

Strategic Planning Board

Supplementary Agenda

Date: Wednesday, 19th April, 2017

Time: 10.30 am

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

11. Item of Urgent Business - Cheshire East Design Guide (Pages 3 - 116)

To consider amendments to the Council's Design Guide.

The Chairman has agreed that this be considered as an item of urgent business as to delay would mean it could not be considered by the Strategic Planning Board prior to the date of the proposed Portfolio Holder Decision meeting.

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CESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD – URGENT ITEM

Date of meeting: 19th April 2017

Report of: David Malcolm – Head of Planning (Regulation)

Title: Proposed amendments and recommendation for adoption of the Cheshire East Design Guide as a Supplementary Planning Document

Portfolio Holder: Cllr Ainsley Arnold, Planning and Housing

1.0 Purpose of Report

- 1.1 The report requests that the Strategic Planning Board consider the proposed amendments to the Cheshire East Borough Design Guide, set out in Appendix A, and recommend to Cllr Ainsley Arnold, Housing and Planning Portfolio Holder that the Design Guide be adopted as a Supplementary Planning Document at a Portfolio Holder for Planning and Housing meeting in May 2017.
- 1.2 This has been brought to Strategic Planning Board as an 'Urgent Item' due to the impending timescales to meet the appropriate Portfolio Holder meeting in May and to ensure that the Design Guide can progress through to formal adoption without delay.

2.0 Decision Required

- 2.1 That the Strategic Planning Board recommends to the Planning and Housing Portfolio Holder the incorporation of proposed amendments (set out in appendix A) to the Cheshire East Residential Design Guide and its adoption as a Supplementary Planning Document.

3.0 Background

- 3.1 Members of the Strategic Planning Board are stakeholders in considering Supplementary Planning Documents prior to their adoption, as required by the Council constitution.
- 3.1 Cheshire East is a unique and treasured place which is experiencing pressure for change. Securing quality of place in relation to the built and natural

environment is a key driver in the preparation of the Cheshire East Design Guide and its adoption as a Supplementary Planning Document (“SPD”).

- 3.2 The Design Guide SPD has been prepared with the assistance of e*SCAPE Urbanists and has been subject to extensive consultation resulting in a formal consultation on the draft version of the document during April – May 2016. The document has also been subject to ongoing and iterative Sustainability Appraisal and has been informed by progress relating to the emerging Local Plan Strategy.
- 3.3 Local Authorities may prepare Supplementary Planning Documents to provide greater detail on the implementation of Local Plan policies. The National Planning Policy Framework (NPPF) supports the production of SPDs where they can guide planning applications.
- 3.4 The emerging Local Plan Strategy identifies, in policy SE1 (Design), that the Council will produce a Design Guide SPD to support its design policies. The Design Guide has also been brought forward in response to the number of development applications being proposed in advance of the Local Plan Strategy being adopted.
- 3.5 The Design Guide focuses on new housing. It has been divided into 2 volumes: volume 1 sets out the character of Cheshire East and the process for delivering design quality, whilst volume 2 provides the practical design guidance on a range of topics that impact on design quality.
- 3.6 The Design Guide includes case studies of best practice, guidance on process and the use of Design Codes / Design and Access Statements. It has been written to dovetail with Building for Life 12, the industry standard on designing better quality homes and neighbourhoods.
- 3.7 The Strategic Planning Board considered the draft Design Guide consultation draft in March 2016. Portfolio Holder approval to consult on the Design Guide was given in the same month with public consultation during April / May 2016. A total of 78 representations were received. A number of themes were noted during the consultation, these include:
 - Relationship to the Local Plan Strategy, Neighbourhood Plans and the legacy Local Plan documents;
 - Clarity and request for further editing to the document;
 - Viability including the level of prescription set out in the Design Guide;
 - Example sample settlements and character areas;
 - Use of design and access statements, design codes and building for life requirements.

4 Conclusion

- 4.1 Consideration of responses received during the public consultation and the outcomes of the Sustainability Appraisal work on the Design Guide has resulted in the proposed changes and refinements to checklists within the

Design Guide set out in Appendix A. These changes further strengthen the guide as evidenced in the updated Sustainability Appraisal (set out in Appendix B).

- 4.2 Subject to approval to adopt the SPD at the Portfolio Holder meeting at the start of May, an adoption statement will be prepared alongside notification to members of the Local Plan consultation database and appropriate advertisement.

5 Financial Implications

- 5.1 The guide has been prepared using £50,000 funding from an earmarked reserve. The funding of the consultation and amendments has been funded by the Planning and Sustainable Development budget.

6 Legal Implications

- 6.1 The Cheshire East Borough Design Guide SPD, once adopted, will be a material consideration in the determination of planning applications for new housing development. The Design Guide has been consulted on in line with the Town and Country Planning (Local Planning) (England) Regulations 2012.

7 Risk Assessment

- 7.1 The process of engagement on the preparation of the Design Guide alongside consideration of responses received to the formal public consultation and the further Sustainability Appraisal work has reduced the overall risk in adopting the Design Guide as an SPD.

8 Reasons for Recommendation

- 8.1 The Design Guide, prepared by the Council's design team with the assistance of e*SCAPE Urbanists has been subject to extensive engagement both during its initial development and then through formal public consultation during April / May 2016.
- 8.2 A total of 78 representations have been received during the consultation on the Design Guide, these have now been considered and the outcomes documented. The following are attached to this report:
- a consultation statement including table of responses and proposed changes (set out in appendix A)
 - Sustainability Appraisal (SA) report (set out in appendix B)
- 8.3 A link to the draft design guide consulted upon during April/May 2016 is also provided for reference:

<http://cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>

For further information:

Portfolio Holder: Councillor Ainsley Arnold

Officer: David Hallam – Principal Conservation and Design Officer

Tel No: 01625 383733

Email: david.hallam@cheshireeast.gov.uk

Background Documents:

9.1.1 Appendix A – Design Guide Consultation Statement and summary of issues and responses

9.1.2 Appendix B – Design Guide Final Sustainability Appraisal / Habitats Regulations Assessment

Link to the Draft Design Guide <http://cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>



Cheshire East Borough Council

Planning and Compulsory Purchase Act 2004 (as amended)

**The Town and Country Planning (Local Planning) (England)
Regulations 2012**

Statement of Consultation Report

**Cheshire East Borough Design Guide Supplementary Planning
Document**

March 2017

1: Introduction

- 1.1 This consultation statement has been prepared in accordance with Regulation 12 of The Town and Country Planning (Local Planning) (England) Regulations 2012. The statement sets out who was consulted on the Draft Cheshire East Borough Design Guide Supplementary Planning Document (“SPD”), when and how, and summarises the representations received and how they have influenced the revised final Cheshire East Borough Design Guide SPD.

2: Purpose of Supplementary Planning Documents

- 2.1 Local Planning Authorities may prepare Supplementary Planning Documents (“SPDs”) to provide greater detail on Local Plan policies. The National Planning Policy Framework (“NPPF”) supports the production of SPDs where they can help applicants to make successful planning applications or aid infrastructure delivery.
- 2.2 The SPD cannot set out new policy but will expand upon the Council’s existing policies as set out within the adopted Macclesfield Borough Council Local Plan (2004), the adopted Congleton Borough Council Local Plan (2005) and the adopted Crewe and Nantwich Local Plan (2005), as well as the design policies of the emerging Cheshire East Borough Council Local Plan Strategy.
- 2.3 It is intended that the SPD will be used to provide detailed design guidance; ensuring development is responsive to the context and environments into which they are set and securing the high design quality advocated in the NPPF and the design and other policies set out in both the saved policies of the legacy Local Plans, but also policy SE1 Design and other policies of the emerging Local Plan Strategy.

3: Who was Consulted?

- 3.1: As part of the SPD preparation process, to ensure appropriate and proportionate Stakeholder involvement in advance of full formal public consultation, focused pre-production work was undertaken with a variety of internal and external stakeholders.
- 3.2: This process and the way it informed the draft SPD are set out in the Interim Statement of Consultation, available from the link below:
<http://www.cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>
- 3.3: In line with the Council’s Statement of Community Involvement, notifications were sent out to all the relevant bodies, and those people and organisations listed in the Council’s Local Plan Strategy Database at the time of the consultation. The statutory consultees set out in the Town and Country Planning (Local Planning) (England) regulations 2012 were all consulted. A number of developers, agents and consultants who had participated in stakeholder workshops during the preparation of the Design Guide were also specifically consulted.
- 3.4: Community consultation meetings were also held at and Crewe and Congleton on the evenings of 14th and 20th April, participants were parish and Town Councillors and representatives of Neighbourhood Planning Groups.

4: How were People Consulted?

4.1: The consultation period ran from Wednesday 6th April until Friday 27th May 2016. The consultation period was extended to ensure that sufficient time was provided for people to comment on the Design Guide SPD.

4.2: A notification email was sent to statutory consultees and other relevant consultees, including those registered on the Council's Local Plan Strategy database, in time for the start of the consultation. A copy of the email is attached as Appendix 1

4.3: The Draft SPD together with all supporting documentation was made available in a dedicated area on the Council's website

<http://cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>

Hard copies were also made available at the following Council Offices; **Municipal Buildings**, Earle Street, Crewe, CW1 9HP, **Delamere House**, Delamere Street, Crewe, Cheshire, CW1 2JZ, **Macclesfield Town Hall**, Macclesfield, Cheshire, SK10 1EA and **Westfields**, Middlewich Road, Sandbach, CW11 1HZ during their normal opening hours.

4.4: An information leaflet was also available at all the libraries throughout the Borough during their normal opening hours, the Council issued a press release and also placed an advert in 3 local newspapers to promote the consultation within the local area.

4.5: A dedicated email address was set up to receive comments in addition to consultees being able to complete the online questionnaire.

5: Summary of Responses

5.1: 78 responses were received either by email or via the online questionnaire.

5.2: A summary of the representation comments received and the Officer responses to these, broken down by theme, is set out at Appendix 2 to this report.

6: Summary of the Main Issues Raised

6.1: Representations were principally concerned with:

Relationship to existing policy

- Conflict with National Planning Policy Framework (NPPF) re: level of prescription and requirements e.g. comprehensive Masterplanning
- Whether the SPD could require enhanced standards in terms of Part M of the Building Regulations

Viability

- Linked to the above level of prescription and impacts on viability
- Whether adequate viability assessment had been undertaken

Use of Design and Access Statements ("DAS"), Design Codes and Building for Life

- Need for clarity on mandatory and non-mandatory requirements
- Clarity as to when design codes will apply
- Clarity on relationship between DAS and design codes
- Requirements for Building for Life Assessment

Example sample settlements and character areas

- Additional sample settlements requested
- Content of the character area and sample settlement guidance
- Names of character areas

Relationship to neighbourhood plans

- Referencing in the design guide
- Clear criteria that neighbourhood plans can refer to
- Neighbourhood plans should take precedence over the Design Guide

Other related guidance

- Making sure there is reference to guidance such as Conservation area appraisals

Footpaths

- Retain dedicated footpaths in street design
- Provision for cyclists
- Lighting

Gateways

- Character of existing as well as proposed gateways

Ensuring good design

- As above in relation to clarity on requirement (codes, Design and Access Statements (“DAS”) etc.)
- Integration should not be repeating poor design
- Explicit definition of pastiche
- Colour and materials: the limited palette set out in the guide and need to protect historic materials
- Guide should not prevent innovation and become a ‘rule book’
- Quality of materials specified – only rich detailing and design solutions
- More detail on scale, massing and street enclosure

Street design, parking and cycling

- Encouraging more sustainable patterns of development and modal shift
- More info on cycle storage and provision
- Too much detail on parking provision
- Focus on suburban layouts determined by parking
- Traffic calming
- Width, finishes and specification for roads and footpaths
- Adoptability

Sustainability

- Unnecessary because covered in the Building Regs
- More explicit in relation to existing codes including national space standards
- Comprehensivity does not mean development is sustainable
- Setting out access distances to services and facilities
- Promoting self build

Quality of life

- Challenging unsustainable settlement patterns
- Unclear what is mandatory in the checklist
- Controlling noise pollution

Checklists

- Clarity on their use and status
- Refinement of questions in checklists
- Additional questions re: cycle provision
- Checklists too restrictive and could some criteria get missed by planning officers assessing proposals
- Clarity about the status of BfL12

Lighting

- Changes proposed by Cheshire East Highways (Street Lighting)

Green infrastructure (GI)

- Inclusion of links to best practice
- Provision for bats and birds
- Recognition of canals, rivers as part of natural and built heritage
- Design standards should be raised incrementally. Design Guide too prescriptive and introduces costs that could stall development due to abnormal costs including GI
- Protection of air, soil and water quality
- Substantial trees within layouts to break roofline

Sustainable Drainage Systems (SuDS)

- Clarification on adoption

Other issues

- Summary document would assist
- General editing of document
- Clarity of diagrams

7: How have the Issues raised been addressed in the Draft SPD?

