislation.gov.uk/ukSI/2015/596/schedule/2/made



Nature of development	Statutory publicity required and consultation timescale	Current Cheshire East protocol
Major Development ⁽⁴⁾	Newspaper advertisement (14 days) and Either site notice (21 days) or Neighbour notification (21 days)	Newspaper advertisement Site notice Neighbour notification
Non-Major Development	Site notice (21 days) or Neighbour notification (21 days)	Neighbour notification Site notice (only if no near neighbours)
Discharge of Condition	None	None
Listed Buildings and Conservation Areas		
Listed Building Consent (excluding works that are limited to internal works to a Grade-II listed building)	Newspaper advertisement (21 days) and Site notice (7 days)	Newspaper advertisement Site notice
Development affecting the setting of listed building	Newspaper advertisement (21 days) and Site notice (7 days)	Newspaper advertisement Site notice Neighbour notification
Relevant demolition in a Conservation Area	Newspaper advertisement (21 days) and Site notice (7 days)	Newspaper advertisement Site notice
Discharge of Condition attached to a Listed Building Consent (excluding works to the interior of a Grade-II listed building)	Newspaper advertisement (21 days) and Site notice (7 days)	Newspaper advertisement Site notice
Prior approvals and prior notifications		
Prior Notification of Demolition of a building	Site notice must be posted by applicant (21 days from date of notification)	None
Prior Approval for a larger extension to a dwellinghouse	Neighbour notification (21 days)	Neighbour notification
Prior Approval of Agricultural or forestry development (Agricultural/Forestry)	None (If prior approval of details is required applicant must post site notice for 21 days)	None

4 see Paragraph A4.3



Nature of development	Statutory publicity required and consultation timescale	Current Cheshire East protocol
Prior Approval for change of use (Class C, J, M, N, O, P, PA, Q, R, S, T) ⁽⁵⁾	Site Notice (21 days) or neighbour notification	Site Notice or neighbour notification (depending on location)
Prior Notification for Telecommunication Equipment	Where development is not in accordance with the development plan or would affect a public right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies: Site notice (21 days) and Advertisement in local newspaper.	Site notice Newspaper advertisement
	On sites of 1 hectare or more: Advertisement in local newspaper and Site notice or neighbour notification.	Site notice Newspaper advertisement
	All other development not covered above: Site notice or neighbour notification.	Site notice or neighbour notification
Other applications		
Certificate of Lawful Use/Proposed Use	None	None
Advertisement Consent	None	None
Non-Material Amendment	None	None
Scoping/Screening Opinions	None	None
Trees and Hedgerows		
Applications for Works to Trees Protected by a Tree Preservation Order	Site Notice (21 days) <ul style="list-style-type: none"> Where the council considers that local people might be affected, or that there is likely to be a good deal of public interest Obligatory in any case where the council is the applicant. 	TPO works applications are placed on weekly list of applications. PCs and ward members have 21 days to respond
Notice of works to trees in conservation areas	None	None

⁵ Prior Approval Change of Use publicity requirements apply only to prior approval applications for the changes of use listed in Paragraph A4.4



Nature of development	Statutory publicity required and consultation timescale	Current Cheshire East protocol
Notice of Hedgerow Removals	Notify parish/town council	As for TPO works applications

A4.3 Note: Major development means development involving any one or more of the following:

- 10 or more dwellings (or if numbers of dwellings unknown more than 0.5 hectares)
- creation of building/s where the floor space is 1,000 square metres or more
- development is to be carried out on a site having an area of 1 hectare or more
- mineral working or the use of land for mineral-working deposits;
- all waste related development

A4.4 Prior Approval Change of Use publicity requirements apply only to prior approval applications for the following changes of use:

- Class C retail, betting office or pay day loan shop or casino to restaurant or cafe
- Class J retail or betting office or pay day loan shop to assembly and leisure
- Class M retail or betting office or pay day loan shop to dwellinghouses
- Class N specified sui generis to dwellinghouses
- Class O offices to dwellinghouses
- Class P storage or distribution centre to dwellinghouses
- Class PA premises in light industrial use to dwellinghouses
- Class Q agricultural buildings to dwellinghouses
- Class R agricultural buildings to a flexible commercial use
- Class S agricultural buildings to state-funded school or registered nursery
- Class T business, hotels etc to state-funded schools or registered nursery

Consultation methods

Council website

A4.5 Once registered, applications are posted on the council's website, along with all representations and consultation responses made.

