



# Strategic Planning Board Updates

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**Date:** Wednesday, 15th April, 2015  
**Time:** 10.30 am  
**Venue:** Council Chamber, Municipal Buildings, Earle Street, Crewe  
CW1 2BJ

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The information on the following pages was received following publication of the Board agenda.

**Planning Updates** (Pages 1 - 6)

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Please contact Sarah Baxter on 01270 686462  
E-Mail: [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies, requests for further information or to arrange to speak at the meeting

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**APPLICATION NO: 14/5921C**

**LOCATION Land off London Road, Holmes Chapel**

**LOCAL POLICY**

**Brereton Neighbourhood Plan (Draft for Consultation)**

The application site lies within Brereton Parish boundary. Brereton Parish Council recently published the draft Brereton Neighbourhood Plan (NP) for consultation. The consultation period for the plan will run until 22<sup>nd</sup> May 2015.

Paragraph 216 of the NPPF states *From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

The NPPG states that an emerging neighbourhood plan may be a material consideration.

*Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:*

*a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and*

*b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*

The NPPG also states that *'refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be*

*submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process'.*

The Neighbourhood Plan is therefore a material consideration which must be weighed in the planning balance taking account of the stage that the neighbourhood plan is currently at and the context, location and scale of the proposed development relative to the Brereton area.

Members may be aware there have been a number of recent legal cases that have supported Neighbourhood Plan policies even when a Local Plan has not been fully adopted. The weight to be attached to the plan depends on the particular circumstances in each case but this also reflects ministerial support given to Neighbourhood Plans over the past 18 months.

The Brereton NP includes a number of housing policies which seek to focus new housing development to the existing settlements of Brereton Heath and Brereton Green. It also identifies that housing need of up to 50 houses will be allowed within the plan period up to 2030. Beyond the settlement boundaries exceptions to the policy (HOU02) will be considered for previously developed land, conversion of existing buildings, affordable housing and self build schemes.

The development of a Greenfield site for up to 190 dwellings would be contrary to the draft NP policy due its scale of development and its location outside of the existing settlements. In addition there are also policies which seek to protect the rural environment and the open landscape views and as already indicated there are concerns in respect of the impact of the development on the surrounding landscape.

The draft Neighbourhood Plan clearly recognises the need for a limited degree of development within the Brereton Area. However, the scale of the proposal is considered to be far in excess of the likely need for housing in the area. As a consequence to allow the development would have a significant impact that would be 'so substantial' that it would threaten the function that the Neighbourhood Plan is trying to perform which is to plan for a sustainable level of development appropriate to the rural Parish.

The scale of this development would prejudice the outcome of the neighbourhood plan making process by undermining both the level of development and also its location creating unsustainable development.

## **CONSULTATIONS**

**Flood Risk Manager:** no objections subject to a condition requiring a surface water drainage scheme to be submitted and agreed.

**Greenspaces:** development will generate a need for 4560 sq metres of amenity greenspace (AGS). Should the formal area of AGS be larger than the amount required then the Council could consider adopting the additional AGS with appropriate commuted sum of £53,922 for maintenance.

Reference if made to the provision of an “under 13’s football pitch”. The Council is in the process of calculating the need for sports facilities for the emerging Playing Pitch Strategy therefore this will be assessed at the reserved matters stage.

The proposal generates the need for a new NEAP play facility, with a minimum area of 1000 sq metres. It should include at least 8 items/activities incorporating DDA inclusive equipment. Full plans showing the design must be submitted prior to the play area being installed and this must be approved in writing prior to the commencement of any works.

The new children’s play facility together and AGS should be secured for public use and transferred to the Council together with a 25 years commuted maintenance sum of £136,116 and this should be provided before 75% of the dwellings are occupied.

## **CONCLUSION**

The original recommendation of REFUSAL remains as stated in the original report. However, given the publication of the Brereton Neighbourhood Plan it is considered that there would be an additional reason for refusal

**The Local Planning Authority considers that the scale of the proposed development would be premature following the publication consultation draft of the Brereton Neighbourhood Plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.**

Should Members be minded to approve the application, the above consultation responses would require the addition of conditions regarding drainage and details of a NEAP facility together with a S106 legal agreement requiring commuted sums and the transfer of the AGS to the Council.

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**STRATEGIC PLANNING BOARD – 15<sup>TH</sup> APRIL 2015**

**UPDATE TO AGENDA**

**APPLICATION NO:**14/5111C

**LOCATION:** Vacant Site Formerly Occupied by Boalloy, Third Avenue,  
Radnor Park Industrial Estate, Congleton, CW12 4XE.

**Representations**

One further representation has been received, which was forwarded by the local MP. This expresses concerns about the following:

- Astonished that the company have the audacity to consider enlarging their operation at Radnor Park
- Noise
- Heavy goods vehicle movements

**Recommendation**

These issues have been considered in the main report, therefore there is no change to the recommendation.

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