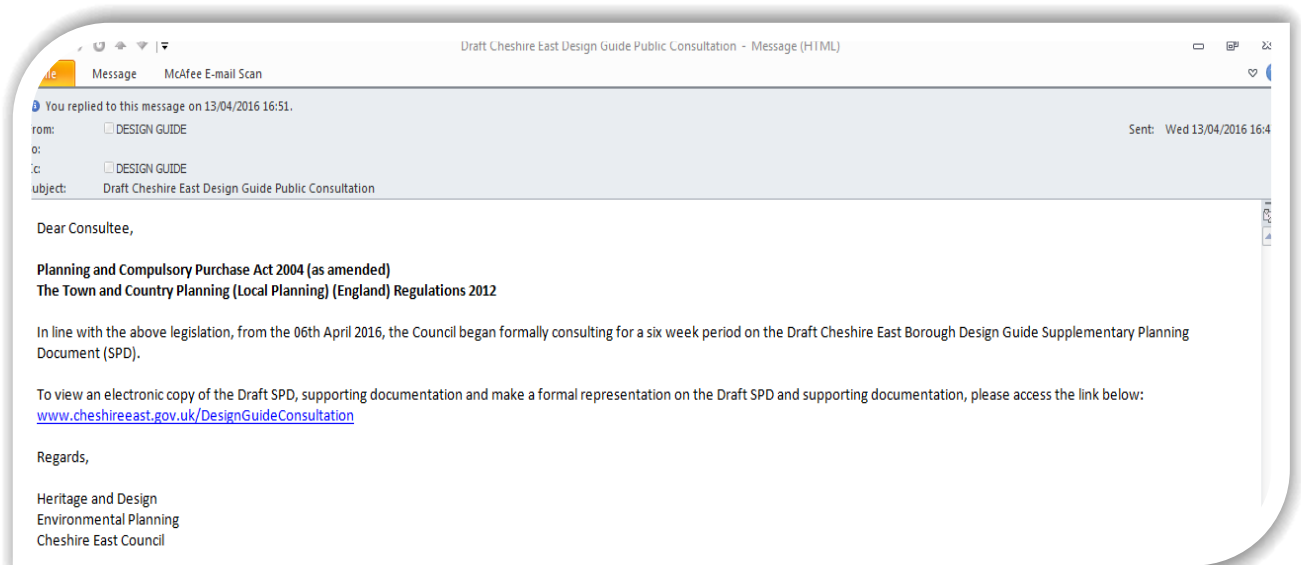
- 7.1: The table at Appendix 2 of this report sets out how these themed comments have been considered and what changes to the SPD have resulted from them. These have also been reviewed in terms of the Sustainability Assessment and Habitat Regulations Assessment.

8: Conclusions

- 8.1: The relatively modest response to the consultation, despite the notification being sent to circa 12,000 individuals and organisations and running for 8 weeks, is both a reflection of the specialist nature and interest of the Design Guide but also an indication that the vast majority are supportive of the Design Guide's primary intention. Namely, providing positive guidance to ensure that new development is of better quality and has a strong sense of place and local distinctiveness that reflects the character of the Borough.
- 8.2 Perhaps inevitably, guidance that will seek to reinforce existing policies to secure better quality, more place considered developments, has resulted in some less positive comment from individual organisations within the land and development industry. These contend that the Design Guide is too onerous in parts, does not properly take account of development viability and does not sufficiently consider more recent character within settlements, instead focusing on the more traditional characteristics of towns and villages and is therefore in conflict with the NPPF.
- 8.3 The comments received from the development industry have been fully and satisfactorily considered and where appropriate amendments have been undertaken to address concerns that are considered relevant and appropriate as set out in appendix 2.
- 8.4 Counter to the developer view, some comments have also been received, to the effect that, the design guide isn't sufficiently radical or far reaching, including those made by Places Matter! (the regional design review organisation). Again those comments have been fully considered and where appropriate amendments have been made. But, it is considered that the guide takes both a balanced and pragmatic view on design reflecting the NPPF in its entirety and the distinctive character of Cheshire East, its pressures and its needs.
- 8.5 Finally, the design Guide SPD has been considered in terms of Sustainability Assessment and Habitat Regulations Assessment with a positive assessment of the prospective impacts of the design guide on both the built and natural environment, subject to some minor revisions, which are set out in Appendix 2.
- 8.6 In conclusion therefore, notwithstanding some of the adverse comments received, the Design Guide is considered fit for purpose and capable of adoption as a SPD, subject to the changes as set out in Appendix 2 which will further refine and improve the guidance.

Appendix 1

Consultation notification email



Appendix 2

Summary of Responses Received & How They Have Influenced Development of the SPD

Appendix 2 Summary of issues raised during consultation and responses/proposed changes