Site notices

A4.6 Site notices are normally posted as near as possible to the site, but not necessarily on the site itself, in a prominent position (often making use of lampposts, road signs, street furniture and fences)

A4.7 For minor developments, site notices will only be used where landowners cannot be identified e.g. where the application site is next to open land or in a rural location.

Neighbour notification



A4.8 Occupiers of adjacent land or premises most likely to be directly affected by a proposal, which includes adjoining occupiers whose properties have a common boundary with the application site – this can include boundaries located diagonally. In addition, occupiers immediately opposite the site (on the other side of a road) will be notified if they are within 20m.

A4.9 Such adjacent properties are identified using the submitted application documents and the council's mapping systems.

Newspaper advertisement (press notice)

A4.10 The council will publicise applications by formal advertisement in a local newspaper where it meets the criteria identified above.

Amendments to Applications

A4.11 Minor amendments to applications under determination are generally made to overcome a particular objection or concern so there is often no need to re-consult. Re-notification of neighbours on minor amendments is left to the case officer's discretion.

A4.12 More significant alterations will require neighbour notification; however, a reduced timescale for a response to re-notification is set (normally between 10-14 days). Parish councils and relevant statutory consultees will also be re-consulted on any significant alterations.

Alternative Notification due to the Effects of Coronavirus

A4.13 Where it is not possible for the Council to carry out notification through site notices, neighbour notification or press advertisement, due to the effects of coronavirus, the measures set out in The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020 will be employed. The timescales related to such notices will continue to apply as set out at table 4.1 'Current Cheshire East Protocol'.



Appendix 5 Current support for neighbourhood plans



Neighbourhood Planning Service Level Agreement January 2022

Free Support:

Advice on preparing a neighbourhood plan:

1. Dedicated officer support, over an agreed time frame (usually 1-2 weeks), to write a project plan, including consultation plan and a first 'skeleton' version of your plan.
2. To access this support a qualifying body will need to have:
 - a) An established steering group
 - b) Appropriate governance arrangements in place
 - c) A designated neighbourhood area
 - d) The results of a first consultation with your community
3. Fortnightly digital drop-in sessions for Q&A with planning officers. Sessions are to be run during business hours.
4. Provision of a local housing target, upon request.
5. Provision of written advice on the Local Plan Strategy, Site Allocations and Development Policies Document and other planning policy matters.
6. Provision of toolkits, guides and resources, alongside advice on their use.
7. Provision of a Neighbourhood Plan Template.
8. Provision of example neighbourhood plans, comparable to the local area concerned.
9. Provision of a suite of background core maps.
10. Advice on consultation and engagement.
11. Advice on draft plans including:
 - a) The preparation of a Strategic Environmental Assessment (SEA) Screening Report
 - b) Pre-consultation comments on draft plans (prior to regulation 14 stage)



- c) Practical support through the examination process including timeframes for examination, referendum and adoption stages
- d) Implementation of any modifications arising through examination of plans
- e) Post plan implementation guidance and advice

Advice on modifying a made neighbourhood plan

12. When modifying a neighbourhood plan, the Council will provide advice on the process and provide dedicated support, over an agreed timeframe (usually 1-2 weeks) to assist with reviewing the neighbourhood plan.

13. The Council will provide support for groups to develop their plans focusing on guidance that:

- a) Helps address climate change in the built environment
- b) Promotes social value
- c) Promotes good design
- d) Reduces duplication of policies between the Cheshire East Local Plan and the relevant neighbourhood plan.

Chargeable Support:

14. The Council can also offer more detailed and specialist advice at a cost and can provide:

- a) Housing Needs Advice Reports (£500)
- b) Basic Design Code guidance and report (minimum of £500)
- c) Specialist mapping services (production of maps using new data, or digitising (£12 per digital map, additional costs for printing)



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