| Issue | Issue raised during consultation | Officer Response | Modification made |
|-------|--|--|---|
| | Support for the Design Guide | | |
| 1 | <p>Widespread support for the production of a design guide and its aspiration to improve the quality of design. This support is caveated with suggestion(s) of changes, including</p> <ul style="list-style-type: none"> Improving the organisation and clarity of sections of the design guide Support for rationalisation of the text The Design Guide should make clear what is mandatory | <p>Support for the design guide is welcomed.</p> <p>The overall structure of the document is considered fit for purpose. Further editing has taken place to improve the usability of the document.</p> <p>It should be stressed that this is a guidance document which supports the implementation of Local Plan Policies / requirements of the National Planning Policy Framework (NPPF).</p> <p>Minor amendments have been made which further clarifies those elements which are mandatory and those which are guidance.</p> | <p>Proposed modifications in this table (appendix 2 - read together) seek to improve the overall usability and interpretation of the document.</p> <p>Please refer to issues 3 and 10-14 for proposed amendments relating to mandatory and non-mandatory requirements</p> |
| | Outcomes of the Sustainability Appraisal undertaken to support the Draft of the Design Guide | | |
| 2 | <p>SA Recommendation 1: It is noted that social inclusion and community attributes are positively encouraged through design but no specific mention is made of diversity and equality. This might be inferred through inclusion, and section v Sustainable Development Principles (v02) does include</p> | <p>SA Recommendation 1 noted. Suggest include further clarification in chapter vi Quality of life</p> | <p>Recommendation 1 - Include the following as new paragraph following vol 2 vi/20</p> <p>“Housing should also be designed to consider the needs of different age groups and family circumstances. Lifetime Homes principles could be considered to create housing that meets current as well as future needs and which allows adaptability to respond to changing life circumstances”</p> <p>Insert link to Lifetime Homes http://www.lifetimehomes.org.uk/</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | <p>comment on "...designing in flexibility for changes of use, lifestyle and demography." However, it would strengthen the sustainability of the Design Guide SPD with regard to SA accessibility/inclusion objectives if the different needs of people (for example, parents/carers with young children and the elderly) at different times of life were made explicit.</p> <p>SA Recommendation 2: The inter-relationships between motor car use, sustainable transport modes, greenhouse gas emissions, and climate change could be made more explicit and thus enhancing the sustainability of climate change SA objectives through increased awareness/education.</p> <p>SA Recommendation 3: The sustainability of the Design SPD could be enhanced against the SA objective relating to water quality by including a comment on avoidance of pollution of water – perhaps most useful in the section iv on Green/Blue</p> | <p>SA recommendation 2 noted. Suggest inserting additional information in Chapter ii urban design</p> <p>SA Recommendation 3 noted. Suggest inserting paragraph in chapter iv Green Infrastructure and landscape Design</p> | <p>Recommendation 2 - Insert paragraph before Vol 2 ii/16.</p> <p>"In designing new development, and considering connectivity and movement both within the development and the wider area, developers and designers should be mindful of the objectives of reducing greenhouse gas emissions by considering the interrelationship between the availability and effectiveness of public transport, walking and cycling, car usage and the consequent impacts on greenhouse gas emissions</p> <p>Recommendation 3 - Insert paragraph after vol 2 iv/63</p> <p>"In developing drainage proposals for a development a key objective should be to ensure the avoidance of water pollution"</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
|-------|--|---|---|
| | <p>Infrastructure or as part of general comment on construction principles.</p> <p>SA Recommendation 4: The positive sustainability of the Design SPD could be strengthened by making explicit that geodiversity and important geological features should be protected and enhanced. The explanation and justification for the socio-economic benefits of enhancing biodiversity could be strengthened by reference to ecosystem services.</p> <p>SA Recommendation 5: The sustainability of the Design SPD would be strengthened through specific mention of the significance of the settings of heritage features and assets, and the potential for impacts on the archaeological resource – which</p> | <p>SA recommendation 4 noted. Suggest making reference to geodiversity protection and the socio economic benefits of biodiversity in chapter iv Green Infrastructure and Landscape Design</p> <p>SA recommendation 5 noted. Suggest making reference to heritage assets, including archaeology in Chapter i Working with the Grain of the Place</p> | <p>Recommendation 4 - Vol 2 pg 56 Change title from Promoting biodiversity to “Protecting and promoting biodiversity and geodiversity”</p> <p>Insert paragraph after iv/09</p> <p>“geodiversity and important geological features should also be protected and enhanced”</p> <p>And insert paragraph after iv/11</p> <p>“The 2011 UK National Ecosystem Assessment (UK NEA) concluded that the natural world and its ecosystems are important to our well-being and economic prosperity. Yet they are consistently undervalued in conventional economic analyses and decision-making. Protecting and enhancing biodiversity and geodiversity as part of development proposals therefore contributes to both our social and economic wellbeing. This is discussed further in chapter vi”</p> <p>Insert link to UK National Ecosystems Assessment 2011 http://uknea.unep-wcmc.org/Resources/tabid/82/Default.aspx</p> <p>Recommendation 5 - Insert new paragraph after i/07</p> <p>“Within this contextual assessment it is important to consider the potential impacts of development upon heritage assets and their settings including archaeology which will require separate assessment as part of the DAS, a heritage assessment, or an archaeological impact assessment (either alone or as part of Environmental Impact Assessment (EIA) depending upon the scale of</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | may require an archaeological impact assessment (alone or as part of any requirement for an Environmental Impact Assessment EIA depending upon the scale and location of the new development). | | the development)” |
| | The SPD and existing policy | | |
| 3 | Cheshire East should consider making building regulations Part M4 (2) part of the requirements for all new build properties; buildings accessible for all age groups so that the young can live there and it is adaptable for the elderly if required (effectively a lifetime home). This has been noted by the Neighbourhood Plan with people wanting to down size to smaller more accessible homes. | <p>The Design Guide SPD cannot introduce new policy. The Council will consider the introduction of enhanced building regulation requirements via the Site Allocations and Development Plan Document (SADPD).</p> <p>Vol 2 paras ii/114-117 discusses “Adaptable Living - Growing Homes” but the Design Guide should also make reference to the need for housing to be designed to changing life circumstances.</p> <p>Changes are recommended in relation to state that Principles of Lifetime Homes could be used in response to an issue raised by the Sustainability Assessment (see issue 2 above).</p> | See proposed changes in relation to issue 2 (Recommendation 1 of the SA) |
| 4 | <p>Status of the Design Guide</p> <p>The design guide is capable of being a material consideration; with significant weight given to it. Therefore it must accord with the National Planning Policy Framework (NPPF), including paragraphs:</p> <ul style="list-style-type: none"> • Para 59 NPPF: ‘Design policies should avoid unnecessary prescription or detail’. | <p>The Ministerial Foreword the NPPF sets the context for the Design Guide. It says:</p> <p>“Our standards of design can be so much higher. We are a nation renowned worldwide for creative excellence, yet, at home, confidence in development itself has been eroded by the too frequent experience of mediocrity”</p> <p>Paragraph 153 of the National Planning Policy Framework (NPPF) states: “Supplementary planning documents should be used where they can help applicants make successful applications or aid</p> | <p>Insert the following into Vol 1 iii after iii/81</p> <p>“Viability assessment</p> <p>There may be occasions where the objectives set out in this guide impact significantly upon the viability and deliverability of a development, for example where there are unforeseen or significant extraordinary infrastructure costs. In such circumstances, in accordance with Para 173 of the NPPF, when planning applications are being determined there may be the opportunity (as with planning obligations) for an applicant to argue a case on the individual viability of a scheme, but only where the applicant adopts an open book approach to the viability appraisal. Importantly, Each</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | <ul style="list-style-type: none"> • Para 60 of NPPF states that policies 'should not attempt to impose architectural styles or particular tastes' • Para 173 of NPPF – pursuing sustainable development requirements attention to viability and costs in plan making and decision taking | <p>infrastructure delivery, and should not be used to add unnecessarily (emphasis added) to the financial burdens on development.” This paragraph is supported by additional guidance within the online Planning Practice Guidance (PPG)1, which expands upon the NPPF to ensure that they must build upon and provide more detailed advice or guidance in the policies in the Local Plan.</p> <p>The design guide supports and supplements policies within the Local Plan, in particular paragraph SE1 - Design and it is considered that the guidance does not conflict with Para 59 of the NPPF. The design Guide aims to assist developers, amongst others, to deliver high quality developments by providing the parameters and process guidelines within which development proposals should be designed and assessed. It provides guidance on scale, density, massing, height, landscape, layout, materials and access. The Design Guide is not considered to be either overly prescriptive or detailed in this regard.</p> <p>In relation to Para 60, the NPPF also states that: “It is however, proper to seek to promote or reinforce local distinctiveness”. The Design Guide does not prescribe particular styles but it does advocate understanding local vernacular to achieve this locally derived sense of place within new developments.</p> <p>In response to Para 173 of the NPPF high level viability assessment of the implication of design policies has been undertaken as part of Cheshire East Council’s Draft Core Strategy Viability Assessment October 2013 [Ref BE 042] in the Examination Library.</p> | <p>case will be assessed on its own merits</p> <p>This does not exempt the land owner / developer, however, from utilising the appropriate professional inputs or adopting the systematic approach to design set out in this guide, to achieve the high quality design also required by the NPPF and the Local Plan Strategy.</p> <p>The systematic approach set out in the design guide may also assist in securing a more robust and viable development proposal through a better approach to urban design. The issue of viability should be brought to the LPAs attention at the earliest opportunity, ideally at the pre-application stage.”</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
|-------|---|--|----------------------------|
| | | <p>This identifies that there is no issue in relation to NPPF compliance however, as with other material considerations, when a planning application is being determined each case will need to be assessed on its own circumstances and merits and there is the opportunity, as with planning obligations, for an applicant to argue a case on the individual viability of a scheme if the applicant adopts an open book approach to the viability appraisal.</p> <p>Suggest including clarification in Vol 1 iii</p> | |
| | Viability | | |
| 5 | How the design guide will be used – the design guide should not be too prescriptive or onerous in its design requirements that would impact on the financial viability of schemes in line with para 173 of the NPPF | See response to issue 4 | See response to issue 4 |
| 6 | It is long on analysis - very long in fact - and too short on practical advice and design and materials requirements. | <p>Noted but disagree.</p> <p>The analysis is necessary to help users understand the context of Cheshire East which is a large and relatively complex Borough.</p> <p>It is also considered that the level of practical advice, including design and materiality is right for the varied audience of the Guide and to comply with the requirements in the NPPF regarding level of prescription (it is a guide not a design manual or code). Clear summary principles are set out in the</p> | No further action required |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | | individual chapter summaries, comprising checklists and case studies. | |
| | Design and Access Statements, Design Codes and BfL12 | | |
| 7 | Local Review Panel The need for a wider (regional) Design Review Panel | Noted | The Council will consider setting up a Design Review in line with policy SE 1 (design) – point 2(i). |
| 8 | There needs to be more clarity about the relationship between design Codes and Design and Access Statements (DAS) | <p>Information between iii/29 and 43 provides a clear explanation as to why design codes are required and what level of code applies to different stages of the planning process. These terms are explained in the glossary to appendix 2.</p> <p>However, in order to improve the clarity of when coding will apply (and mandatory as opposed to non-mandatory requirements) for planning applications, an additional concise table is proposed to be included in vol 1 chapter iii.</p> <p>Design and access statements are mandatory for outline and full applications for new residential development</p> <p>The local validation requirements for planning applications are being revised and the Council will consider additional guidance to accompany the local validation checklist.</p> <p>The Council will also consider whether further policy clarification also is required to be made in the SADPD</p> | <p>A summary table will be inserted after vol 1 iii/79 identifying the mandatory and non-mandatory elements in relation to design. It will also refer to local validation and associated additional supporting information.</p> <p>The Design Guide will provide additional clarity on the trigger for design coding including alignment with definition in Local Plan of 150 units for strategically important development (Vol 1 iii/30-32).</p> <p>The Council will consider separate guidance to support the local validation checklist for planning applications and also whether further policy guidance should be included in the SADPD.</p> |
| 9 | Design and Access Statements Large developments of 300 or more dwellings. It appears that such proposals will need to be | In the Design Guide no figure has been applied to the requirement for production of a masterplan but it identifies that comprehensive masterplans are required for larger sites of multiple ownership (iii/11) | <p>Please refer to issue 8 with regards the production of a summary table and links to local validation/additional supporting information</p> <p>As for issue 8, revise the figure to 150 to reflect the Local Plan</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | <p>accompanied by a Masterplan, BfL12 questionnaire to obtain 9 greens, Design Code and DAS. (Design and Access Statement)</p> <p>Please would you be so kind as to clarify.</p> | <p>and illustrative masterplans or testing layouts are required as part of Design and Access Statements (iii/67).</p> <p>BfL 12 is a government endorsed industry standard signed up to by the HBF. Developers are encouraged to use it to guide discussions and design development. The Guide identifies BfL12 as part of the quality toolkit it will be using to discuss design with developers and their teams at pre-app and during a planning application. This will apply to both outline and detailed schemes. This approach will be applied to all major applications of 10 or more dwellings (iii/28). BfL12 seeks to secure schemes that perform as well as possible against the 12 criteria by achieving as many greens as possible, minimising ambers and eliminating reds. To achieve Built for Life status a scheme must achieve 9 greens and no reds.</p> <p>Design codes will automatically be required for all strategically important and larger scale developments, dependent on size, sensitivity or their impact in relation to heritage assets, sensitive landscape or existing settlements.</p> <p>At present the Design Guide identifies a rule of thumb for outline proposals of 300 dwellings or more (or smaller sites that form part of a larger development area that equates to 300 or more dwellings. However, the Local Plan Strategy (LPS) identifies strategically important sites as those being 150 dwellings or greater. There is a benefit therefore in aligning the Design Guide with the figure set by the LPS</p> <p>Further policy clarification could also be made in the</p> | <p>definition of strategically important development, subject to re-consultation requirements.</p> <p>The Council will consider separate guidance to support the local validation checklist for planning applications and also whether further policy guidance should be included in the SADPD.</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | | SADPD | |
| 10 | General – The document will obviate the need for Design and Access Statements as the document dictates the design and access requirements that must be followed. This is contrary to national Guidance where the approach is to design a scheme based on the site specifics, environmental, local vernacular, topography and site constraints which make developments unique. | <p>Noted but disagree</p> <p>A Design and Access Statement (DAS) will still be necessary for certain types of application as set out in the Design Guide, reflecting the requirements set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>The Design Guide sets out the information and approach that the authority expect to see within a DAS and encourages the use of Building for Life 12 through the life of the design and application phase to quality enable positive discussion and quality check development proposals. This reflects Policy SE1: Design of the Local Plan Strategy (LPS).</p> <p>It is advocated that a BfL assessment should form part of the DAS to help demonstrate the qualities of the proposal. This is reflected in wording within BfL12 3rd edition 2015.</p> <p>This ‘structure’ does not preclude, but conversely positively endorses, a developer/designer properly assessing the site and its wider context Physical Context and Local Character – iii/55-58 and Constraints and Opportunities iii/59-61</p> <p>It is considered that this approach is consistent with both the NPPF and Policy SE1 of the LPS in aiming to secure better quality, place led development through an evidence based approach to design.</p> | No further action required |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| 11 | <p>The section on Design and Access statements seeks these to provide a BfL 12 final assessment. We do not believe this should be considered as a prerequisite.</p> | <p>Noted. Building for Life assessment is not mandatory within a Design and Access Statement (DAS), however as outlined in response to issue 12 above, Cheshire East Council is actively promoting and using BfL 12 as part of its approach to elevating design quality in the Borough. BfL12 is also embedded as a process within the Local Plan via Policy SE1 Design (point 2(iii)).</p> <p>BfL 12 is the industry standard and is designed as a discussion tool throughout the design process and therefore provision of a BfL12 assessment as part of a DAS should not be onerous to produce. Such an assessment is also a way of succinctly demonstrating the design quality of a proposal. It is in the interest of a developer therefore to adopt this approach, which could also in speeding up the decision making process.</p> <p>Building for Life 12 Third Edition 2015 p 4 states:</p> <p>“...Instead, we recommend that local policies require all proposed developments to use BfL12 as a design tool throughout the planning process with schemes performing ‘positively’ against it.</p> <p>We also recommend that local authorities consider expecting developments to demonstrate they are targeting BfL12 where an application for outline planning permission is granted. A useful way to express this expectation is through either a condition or ‘note to applicant’.”</p> | No further action required |
| 12 | <p>Design codes (Vol 1 paragraph 15) acknowledge that in some instances on large strategic sites design codes could be produced at Outline Stage. Design and</p> | <p>Noted but disagree.</p> <p>Reserved matter and full applications do require DAS but a Design and Access Statement does not perform the same level of design management as a Design</p> | Please refer to response to issue 8 (above) |

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| | <p>Access Statement best practice structure omits the need for a design code at Reserved Matter or Detail Stages. Detailed issues regarding character and architectural language are addressed through Design and Access Statement mechanism</p> | <p>Code.</p> <p>Paragraph 35 of the Planning Practice Guidance (PPG) sets out the variety in circumstances within which Codes should be used. It does not say that Design Codes should not be prepared at the detailed stage. Indeed it states that “A design code is a type of detailed design guidance that is particularly useful for complex scenarios.”</p> <p>In relation to detailed applications (i.e. a full application), where design coding would be considered necessary, i.e. on a strategically important or sensitive site, then a comprehensive design code would be required, as set out in the Design Guide (vol iii/43).</p> <p>The approach to a 2 stage form of coding (spatial and character/detailed codes) has been conceived to assist both developer and the LPA, so that outline applications only require provision of the spatial/structural elements of a design code, reserving detailed elements of design coding and allowing housing developers to be actively involved in that stage of the Code’s preparation.</p> <p>Over the last few years many outline applications have been secured by companies who will not be the developer building out the site. The alternative would be to secure a comprehensive code for all strategically important and sensitive sites at the outline stage, but this would not be the most effective or pragmatic way in which to deal with Design Coding and secure high quality development.</p> | |

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| 13 | The requirements of the Design and Access Statements are supported - though, it all depends on how well the details are implemented. | Noted | No further action required |
| 14 | We can lend our support for <ul style="list-style-type: none"> • Design & Access Statements to accompany planning applications, as appropriate • Inclusion of one of the main considerations under highways/transport, alternative modes of transport • Flagging up pollution (both noise, air quality and ground contamination?) as a matter deserving of attention when addressing the design of new development | Noted | No further action required |
| | Use of Example Settlements and Character Areas | | |
| 15 | Example Settlements The use of example settlements has led to a feeling that settlements that are not mentioned specifically should have been (Poynton) | <p>It is not possible to provide settlement specific guidance for every settlement in each character area. These are 'sample settlements' and developers are expected to build on the character area guidance to develop and explain an understanding of the settlement where they are proposing to develop.</p> <p>However, given the role of Poynton as a Key Service Centre, it is suggested that sample guidance be prepared for Poynton.</p> | Prepare sample settlement guidance for Poynton and insert in Volume 1 chapter ii |

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| 16 | <p>Settlements which fall into more than one Character Area</p> <p>Some settlements (Holmes Chapel) fall within more than one character area and it is uniquely disadvantaged because sample settlement guidance has not been provided.</p> | <p>Design Guidance has been prepared as part of the Holmes Chapel Neighbourhood Plan, which has recently held a successful referendum. However, it is felt that sample settlement guidance should be prepared for Holmes Chapel with the Design Guide SPD.</p> | <p>Prepare sample settlement guidance for Holmes Chapel and insert in volume 1 chapter ii</p> |
| 17 | <p>The method used is that densities shown are generally very low and I am very concerned developers will misinterpret these in order to justify unsustainable patterns of development. I would suggest for each settlement that a morphological tissue sample is taken for a number of areas and both street and housing typologies, enclosure ratios and densities arrived at (you do not have to work out density for entire settlements, but simply identify types through a morphological study as described).</p> | <p>Noted. However, in relation to the issue of density, these are gross figures but reflect the changes in density within those settlements.</p> <p>However, the issue of density is discussed in volume ii/28-30 and ii/50-54</p> <p>The process section of the Design Guide in volume 1 Figure iii:01 and paras iii/55-61 in relation to DAS identify that detailed site and area character assessment should be undertaken. The sample settlements are identified as the starting point by the Guide (ii/42) and the information in the Design Guide should be supplemented by designers "it should be overlaid by further site/areas specific assessment by the design team"</p> <p>This issue could be further clarified by identifying that the density grids are based on gross figures (by adding this to the figure label for each density grid) and stressing that tissue studies should be undertaken in relation to density as part of the detailed assessment by designers/developers by modifying vol 1 iii/57</p> | <p>Insert reference to gross density on the figure label for each density grid</p> <p>Modify vol 1 para iii/57 to add "Tissue studies of the grain, density and enclosure ratios of the different parts of the settlement should be undertaken as part of the contextual assessment of the site and its wider context."</p> |

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| 18 | North Cheshire Fringe is illustrated with 'traditional' materials for a large area. Care must be taken that developers do not interpret these generalities literally for every place in the North Fringe. | <p>The Character Areas approach is described in Vol 1 paragraphs 20/21</p> <p>"The settlement character areas within Cheshire East are then described and illustrated, providing developers and their design teams with an <u>overview</u> of the District's local vernacular and how it varies in terms of historic evolution, geographic location, settlement form, layout, archetypes, materials and detailing etc. i.e. what makes different areas distinct.</p> <p>As stated later in the document the local vernacular should not be slavishly followed on new developments to create 'chocolate box' pastiche developments, but for design teams to creatively reinterpret and use this for inspiration and to knit development into the place."</p> | No action except make 'overview' bold in para 20 of Vol 1 (underlined left). |
| 19 | <p>A baseline assessment of vernacular in each perceived character area has been undertaken within the residential design guide.</p> <p>The vernacular studies are heavily reliant on historical architectural examples most of which show no parking arrangements or motor cars.</p> <p>The character areas illustrated show no example of the majority of housing stock within the locality.</p> <p>The examples used are highly</p> | <p>The character assessment in volume 1 seeks to identify local vernacular and positive elements of town and villagescape to inform place led development that relates positively to existing settlements.</p> <p>The vast majority of developments that have taken place in recent times, have detracted from the distinctiveness of Cheshire East's settlements, consequently, it would be inappropriate to refer to these as positive elements of local town/ villagescape.</p> <p>Paragraph 60 of the NPPF advises that</p> <p>"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is,</p> | No further action required |

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| | <p>selective and unrepresentative of other, more recent styles that were deemed acceptable and inform the local character of an area.</p> <p>Given that the vast majority of housing provided in Cheshire East over the past thirty years has been by national house builders there is little reference to this within the document and the commercial reality underpinning this.</p> | <p>however, proper to seek to promote or reinforce local distinctiveness.”(emphasis added)</p> <p>Volume 2, includes guidance for Using the Vernacular without Creating Pastiche (i/23-28), whilst chapter ii includes a section relating to making house types unique (ii/97-103). This provides scope for using contemporary and innovative approaches provided it works with ‘the grain of place’.</p> <p>The examples included in Volume 2, both in terms of illustration or photographs, including case studies, are from recent residential developments. They are not ‘historic’ precedents. They also include both contemporary and more traditional designs.</p> <p>The reasoning for not using local examples is that, at the moment, the quality of development within the Borough is not sufficiently high; consequently there is a need to use examples from elsewhere. It is hoped that in time local examples will arise as a consequence of this design guidance and that these can be showcased in some way.</p> | |
| 20 | <p>Naming of character areas is unhelpful. Gritstone Edge Salt and Engineering towns ok but North Cheshire Fringe should be North Cheshire Plain, Silk Cotton and Market Towns should be Silk Cotton and Rural mid-Cheshire and Market Towns and Estate Villages should be South Cheshire Plain</p> | <p>Noted but the character areas do need to be identified in some way. The character area names chosen positively reflect the character of those places in a succinct manner</p> <p>The general information for character areas provides more general guidance for the areas as a whole, including those settlements not specifically identified as sample settlements</p> | No further action required |

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| | <p>Silk, Cotton & Market Towns: It doesn't mention Macclesfield's industrial areas. To call it a silk or market town is to romanticise it, it is more a dormitory town these days</p> <p>Gritstone Edge - North Cheshire Fringe The descriptions of this area reflects the towns rather than the smaller villages. Can it be updated to reflect the villages as well?</p> | | |
| | Neighbourhood Plans | | |
| 21 | Where Design Supplements have been developed as part of Neighbourhood Plans they should be referenced in the Design Guide | <p>Noted. It is recognised that the connection between Neighbourhood Plans (NP) and the Design Guide SPD does need to be made.</p> <p>It would not be appropriate however to specifically list those with design supplements as this could quickly render the Design Guide out of date. Instead a more generic link to the NP webpage could be made, highlighting that certain Neighbourhood Plans have or are going to have design supplements.</p> | <p>Propose insertion of paragraph relating to after the Local Plans section - after i/27</p> <p>“Neighbourhood Plans</p> <p>A number of communities have already, or are preparing Neighbourhood Plans. Some have already or intend to include specific design guidance for their village or town.</p> <p>Those design supplements should be read in conjunction with the Guidance presented here in the Cheshire East Design Guide to inform and shape new development proposals that respond positively and add to those places”</p> <p>http://www.cheshireeast.gov.uk/planning/neighbourhood_plans/neighbourhood-planning.aspx</p> |

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| 22 | Essential that there are well-defined criteria for design so that non-specialists can comment meaningfully. Neighbourhood Plans will often need to establish specific design codes in their areas and these will have to align with clear statements of the principles and practices in this Guide | The guide does include specific criteria summarised in each chapter of volume ii via quality checklists and summaries. | No further action required |
| 23 | It is essential that all of Knutsford's heritage and character is recognised in the Design Guide because this is what both planning officers and developers will be referring to in planning decisions. Without this Knutsford's character will be misrepresented and its sense of place will be lost forever. For this reason the description of Knutsford must be fair accurate and regarding; design, trees, hedging, materials, palette etc. | <p>The sample settlements seek to provide an introduction as to the character and design prompts for a particular settlement. It would not be possible to go into the level of detail requested as that would make the document excessively long.</p> <p>There are other sources of information to provide further detail, such as conservation area appraisals. It is understood that Knutsford is also producing a design guide as part of the Neighbourhood Plan</p> | No further action required |
| 24 | CEC's Design Guide should dovetail locally and in a complementary way with the Knutsford Neighbourhood Plan . The Design Guide should include building extensions and adaptations, and uses other than residential. | <p>See response to issue 21</p> <p>It is hoped that further guidance will be undertaken as part of Cheshire East suite of design guidance covering other areas of design in addition to new residential development</p> <p>The Council is considering if any additional design policies are required in the forthcoming Site Allocations DPD which will be subject to public consultation.</p> | <p>Please refer to action 21 (above)</p> <p>The Council will consider the production of further guidance covering other areas of design in addition to new residential development. In addition, we will consider the inclusion of additional design policies in Site Allocations DPD</p> |

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| 25 | It is noted that within the policy context/ justification section no reference is made to Neighbourhood Plans which are being progressed across the district. It should, therefore be noted within the document that if there is a conflict between the design aspirations of a community as set out within a 'made' Neighbourhood Plan and this proposed SPD, the Neighbourhood Plan will take precedence. | Noted. Response as above for issue 21 | Please refer to action 21 (above) |
| | Other related Guidance to be included / cross referenced | | |
| 26 | There are some existing Supplementary Planning Guidance (e.g. Wilmslow Park) which have not been included | Noted. Where SPGs and other Planning Guidance related to design have been omitted they will be referenced but it is preferable to do this by linking to the SPG/SPD guidance page of the Planning website that can be updated more readily than the Design Guide. | Insert link to the SPG/SPD guidance page of the Planning website http://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/supplementary_plan_documents.aspx |
| 27 | It is strongly suggested that CEC promptly adopt the 6Cs Design Guide. | 6Cs has now been adopted by CEC. 6Cs is currently under review to ensure integration with Manual for Streets 1 and 2 | ix) amend paragraph iii 12 of volume 2 to reflect the adoption of 6 Cs |
| 28 | Knutsford has 5 Conservation Areas but the illustrations for Knutsford focus on the town centre with no mention of the Watt's buildings, no illustration of a detached villa or arts and crafts buildings or of pre-war and 1950—1970s estates. | The evidence base contained within CA appraisals for Knutsford will assist developers in gaining a fuller appreciation of those parts of the town. A link is provided within the document to conservation areas at para ii/40 of vol 1. The Design Guide SPD requires designers and developers to properly assess the context of a site (Fig 111:01 vol 1) and to set this out in the DAS (iii/55-64). | A link to the conservation area page on the Council website is provided at para ii/40 |

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| | | This will include considering the historic context and the townscape quality within the respective conservation areas | |
| | Footpaths | | |
| 29 | More detail on footpaths to ensure they are user friendly and not dominated by parked cars | Vol 2 Footpaths/cycleways iii/36-39 provides sufficient detail. | No further action required |
| 30 | iii 29, iii 30 – Removal of designated footpaths is strongly objected to. Volume 1, i 23 references ‘designing for pedestrian priority’ and Volume 2, iii 07 states ‘the user hierarchy now has pedestrians at the top’ though safe paths have been removed. | <p>This approach has been agreed with highways as part of the working group approach adopted for the Design Guide and is a way of deformatizing streets consistent with both Manual for Streets (MfS) and 6Cs.</p> <p>It should be stressed that removal of footpaths will be limited to streets that would carry lower traffic volumes where speed reduction is designed into the layout and speed managed to 20mph.</p> <p>In relation to shared spaces, Vol 2 iii/43 identifies the principle of contrasting flush kerbs/thresholds to define pedestrian refuges and through routes for the partially sighted” This is entirely consistent with placing pedestrians at the top of the street user hierarchy.</p> | No further action required |
| 31 | Typical Residential Issues – (i/46) - not CEH policy to light alleyways, however any consideration for lighting alleyways or footpaths must be agreed with the Authority’s Street Lighting Dept, prior to design submission. | Noted. Amend as suggested. | <p>Amend i/46 to read as follows:</p> <p>“Alternatively the layout and orientation of the proposed properties could aid the surveillance of the original route. It is not Cheshire East Highways’ policy to light alleyways, consequently, any consideration for lighting alleyways or footpaths must be agreed by the Authority’s street lighting department prior to design submission.”</p> |
| 32 | Footpaths/Cycleway - specific reference should be made to canal towpaths and the vital role the towpath network play in | Noted. There are specific references to canals included in Vol 1 within the sample settlements, however there is scope to reference tow paths and canals as an important aspect GI and open space in | <p>Amend para iv/17 by adding further sentence.</p> <p>“The canal towpath network also plays an important role in widening travel choices and providing recreational opportunity.”</p> |

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| | widening travel choices. Towpath design/material would be very much dependant on the context. | chapter iv of Vol 2. | |
| 33 | <p>iii/59 – footpath widths – agree that generally should be 2 metres wide but disagree with iii/61 that combined footpath/cycleway should be 3 metres. They should be a minimum of 4 metres. However, MfS advocates ‘cyclists should be catered for on road if at all practicable’ and therefore careful examination of whether a separate facility is required for cyclists at a design speed of 20mph</p> <p>This guide is not clear. Why do you not just refer to LTN 08 - Cycle Infrastructure design that makes it clear that combination paths are very much the last resort, not the first as this guide promotes?</p> | <p>Noted but disagree.</p> <p>This is a guide for residential developments only and not for cycling provision in a more general sense. The creation of 4 metre cycleways would unacceptably undermine the design quality of developments that this guide strives to deliver. In most circumstances within residential developments, cyclists will be able to be accommodated within the carriageway without defined cycle lanes. However, combination paths/cycle routes are more suited to residential developments on the occasions when they are required.</p> <p>Link to LTN/08 could be included for information.</p> | <p>Insert para and link to LTN 2/08 after Vol 2 iii/39:</p> <p>“More guidance on the design of cycling infrastructure is available in the Government publication LTN 2/08”</p> <p>https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-208</p> |
| | Gateways | | |
| 34 | Vol 2 Page 12 - checklist - does this need to say something about existing settlement " gateways " and being sympathetic | Noted. This is addressed by Vol 2 ii/33-35 but it could be referenced in the checklist to chapter ii. | Amend bullet 6 by adding at the end, "...and does the design reinforce existing or create new gateways appropriate to the settlement" |
| 35 | Gateways (ii/35) - new gateways – should specify that "gateways" to new estates should not be characterised by permanent advertising or estate names | <p>Vol II Urban Design ii 31-35 considers the issue of gateways, ii/35 stating: "All (Gateways)are very much dependent on the location and size and of each site."</p> <p>It is not necessary to state all the things it will NOT be.</p> | No further action required |

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| | within features | | |
| 36 | Wooded gateways are a feature in Knutsford and should be replicated in the town and noted in the Design Guide | Noted. Additional bullet could be added into Key settlement design cues for Knutsford (vol 1 ii/113) | Insert additional bullet under Knutsford key settlement design cues (vol 1 para ii/113) <ul style="list-style-type: none"> “Wooded gateways and tree lined streets are a key townscape characteristic of the approaches into Knutsford” |
| | Traffic | | |
| 37 | New development (Handforth) will create traffic problems | Comments noted but the design guide does not set the level of development or its overarching spatial distribution. Comments were forwarded to the Spatial Planning Team for consideration as part of the proposed changes to the Local Plan Strategy consultation. | No further action required. |
| | Ensuring Good Design | | |
| 38 | Large Volume Housebuilders. Whilst the Design Guide states early on that many of the housing developments coming forward are large developments which need to have regard to this document to raise standards it does not really address the issue – It appears that- <ul style="list-style-type: none"> - an outline application requires a Spatial Design Code - Reserved matter requires a Detailed/Character Area Design Code - Detailed application requires a Comprehensive Design Code. | This cross refers to the comments made in relation to level of prescription and what is considered mandatory in the context of the NPPF. The interpretation set out (left) is in accordance with the current wording within the Design Guide SPD Currently the rule of thumb trigger for coding is 300 units but strategic scale development is identified in the LPS as 150 dwellings | Please refer to response to issue 1 (above) General approach to coding to remain unchanged but further clarification on what is mandatory and when a design code will be required. Also revise the trigger for design coding to 150 units having regard to the figure of 150 for strategically important development (150 units) set out in the LPS |

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| | Please would you be so kind as to clarify the queries raised above. | | |
| 39 | Integration and blending in should not lead to existing poor design being repeated | <p>Noted. The intention is not to replicate uncharacteristic and poor design, hence the focus on local character, vernacular and sense of place of settlements in volume 1 of the Design SPD.</p> <p>Chapters i and ii of volume 2 of the Design Guide SPD provide advice about how this can be achieved in new developments supported by the associated checklists to chapters i and ii.</p> | No further action required |
| 40 | Good design is achieved by good designers, therefore the Guide should be directed towards them not towards developers | The Design Guide SPD is intended to be used by communities, decision takers and the development industry. It is both community planning and designer/developer guidance. It is important therefore that it contains information relevant to built environment professionals as well as non-specialists, but is also presented in a way as to avoid jargon as much as possible. | No further action required |
| 41 | <p>Pastiche is not appropriate and the vernacular of settlements should be a strong reference and influence for designers to create developments that reflect the character of the place but not copy it, promoting both innovative and more traditional approaches underpinned by an understanding of vernacular</p> <p>Pastiche should be defined in the glossary</p> | <p>Noted. Volume 1 chapter ii is intended to give users a headline understanding of Cheshire East and the various settlements within it. In volume 2, i/23-28, ii/20-25 and ii/97-103 consider the issues of local character, vernacular and avoiding pastiche, to enable developers to achieve a sense of place within new developments</p> <p>However, to improve the usability of the document - pastiche will be specifically defined in i/23-28 and/or ii/102 as suggested</p> | <p>Pastiche to be specifically defined in i/23-28 or ii/102</p> <p>“A novel, poem, painting, etc., incorporating several different styles, or made up of parts drawn from a variety of sources.” (Oxford English Dictionary)</p> |

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| | <p>Without a clear definition of pastiche all examples in volume II could be regarded as such because of the guide's requirement to creatively reinterpret existing design cues. A good majority of purchasers want "chocolate box" design</p> | | |
| 42 | <p>Colour and materials - Question the limited colour and materials palettes, including the incorporation of tarmac</p> <p>Would like something on redevelopment of existing streets - could previously installed setts and cobbles be exposed again where tarmac laid over them is due for replacement? Can you specify that historic paving details are retained (eg old grey stone flags that marked the coach lane behind the Royal George in Knutsford were ripped up and replaced with 'fake' ones in a beige colour that didn't tie in with the rest of the town</p> | <p>The materials 'palette', both in the character area section of volume 1 and the street design and landscape design sections of volume 2 are a reflection of the predominant material types and tones in particular parts of the Borough. They are not intended as a definitive list of colours and materials but aim to give an indication of the typical materials and finishes that largely characterise particular parts of the Borough. It would be extremely difficult to provide an exhaustive list. There will be some localised variety but this amplifies the need for developers/designers to use the Design Guide SPD as the starting point in their assessment of place and devising development that has local distinctiveness (para ii/42 of vol 1)</p> <p>Consequently, the SPD does not prevent innovation in the materials used, provided this is justified and evidenced from a design perspective within the design process undertaken by the designer/developer (Paras i/26-28, ii/97-ii/103).</p> <p>In relation to streets, the palettes identified in chapter iii have been agreed with highways, and therefore will be accepted for adoption without commuted payment. Again this does not prevent use of alternatives provided that these are justified in design</p> | <p>Insert paragraph after vol 2 iii/89</p> <p>"Where the proposal involves redevelopment of existing streets or lanes, existing historic or vernacular materials should be retained/re-used where this meets the adoption requirements of the highway authority."</p> |

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| | | <p>terms and meet highway requirements. Para iii/87 states “The following paragraphs set out under the title ‘Materials’ and the associated tables provides guidance on a simple palette of durable materials that will add to the aesthetic quality of the streetscape that Cheshire East Council expects to be developed in design proposals...”</p> <p>In respect to tarmac, that does form part of the materials palette and is an inevitable material choice for some streets carrying higher traffic volumes, however the guide within the tables in chapter iii (pages 44-50) show a gutter detail for bitmac surfaced Avenues and Streets to reduce the visual expanse of bitmac and to provide additional texture within streets employing bitmac.</p> <p>In relation to historic materials, this is more an issue for re-development in existing centres/neighbourhoods of settlements and could be addressed in more detail in later guidance, should that be produced. However, a short paragraph relating to existing historic/vernacular materials is proposed to be inserted in Vol 2 chapter iii</p> | |
| 43 | <p>The guide must not become the rule book and should not be used to create ‘politically correct’ development. It needs to be recognised that true greatness can break the rules.</p> | <p>Noted. The design guide is a guidance document and does not limit the potential for innovation. Paras i/26-28 discuss the potential for contemporary, place led design approaches and iii/97- 103 also discuss the potential for contemporary and bespoke design approaches, But it should be borne in mind that this is geared to larger scale, volume developments</p> <p>It is proposed that an additional paragraph be added to highlight that the guidance should not be used as a rule book but as guidance to enable more creative,</p> | <p>Insert new paragraph after Vol 2 i/27</p> <p>“It is stressed that the Design Guide SPD should be used as guidance and not a design ‘rule book’ to enable more creative, place led design solutions. Design proposals that depart from this guidance need to be justified in design and place terms and must result in high quality and enduring developments that have their own strong sense of place. This provision shall not be used to justify ‘anywhere development’</p> |

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| 44 | <p>Materials and detailing</p> <ul style="list-style-type: none"> • Only rich detailing palettes illustrated. • Only the most expensive design solutions have been illustrated. • No detailing illustrated from the last twenty-five years. • No examples of poor detailing that should be avoided. | <p>place led design solutions</p> <p>Noted but disagree.</p> <p>The materials and detailing highlighted in Settlement character information in volume I (chapter ii) illustrate materials characteristic of the local vernacular for different parts of the Borough</p> <p>Materials are not specified in depth within volume 2 in relation to buildings as this should be informed by the design approach advocated in Volume 1 and drawing on the character area information set out in chapter iii.</p> <p>More specific information has been provided within volume 2 as part of the Street Design (chapter iii 89-94 and associated tables) and GI and Landscape Design (chapter iv 133-139 and associated tables) because these are important components of the public realm, the design of which needs to reinforce sense of place, and previously had often been overlooked or applied unsatisfactorily.</p> <p>As stated at action 20, the vast majority of developments from the recent past should not be used as precedents for new design which seeks to raise quality and create place led design solutions rather than bland 'anywhere' settlements (vol ii/35 and vol 2 i/25)</p> <p>Poor detailing is evident in many of the developments undertaken in the recent past and should already be fully understood by developers and designers. However, as this is a document for a varied audience, some examples could be included.</p> | <p>No action except consider the insertion of examples of poor detailing, subject to implications on layout of the document</p> |

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| 45 | There is no information to suggest what significance the palette has to the area e.g. what proportion of the properties existing in these character areas are made up from these colours. The approach is arbitrary and could easily have concluded a different colour mix. In some sections even the buildings illustrated do not use any of the colour palettes. | Noted but disagree. To attempt to quantify the proportion of properties with these colour palettes is missing the point and overlooking the process for designers/developers strongly promoted with the Design Guide. The local vernacular materials, finishes and detailing evident within the character areas and particular settlements, reflected in the information provided, have been drawn out as a starting point for the process of more detailed assessment required by volume 1. | No further action required |
| 46 | Scale and massing advice needs to be strengthened to ensure building heights are appropriate to their setting, including rebuilds | Vol II ii 31 covers “Adding additional detail, including Creating Gateways, Legibility and Orientation and Massing, Roofscape and Skyline. This will adequately address the issue of building heights subject to additional paragraph advocated for issue 51 (see below) In relation to re-builds it is felt this is covered by the more general guidance and by changes advocated in relation to issue 47 below | Please refer to response for issue 47(below) |
| 47 | I have not been able to find any reference to street enclosure ratios in the guide and within the landscape section, it would appear that very weak spatial enclosure for streets is being inadvertently advocated. It is a basic urban design principle that there is a relationship between the width of the street/ height of built form and character. | Enclosure is mentioned in the document although the ratio of enclosure is not specifically discussedii 29 Density around primary areas of public realm intended as the foci of the site should be higher and involve the use of town houses and other buildings of stature to create enclosure, massing and vibrancy to the street scene. iii 41 Squares would be areas of public realm set into the streets and lanes within the heart of developments and fronted and enclosed by the homes which surround them, with corner buildings rotated to | Propose inserting enclosure ratios by adding to existing drawings, namely those in relation to street typology (Figs iii:04-08) and/or Landscape section (pp 76-78) Insert after para after ii/30 “Consequently, the level of street enclosure will depend on the street type, the character and location of the site, with taller buildings defining the edges of wider streets and spaces and a more intimate scale for narrower, more informal streets. The edges of developments will reflect their context, either tying in |

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| | | <p>focus views onto the central space. Focal buildings in the form of header buildings should be located on main vistas into the spaces and pinch points created into the space to frame views, create greater enclosure and aid in slowing traffic speeds.</p> <p>In relation to the Landscape section it states: “v 16 Strict adherence to the above would result in a wide spacing of buildings lower densities and weakening street enclosure and so a balance needs to be struck.”</p> <p>Propose to include the use of street enclosure ratios (as per Design Compendium approach). This could be accomplished by adding to existing drawings, namely those in relation to street typology (Figs iii:04-08) and/or Landscape section (pp 76-78)</p> | <p>with the existing urban grain or, if adjacent to countryside, reflecting the informal character and a transition from a built to a landscape dominated character.”</p> |
| | Street design, parking and cycling | | |
| 48 | Vol 2 chapter iii - Cycle parking/ storage should be addressed and more detail included in the checklist. | <p>The BfL questions are taken from BfL 12. There is no scope to add a further question but cycle parking is usually considered under Q 12.</p> <p>However, based on the suggested amendments, a question is proposed to be inserted into the checklist of chapter v re: provision for cyclists, including storage in the public realm and privately (suggest after 2nd question)</p> <p>A paragraph is also to be included in chapter v with link to 6Cs and Cambridge Design Guide for cycling provision</p> | <p>Insert additional question into check list on p 90.</p> <p>“Does the design properly consider provision for cyclists, including storage in the public realm and within homes?”</p> <p>Insert the following paragraph after v/10</p> <p>“Cycling provision should be considered from the outset, including provision of appropriate, secure cycle storage in public spaces and at people’s homes. The 6Cs and the Cambridge design guide provides useful guidance regarding appropriate provision”</p> <p>Insert link to 6Cs and the Cambridge Guide</p> |
| 49 | Encouraging future patterns of sustainable living is essential for a progressive document. What is | <p>The guide reflects the Council’s current parking strategy set out in the LPS and its approach to cycling. The Design Guide does not discuss car pooling but</p> | <p>Include para after ii/63</p> <p>“The Council will continue to seek patterns of development that</p> |

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| | the Council's position on reducing car ownership ? Car clubs/pooling and reducing on plot parking provision could radically change layouts. | <p>does reflect the Council's electric charging strategy</p> <p>It is proposed to include a section on car-pooling/clubs in the section on parking</p> <p>At present given the Council's parking standards it would not be possible to modify the guidance by significantly reducing on plot parking requirements. However, in certain locations/circumstances, the parking standards can be reduced with the agreement of Highways</p> | <p>encourage modes of transport other than the private motor car and would encourage innovative approaches to reduce the dedicated parking requirement within new development. Car pooling and clubs are potential ways to reduce car ownership but still provide access to a motor vehicle when required. Generally these are more effective in urban locations, with a more concentrated population."</p> <p>Amend first sentence of para ii/64 to read</p> <p>"However, it has to be acknowledged that Cheshire East is a largely rural Borough and therefore the freedom and accessibility derived from car ownership is both valued and often a necessity for its residents."</p> |
| 50 | Technical Specification It appears that there are no additional technical standards being brought forward regarding parking | <p>The technical standards are identified with the LPS. Highways have been involved in the preparation of the Design Guide SPD and have not raised this as an issue.</p> <p>There is potential however to provide more detailed technical standards as part of the SADPD</p> | <p>No further action required.</p> <p>The Council will consider whether more detailed technical standards are required in the SADPD</p> |
| 51 | There is far too much detail on car parking provision. Presumably this volume is not intended to be a 'Beginner's Guide to Urban Design', and yet car parking is covered in detail at a very elementary and unimaginative level. | <p>This advice runs from page 20-24 and includes a lot of graphic illustration of parking solutions. Car parking is considered a key issue that undermines many development proposals, and it is often handled very badly.</p> <p>The Councils position on minimum parking requirements means that more parking has to be accommodated to meet adopted standards and therefore the guidance is aimed at ensuring a balanced and varied approach to parking provision as identified in vol 2 para ii/65.</p> | No further action required |

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| | | Para ii/68-69 explains that there should be a mix in parking solutions on every site to ensure proper integration and that refusal may be the outcome if this is not achieved. | |
| 52 | Distinction between footpath and cycleway is not clear enough within the document except at iii/36, referring to the rights of way information on the CEC website public rights of way; also definition of cycling facilities MfS refers to cycle tracks but Cycleway as used in the Design Guide is good too. | Noted | Check usage within the document and amend to cycleway as required |
| 53 | Street design – support the principles from MfS in paras iii/04-8 but suggest iii/07 the user hierarchy includes pedestrians ‘followed by cyclists’ | Noted. amend to make reference to cyclists in the hierarchy. | Amend para iii/07: first bullet to: “Pedestrians followed by cyclists are now at the top of the street user hierarchy” |
| 54 | iii/37 – agree that width of paths should depend on nature of intended use but suggest a 3 metre minimum is specified, supported by an assessment of level of usage – refer to The Department for Transport’s Local Transport Note 1/12, Shared Use Routes for Pedestrians and Cyclists gives good guidance at 7.49, Table 7.6 | The 3 metre minimum could lead to very urbanised layouts and therefore it is suggested that between 2 and 3 metres as advocated in the guide should be retained to provide flexibility, dependant on location and character. However could include that the width and design should be determined by an assessment of the level of use | Maintain iii/37 as minimum of 2-3 metres but include additional sentence at end: “The width and design should be determined by an assessment of the level of predicted use” |

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| 55 | In addition, it is suggested that schemes which have on street parking should have provision made for electric car charging. | <p>Noted. Whilst this is undoubtedly a very positive suggestion, it would amount to new policy as there is presently no requirement within saved Local Plans or the Local Plan Strategy. Furthermore highways do not presently have the mechanism to take on the adoption and management of the apparatus within streets.</p> <p>However, this could be considered for inclusion as part of the Site Allocations DPD.</p> | The Council will consider whether a policy should be included in the SADPD relating to electric vehicle charging, including on-street. |
| 56 | lii/38 – surface finishes – agree in general terms but leisure trails with clay surfaces can become damaged. Circumstances vary by location but preference for Bitmac with, potentially with unbound edges would be beneficial and enhance durability and comfort | Noted. Bitmac footpaths are not suited to all locations, even with informal edges, but it will be suitable in certain contexts. Consequently it is included as an option in the list of materials under iii/38. Could include reference to bitmac with unbound edges as an alternative to self binding aggregates in areas of anticipated greater use. | <p>Insert additional sentence at end of Vol 2 iii/38:</p> <p>“Bitmac with unbound edges may be appropriate as an alternative to self-binding or resin bound aggregates in areas of anticipated greater use and where it does not compromise the design and landscape quality of the proposal and where it is not proposed for adoption by the Local Authority”</p> |
| 57 | iii/55 – design speed for residential developments of 20mph is supported; Suggest not ruling out physical traffic calming – speed tables and sinusoidal speed humps not unpopular. Also suggest 20mph speed limit signing to encourage speed reduction in wider area. | <p>The Council’s approach is to design in 20mph without traffic calming in the form of raised features. This guidance relates to the design of new development and not more general guidance for the calming of existing streets (retrofitting).</p> <p>Good urban design should avoid the need for purpose designed speed reduction features such as speed cushions or bumps. Areas of raised shared surface to define squares, Mews and other nodal spaces, would be acceptable as part of the urban design strategy for creating a managed approach to the speed of vehicles and ensuring pedestrians and cyclists have priority.</p> <p>Include paragraph to cover the issue of raised features and 20mph signing.</p> | <p>Add sentence to paraiii/55:</p> <p>“In the unlikely event that the urban design of the scheme cannot ensure a 20mph design speed, then traffic calming features may be considered, provided that they can be satisfactorily integrated without detriment to the design quality of the proposed development. Signage promoting a 20 mph speed limit should be unnecessary. Highway signage specification is quite onerous to ensure the information being given is easily translatable to highway users. Adoptable highway signage must be in accordance with the Traffic Signs and Regulations and General Directions 2016 (TSRGD). However in residential developments, where it is required, signage should be designed as sensitively as possible so as not to detract from the aesthetic qualities of the development or to create visual clutter”.</p> |

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| 58 | iii/71 bollards – should be aware of the risk to cyclists and are often ineffective. Where required mark deflecting lines on the ground as per the example photo from Lancaster | Noted. Add sentence that bollards should be considered a last resort, should be visible and that deflection lines only where it does not compromise quality design. | At beginning of iii/71 amend first sentence to read: “Whilst bollards should be installed as last resort or where required for safety purposes, where required they can be creatively...” . Add further sentence at the end: “If bollards are to be used they should be of a material and colour/finish that makes them clearly visible to cyclists but only where it does not compromise the design quality of the development and to the approval of the Local Highway Authority.” |
| 59 | There is a dominance of suburban style layouts with car parking in front. Will this approach be accepted by Cheshire East Highways? There needs to be a move away from 1970s design standards. | Paras 11/68-9 state: “Cheshire East will expect to see a variety of the above solutions adopted on each and every site to ensure the car is properly integrated into the development. If one parking method is over employed and is detrimental to the design quality of the proposals, in particular frontage parking, the developer will risk refusal of the application” | No further action required |
| 60 | Whilst we agree with the principle of establishing hierarchy, however, we would like to raise the difficulty that we have experienced when seeking of roads and shared surfaces to be adopted by councils. The SPD seeks for block paved road surfaces, when often this will not | The issue of adoption is an matter to be considered by the Council’s highways team. However, there is a need to clarify locations where this palette may not be accepted for adoption within the design guide. | Insert new para after iii/87 “The only occasion that the Local Highway Authority would not accept block paving is where it is envisaged that proposed vehicle loading and/or heavy turning would detrimentally impact the condition of pavements and result in long term maintenance liability.. Serious maintenance problems can occur with the inclusion of cut sections on radii, around ironwork, over trench reinstatements and on change of vertical alignment. Appropriate thought must be |

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| | be adopted by authority's highways team. We suggest that close cooperation with the council's highways team is achieved throughout the process of adopting this SPD to ensure that whatever is suggested for future design by the LPA will be acceptable from a stopping distance and maintenance point of view for the highways team to allow for adoption of new roads. | | <p>applied to the location and highway usage where block paving is proposed.</p> <p>The Development Management and technical highway teams will work closely to ensure layouts agreed at the planning stage are designed in accordance with this design guide in order to gain speedy technical approval and subsequent adoption."</p> |
| | Sustainability | | |
| 61 | <p>2.3 Sustainability</p> <p>This section is not required as Cheshire East has existing adopted policies that deal with these factors. Equally these technical issues are dealt with during the Building Regulation process.</p> | <p>Noted but disagree. Whilst the local plan policies address sustainable design their intention is not to explain how this can be applied. That is the purpose of an SPD, hence inclusion within this residential design guide.</p> <p>The Building Regulations cover some of the issues, whilst this section embraces both passive and active sustainable design, incorporation of de-centralised energy, climate change adaptation and resilience and promotion of more sustainable lifestyles, much of which is not covered by the Building Regulations.</p> | No further action required |
| 62 | <p>Sustainable Development needs to make more reference to existing codes if it is to improve the quality of life</p> <p>Code for Sustainable homes no longer applies therefore the only guidance nationally on space</p> | The Code for Sustainable Homes is no longer a mandatory requirement for all new development and therefore it cannot be required. Elements have been incorporated within the Building Regulations as explained in the Design Guide. However, the CfSH still exists as a non-statutory sustainability assessment method for new housing and it is appropriate to refer to it in this context as a voluntary rather than | <p>Please refer to response to issue 2 (above).</p> <p>Insert reference to the Technical Housing Standards - Nationally Described Space Standard before proposed Lifetimes Homes insert</p> <p>"The Technical Housing Standards - Nationally Described Space Standard is a planning standard relating to the minimum space requirements for new housing. New housing should therefore</p> |

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| | standards for affordable housing is contained within the Nationally Defined Space standards. I note the design guidance does not make any reference to space standards in affordable housing. Some affordable housing should meet Lifetime Homes standards in particular bungalows | <p>mandatory element for demonstrating the sustainability of new housing, as with Passivhaus, another sustainability assessment method.</p> <p>The Technical housing standards – nationally described space standard is a national planning standard for space within dwellings and should be referenced in the Design Guide.</p> | <p>provide space at least in accordance with the standard or preferably exceed it to create liveable homes.”</p> <p>Amend criterion 7 in the checklist to:</p> <p>“Do the internal layouts of proposed homes offer adequate space within the dwelling to comply with the Technical Housing Standards - Nationally Described Space Standard and provide adequate ‘family space’ and storage?”</p> |
| 63 | The sustainability Checklist, if applied too strictly would be contrary to the NPPF | Noted. Propose to make minor changes to the wording of criteria 7 and 8 to improve the clarity and interpretation of the document | <p>Re-word criterion 7 and 8 to:</p> <p>Has active sustainability been adequately considered within the design of the buildings?</p> <p>Has the Passivhaus approach been adequately considered</p> |
| 64 | <p>Comprehensivity does not equal sustainability</p> <p>At iii 11 and iii 12 of Volume 1, the Guide asserts that where sites are in multiple ownerships planning applications can only be acceptable if a comprehensive masterplan is prepared by a single architect. This is contrary to national policy.</p> <p>When a site is in multiple ownerships, the key planning test is that each application meets its own needs without prejudicing the ability of the remaining sites to both meet their own needs and deliver the overall vision for</p> | <p>Noted. However, many of the problems encountered both at outline and detailed stages relate to the incompatibility of proposals where sites often abut one another and essentially form part of a larger development area. This has resulted in instances where they are poorly connected, the townscape relates quite poorly and they are in essence compromised by a lack of comprehensivity. The message from within the industry is that developers are reluctant to talk to one another without the framework provided by a comprehensive approach. This is borne out by some of the difficulties faced in the past on larger sites and where sites adjoin one another.</p> <p>By not pursuing a comprehensive approach (where that would be appropriate) runs the risk that</p> | <p>Minor rewording of vol 1 iii/11 and 12</p> <p>iii/11 “In either situation a comprehensive masterplan is strongly encouraged to...”</p> <p>Add sentence at end of iii/11 “Pursuing a comprehensive approach could help reduce delay arising from discordant individual proposals and reduce the risk of an individual application being refused because it does not comply with paragraph 64 of the NPPF (i.e. that it is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions).</p> <p>iii/12 “Where multiple developers have interests in adjoining land then they are strongly encouraged to appoint...”</p> |

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| | the allocation as a whole. | <p>individual proposals will not comply with para 64 of the NPPF <i>“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”</i></p> <p>It can also lead to significant delay in trying to resolve the inherent problems often arising from individual development proposals poorly relating to one another and not delivering <i>“the overall vision for the allocation as a whole”</i></p> <p>Propose minor rewording and insertion in vol 1 iii/11 and 12</p> | |
| 65 | Facilities and services – needs to be a CEC method of calculating suitable distances to facilities; public transport - "good" access to public transport, needs to be clarified that 1 bus an hour and over a mile to a railway station does not constitute good access to public transport | Noted but disagree. Policy SD1 Sustainable Development Principles in the Local Plan Strategy includes a guide (table 9.1) containing the appropriate distances for access to services and amenities. The Design Guide will accord with this over arching Policy; therefore it does not need to contain this information. | No further action required |
| 66 | Introduce freedom to build more interesting housing where each house doesn't look very similar to its neighbour through schemes such as self build . | Noted. Self Build is mentioned in the Quality of life Chapter (para vi/24) but could be enhanced by adding that self build offers the opportunity to create distinctive and memorable buildings | <p>Minor addition to vol 2 para vi 24</p> <p>“self build also offers the opportunity to create distinctive and memorable buildings within developments, either as sites in their own right or as pockets or key building locations within larger development sites”</p> |
| | Quality of Life | | |
| 67 | Add “traffic lights” to the Quality of Life Check list | Specific BfL criteria do not apply to this section of the Guide. It is largely a bringing together of all the issues within chapters i-v of volume 2 of the Guide. | Insert the following explanation at the beginning of volume 2 about applying the checklists and their purpose, as part of a wider explanation of the purpose of volume 2 and its status as one of the |

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| | | <p>However, it is noted that some advice is required regarding the use purpose and use of the checklists at the beginning of volume 2</p> | <p>material considerations to be taken into consideration in the planning balance</p> <p>“Volume 2 of the Cheshire East Borough Design Guide provides the practical guidance to implement the best practice approach to design set out in chapter iii of Volume 1.</p> <p>It is broken down into 6 topic chapters for residential design. At the end of each is a checklist to assist users in reviewing development proposals, supported by case studies illustrating some of those particular design issues being implemented positively.</p> <p>The checklists are there to assist a design dialogue and to act as prompts through the design process. Their purpose is to also enable an assessment of the acceptability of proposals either informally at pre-application or as part of the consideration of a planning application.</p> <p>New developments may not be able to achieve positive outcomes for all of the criteria. However, designers are encouraged to minimise the number that cannot be adequately addressed. Certain of the criteria are deemed essential to delivering a high quality scheme and they are marked as M within the tick box. If a scheme does not perform well in relation to any of those essential criteria then it should be re-designed or refused permission</p> <p>An effective system that could be used is the red amber green system, as used in Building for Life 12. The aim would be to eliminate reds for all essential criteria and to minimise them generally, whilst maximising the number of greens. If amber is achieved for an essential criterion then the design should be revisited to seek to address that.</p> <p>Once the local, more detailed, checklist has been completed it should enable the user to determine whether red, amber or green</p> |

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| | | | <p>should be assigned to the Building for Life 12 criteria set out at the bottom of the page.</p> <p>The performance of the development in design terms will be one of the material considerations that will be weighed in the planning balance. However, the issue of design quality will carry considerable weight having regard to the requirements to achieve high quality design set out in the NPPF and the Local Plan”</p> |
| 68 | Within both the sustainable design and quality of life sections, there is little or no mention of challenging current development patterns which are encouraging car dependency and exacerbating both environmental and health problems. | Development patterns are determined by the Local Plan Policies. The Design Guide SPD does not allocate sites. However, the criteria set within various parts of the Design Guide SPD, including all chapters of Vol 2 should help in the assessment as to whether a proposed development is sustainable. | No further action required. |
| 69 | Section vi is concerned with quality of life Checklist . It is not clear whether any of these points are mandatory and what status the checklists have. This needs further explanation | Refer to issue 67 | Please refer to Issue 67 |
| 70 | Paragraph 123 of the NPPF requires that planning policies and decisions aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development, and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development. | <p>Noted , However, all applications within the safeguarded area would be subject to consultation with the Airport and their comments would be material to consideration of those applications.</p> <p>As part of the health impact assessment process, consideration should be given to ensuring that residents are not exposed to noise and other forms of pollution.</p> | <p>Insert para after vi/26</p> <p>“As part of the health impact assessments, consideration should be given to ensuring that the design of new development does not expose residents to noise and other forms of pollution that would adversely impact upon their emotional and physical wellbeing.”</p> |

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| | Checklists | | |
| 71 | Street Design Checklist: PAGE 52 – replace with the following: “Has lighting been properly considered to not only light the streets and spaces safely but is additional lighting required to highlight landmarks and points of interest” | Noted. Amend as suggested | Propose to amend street design checklist (page 52)– replace with the following: “Has lighting been properly considered to not only light the streets and spaces safely but is additional lighting required to highlight landmarks and points of interest” |
| 72 | Working with the grain of the place Checklist i/40-i/47: ‘Accessibility’: good balanced approach. would like to see cycling specifically mentioned along with public transport (criteria 3 and 4) | Noted. Reference to cycling should be added | Amend to include reference to cycling facilities in criteria 3 and 4 of Working with the Grain of the Place Checklist Criterion 3 “Is the site close to existing public transport and cycling facilities or does it propose to improve public transport access to the site and surrounding area” Criterion 4 “Does the development demonstrate good connectivity for all modes of transport including cycling and justify the location of these connections” |
| 73 | Urban design checklist – suggest additional question “Has the layout incorporated a variety of cycle parking solutions which are compliant with the guidance?” | Noted. However, suggest amend criterion 5 to incorporate cycle parking | Amend criterion 5 to read: “Does the layout create a logical, legible and permeable movement hierarchy ensuring good pedestrian and cycle access into the wider area and does it incorporate a variety of parking solutions” |
| 74 | Street design checklist – Does the development address BfL12? Cycle parking not specifically mentioned but possibly considered under Q12 external storage. Should be a separate question for cycle parking | BfL questions are set by BfL 12 and therefore they cannot be altered by this guide. Usually cycle parking is tackled under question 12 of BfL External storage and amenity. There is scope to specifically address this in the checklist of the sustainability section of the Guide - Chapter v. Suggest inserting new criteria/question at the end of | Insert additional question “Does the design properly consider provisions for cyclists, including parking/storage in the public realm and within homes?” |

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| | | the checklist | |
| 75 | Volume 2 is targeted at larger developments, particularly when completing the ' checklists '. Whilst potentially helpful to prompt discussions with the council, they must be applied with a degree of flexibility rather than being rigidly adhered to. For example, the Sustainable Design Checklist contains questions that could be used to resist smaller scale development in the rural area. If rigidly applied, this checklist is contrary to the requirements of the NPPF and PPG which require some rural development to ensure the future sustainability of rural services such as schools, local shops, cultural venues, public houses etc. | <p>Noted. However, it should be stressed that this is a design guide and that design is one of a number of material considerations in the planning assessment.</p> <p>Issue 67 highlights need for clarity on use of the checklists. It is proposed that this be provided at the beginning of volume 2. This could also incorporate an explanation of the design guide status as one of the material considerations in the planning assessment for an application.</p> | Please refer to response to issue 67(above) |
| 76 | The Town Council is concerned that the restriction on staff to the use of ' Checklists ' featured through Part 2 of the Guide would be inappropriate and fail to take into account all factors that should be considered by Planning Officers in reaching a decision. | <p>Noted refer to response in relation to issue 67</p> <p>Training is proposed for Cheshire East Staff and Councillors</p> | <p>Please refer to response to issue 67 (above)</p> <p>Package of training to not just cover design but also the use of the Guide weighed against other material considerations.</p> |

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| 77 | Design Review panels, who make recommendations with material planning weight, are directed to only use BfL12 as their framework (section iii 48, Volume 1, page 69). Most sections of the Design Guide aren't covered by BfL12 so don't have to be reviewed. Hope that the Design Review panel will look at the other checklists in preparing their report and attach material weight to them. We, as parish councils, can use the same checklists and independent support in coming up with comments/objections and perhaps contradicting the DRP report. This would have the same weight in planning terms as other Parish Council comments, however not the same weight as the Design Review panel's report. | <p>Noted but section iii 48, Volume 1, page 69) <i>"The Design Review Panel will use the BfL 12 Questions as the framework for the design review process"</i></p> <p>This does not preclude the use of Design Codes or reference to other checklists and material issues as deemed appropriate.</p> <p>Design review comments will be treated as a material consideration as would comments from consultees including Parish and Town Councils.</p> <p>The final approach to design review will be agreed and ratified by the design review panel at its inception.</p> | No further action required |
| 78 | Good to include reference to the Building for Life standards, but it is ambiguous if this will become a legal requirement of the application process (i.e. references throughout to 'should', not 'must', be used). Consider strengthening/clarifying, as if not legally required through policy, it may be ignored. Good to include reference to the | <p>Noted please refer to response in relation to issue 69</p> <p>It is noted that the information relating to when design codes are required needs to be clarified (see response in relation to issues 8-12 It is a useful and noteworthy comment that Design Coding can speed the design and development process up with consequent benefits for the delivery of new development.</p> | <p>Actions as for issues 8-12 and 69 (above)</p> <p>Insert the following as new para after vol 1 iii/32</p> <p>"One of the practical benefits of Design Coding, if undertaken appropriately, is that it can speed up the design and development process with consequent benefits for the delivery of new development"</p> |

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| | need for design codes on larger schemes, but it is vague how these will be managed or more importantly enforced by CEC. Codes can also be a useful way of speeding up the application process and again further detail should be provided. | | |
| | Lighting | | |
| 79 | <p>Lighting Typical Residential Issues PAGE 9 - i/46 - not CEH policy to light alleyways, however any consideration for lighting alleyways or footpaths must be agreed with the Authority's street lighting Dept, prior to design submission.</p> <p>ii) Technical Design Considerations PAGE 42 – Lighting - iii 63 – 68 – replace with the following:</p> <p><i>Lighting can provide many benefits and in some areas can help reduce crime and increase the perception of safety. Amenity lighting can enhance areas and increase the 'feel good factor'.</i></p> <p><i>Cheshire East Highways is actively seeking to reduce the impact street lighting has on the environment. Installing energy-efficient and sustainable</i></p> | Noted amend as suggested | <p>Amend as follows:</p> <p>volume 1 i/46 "...addition of lighting to the alleyway (subject to agreement with CEC Street lighting) may..."</p> <p>Amend iii/63-68 as suggested but also make reference to the Bat Conservation Trust's lighting guidelines and insert link to document if possible</p> <p>"Lighting can provide many benefits and in some areas can help reduce crime and increase the perception of safety. Amenity lighting can enhance areas and increase the 'feel good factor'.</p> <p>Cheshire East Highways is actively seeking to reduce the impact street lighting has on the environment. Installing energy-efficient and sustainable equipment is a vital part of this process. Street lighting design shall support the aims of the Council's Sustainable Strategy which include:</p> <ul style="list-style-type: none"> • Reduction in Energy Consumption • Thriving Economy • Sustainable Environment, • Reduction of primary energy consumption and increasing the share of renewable energies • Carbon free energy supply |

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| | <p>equipment is a vital part of this process.</p> <p>Street lighting design shall support the aims of the Council's Sustainable Strategy which include:</p> <ul style="list-style-type: none"> • Reduction in Energy Consumption • Thriving Economy • Sustainable Environment, • Reduction of primary energy consumption and increasing the share of renewable energies • Carbon free energy supply • Safe communities • Health and wellbeing • Cohesive and Strong Communities • Highway safety for road users <p>All submitted lighting designs shall be in compliance with the following current reports;</p> <ul style="list-style-type: none"> • BS5489 - Code of practice for the design of road lighting • Cheshire East Highways Street Lighting policy and specifications • 6C's Specification • Well Lit Highways • ILP Technical Reports • Bats and environmental impact assessment • Conservation (Natural Habitats) Regulations • Climate Change Act • BS EN 13201-1 European Standard for the design of street lighting on the public Highway. <p>The Lighting design shall be sympathetic to the environment, without causing light pollution onto residential properties, using the most up to date lighting equipment, appropriate to the location, Conservation areas and dark skies locations need to be considered.</p> <p>Cheshire East Highways is committed to reducing CO2. Reduction will be achieved through the introduction of LED lighting, dimming, trimming of burning hours and de-illumination of equipment where possible.</p> <p>At present the availability and reliability of solar, wind or other renewable energy equipment is in its infancy. Trials of solar powered equipment, in particular, have identified areas of improvement required to make it both energy and cost effective. The Council recognises the importance of the promotion and improvement in this area."</p> | | <ul style="list-style-type: none"> • Safe communities • Health and wellbeing • Cohesive and Strong Communities • Highway safety for road users <p>All submitted lighting designs shall be in compliance with the following current reports;</p> <ul style="list-style-type: none"> • BS5489 - Code of practice for the design of road lighting • Cheshire East Highways Street Lighting policy and specifications • 6C's Specification • Well Lit Highways • ILP Technical Reports • Bats and environmental impact assessment • Conservation (Natural Habitats) Regulations • Climate Change Act • BS EN 13201-1 European Standard for the design of street lighting on the public Highway. <p>The Lighting design shall be sympathetic to the environment, without causing light pollution onto residential properties, using the most up to date lighting equipment, appropriate to the location, Conservation areas and dark skies locations need to be considered.</p> <p>Cheshire East Highways is committed to reducing CO2. Reduction will be achieved through the introduction of LED lighting, dimming, trimming of burning hours and de-illumination of equipment where possible.</p> <p>At present the availability and reliability of solar, wind or other renewable energy equipment is in its infancy. Trials of solar powered equipment, in particular, have identified areas of improvement required to make it both energy and cost effective. The Council recognises the importance of the promotion and improvement in this area."</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
|-------|--|------------------|--|
| | <ul style="list-style-type: none"> • <i>ILP Technical Reports</i> • <i>Bats and environmental impact assessment</i> • <i>Conservation (Natural Habitats) Regulations</i> • <i>Climate Change Act</i> • <i>BS EN 13201-1 European Standard for the design of street lighting on the public Highway.</i> <p><i>The Lighting design shall be sympathetic to the environment, without causing light pollution onto residential properties, using the most up to date lighting equipment, appropriate to the location, Conservation areas and dark skies locations need to be considered.</i></p> <p><i>Cheshire East Highways is committed to reducing CO2. Reduction will be achieved through the introduction of LED lighting, dimming, trimming of burning hours and de-illumination of equipment where possible.</i></p> <p><i>At present the availability and reliability of solar, wind or other renewable energy equipment is in its infancy. Trials of solar powered equipment, in particular, have identified areas of improvement required to make it</i></p> | | <p>Amend vol 2 iii/83 to the following:</p> <p>“Commuted sums may be required to cover maintenance of such items as highway structures, noise fencing, traffic signals and non-standard street lighting, including Heritage, passive safe, architectural etc, any equipment that is not part of Cheshire East Highways specification, where they are to be adopted as part of a publicly maintained highway.”</p> <p>Amend criterion 12 of chapter iii checklist as follows:</p> <p>Has lighting been properly considered to not only light the streets and spaces safely but is additional lighting required to highlight landmarks and points of interest:</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | <p><i>both energy and cost effective. The Council recognises the importance of the promotion and improvement in this area.</i></p> <p>iii) Specification & Adoption PAGE 43 iii/83 – replace with the following: <i>Commuted sums may be required to cover maintenance of such items as highway structures, noise fencing, traffic signals and non-standard street lighting, including Heritage, passive safe, architectural etc, any equipment that is not part of Cheshire East Highways specification, where they are to be adopted as part of a publicly maintained highway.</i></p> <p>iv) Street Design Checklist: PAGE 52 – replace criterion 12 with the following: <i>Has lighting been properly considered to not only light the streets and spaces safely but is additional lighting required to highlight landmarks and points of interest:</i></p> | | |
| 80 | ix) NPPF includes a number of design principles which including impacts of lighting on landscape and biodiversity | This is specifically addressed under sub heading – ‘Lighting’ at iii/63-68 | No further action required |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | Green Infrastructure | | |
| 81 | <p>Green infrastructure (GI) - SPD could consider making provision for GI within development. NPPF specifies that LPAs should plan positively for GI. Multiple benefits of GI – ecological, managing flooding and heat and health and quality of life</p> <p>Arrangements for ongoing maintenance of green infrastructure and landscape design should be made a condition of development</p> | <p>Green Infrastructure is a key thread running through the document. It is a theme mentioned in most sections of volume 2 but in particular chapter ii Urban Design : Creating the Structure (ii/02-04 and Green and Blue Infrastructure (part of Developing the Parameters Masterplan) ii/11-15, and more comprehensively, chapter iv GI and Landscape Design with specific advice on: GI with sections addressing, promoting biodiversity, Green Corridors, Recreation and Health and Blue Infrastructure. GI is also set out in the context of sustainable design, chapter v, with specific reference to urban shading and adapting to climate change (v/52-4) and in vi Quality of Life Open spaces and Green Spaces vi/11-12</p> <p>There is a significant section on landscape management in the Design Guide at vol 2 v/14-28. The final criterion of the GI and Landscape Design checklist comprises a question about adequate provision for maintenance and management.</p> | No further action required |
| 82 | Further GI information in the Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity" | Noted | Add links to Design Guide for Sustainable Communities and Good Practice Guidance for Green Infrastructure and Biodiversity after those already included after Vol 2 para iv/05 |
| 83 | Opportunities to retrofit GI in Urban areas (Green roof/wall systems, tree planting and land management) should be encouraged | <p>Noted. These issues are partly covered in Chapter iv but the inclusion of green roofs and gardens could be reinforced by more specific inclusion in chapter iv</p> <p>Alternative management of land is covered in chapter</p> | <p>Insert the following sentence after Vol 2 iv/70</p> <p>"Green roofs/walls and roof gardens also provide a means to reduce surface water run-off and to manage run off rates in a more naturalised way. They particularly lend themselves to urban</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | | iv. | locations of higher density, but may also be suited to other locations” |
| 84 | Consider incorporation of features to enhance biodiversity such as the level of bat roost/bird box provision as per the Exeter Design Guide SPD or other measures. | Noted. There is the potential to include requirements in respect to bats and nesting birds in discussion with the CEC ecologist There are sections in chapters iv and v relating to ecology and means to enhance biodiversity where this could be appended. | <p>Insert sentence after vol 2 iv/15</p> <p>“Bats and nesting Birds</p> <p>New development should also aim to secure ecological enhancement by providing nesting/roosting opportunities for bats and nesting birds. This should take the form of integrated opportunities within buildings (such as roosting/nesting within part of the roof space). Features for nesting house sparrow and swifts being particularly important and so should be prioritised. Measures should also be included as part of the landscape design through selection of appropriate tree and hedgerow species and supplemented by tree mounted or free standing roosting and nesting boxes (depending on the species be provided for). Provision should be informed by a trained ecologist in discussion with the Council’s Nature Conservation Officers. Small scale developments (up to 10 units) would be expected to make a proportional contribution. Larger scale developments should provide features for nesting birds and roosting bats on 30% of consented units. The Exeter Residential Design Guide provides useful guidance”</p> <p>https://exeter.gov.uk/planning-services/planning-policy/supplementary-planning-documents/residential-design-guide-spd/</p> |
| 85 | Could consideration please be given to the inclusion within the planning process of a ‘ green space factor ’? Happy to provide further details (or simply ask Southampton City Council who | <p>Noted. The “Green Space Factor” is a scoring system used on development sites aimed at encouraging the maximum achievement of permeable surfaces which can support GI, developed by Southampton University.</p> <p>To apply the GSF would have to be set out in policy in</p> | <p>Include the following reference to GSF after vol 2 iv/124</p> <p>“The “Green Space Factor” (GSF), developed by Southampton University is a scoring system used on development sites aimed at encouraging the maximum achievement of permeable surfaces which can support GI. Whilst use of this tool isn’t mandatory within</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | have successfully integrated it into their application process) as without, few developers will incorporate (why would they?). | the SADPD. Consider inclusion of information in the Design Guide and possibly insert link | Cheshire East at the present time, developers are encouraged to consider using it to help maximise the quantity of permeable surfaces that can support GI within designs” |
| 86 | <p>Vital that all levels of planning policy recognises and supports canals, rivers and docks as a cross-cutting policy theme; and acknowledges the diverse roles which they perform including:</p> <ul style="list-style-type: none"> • being a form of strategic and local infrastructure performing multiple functions (including sustainable transport, open space and green infrastructure, land drainage and water supply as well as flood <p>More acknowledgement that waterways can contribute to Sustainability</p> | <p>Noted. However, there are specific references to canals included in Vol 1 within the sample settlements,</p> <p>There is scope to further reference tow paths and canals as an important aspect of green and blue infrastructure in Vol 2.</p> <p>Future design guidance could include specific guidance for waterside development (as this may also be relevant to nonresidential development</p> | <p>Amend section title to “Footpaths/Cycleways and Tow Paths” (vol 2 p 38)</p> <p>Insert paragraph after Vol 2 iii/39</p> <p>“Given the historic character of canals and associated structures, a sensitive approach to design and materiality is required. Where towpaths are required to be implemented or enhanced, this shall be in accordance with the design specification required by the Canals and Rivers Trust.”</p> <p>Insert after iv/71</p> <p>“Canals and Rivers</p> <p>Canals and rivers are important components of the Borough’s blue infrastructure and heritage and can contribute to sustainability. New development should maximise the waterside potential of sites that adjoin waterways, including the improvement of pedestrian and cycle access to canal towpaths and the wider footpath and rights of way network”</p> |
| 87 | Whilst we are fully supportive of improving design standards across the industry, this should be done incrementally and appropriately, and not through trying to enforce an overly prescriptive residential design guide which could stall | <p>The Design Guide, seeks to aid discussion and to promote practice that looks “holistically” at design and development.</p> <p>It is considered that the guide does not include overly prescriptive advice and is set out in a way to assist developers to design better proposals and to assist in the timely delivery of development.</p> | No further action required |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | development in Cheshire East. This requires the inclusion of Abnormal costs, including those associated with treatment for contaminated sites or listed buildings, or historic costs associated with brownfield, phased or complex sites; infrastructure costs, which might include roads, sustainable drainage systems, and other green infrastructure . | <p>To seek to raise standards 'incrementally and appropriately' would not address some of the fundamental issues that are undermining delivering better designed developments in Cheshire East.</p> <p>The provision of Green Infrastructure, provision of sustainable drainage and safeguarding heritage assets should not be seen as abnormal costs. To do so would be contrary to the provisions of the NPPF, which expressly states that these should be planned for positively.</p> <p>As stated above, this document is guidance to support policies in the Local Plan and will be one of the material considerations against which planning applications will be assessed</p> | |
| 88 | Developers are required to design new developments in accordance with Manchester Airport's safeguarding criteria, including Green Infrastructure | See above in relation issue 81 (above) | As for issue 81 (above) |
| 89 | Ecology consider incorporation of features to enhance biodiversity such as the level of bat roost/bird box provision as per the Exeter Design Guide SPD or other measures | Refer to response in relation to issue 84 (above) | As for issue 84 (above) |
| 90 | SPD could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans. | These issues are covered in chapter iv but could be bolstered in relation to agricultural land, air quality and water quality | <p>Insert additional para after v/13</p> <p>"Protection of natural resources</p> <p>Spatial sustainable design should also seek to safeguard, where possible, air quality, ground and surface water and the best and</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | | | most versatile agricultural land.” |
| 91 | <p>Appropriate to seek, where viable, trees are of a species capable of exceeding building height and provision for succession planting.</p> <p>A better design solution for new housing developments next to woodlands would be to have the following cross section: Existing Woodland - Landscaped buffer zone (of a minimum size so that it protects root protection zones)</p> | <p>This is addressed in relation to soft landscape in chapter iv) but succession planting is not specifically covered, neither is veteran trees, ancient woodland or ancient hedgerow</p> <p>Paragraph could be inserted in vol 2 chapter iv</p> <p>Consider including cross section showing buffer zone for existing woodland</p> | <p>include paragraph after vol 2 iv/115</p> <p>“Veteran trees, ancient woodland and ancient hedgerows are particularly sensitive and important natural landscape features and adverse impacts should be avoided, both upon the natural assets themselves and their settings. As identified in volume 1 chapter iii, A Best Practice Design Approach, features of this kind should be considered as assets rather than constraints with the potential to raise the quality of the scheme and to ground the development in its context. Where appropriate succession planting for veteran trees and ancient woodland and appropriate buffering of the assets should be secured, including root protection in accordance with BS 5837 (2012) as part of the design strategy for the proposal.</p> <p>It is important that adequate space is provided for large trees within developments, particularly those sites proposed on the countryside edge of existing settlements. Mature canopies that rise above roof tops are fundamental to achieving a more verdant landscape character and more varied and softened roofscapes”.</p> <p>Amend para iv/117 to:</p> <p>“When the new development will have an interface with the open countryside and areas of woodland, the development should be outward facing and not screened from the wider countryside. The layout should also include sufficient landscape between the development and woodland to provide a landscaped setting for the natural assets.”</p> <p>e*SCAPE to source a suitable cross section to replace one of the 3 photos on vol 2 p 67”.</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | SuDS | | |
| 92 | <p>The section on SuDS needs to be expanded.</p> <p>There is no indication if SuDS will be adopted and I can't imagine Cheshire East Council will be prepared to do so. Who is to maintain SuDS and the quality open spaces advocated by the guide? Yes, there is a section on management of open space, but its not clear if developers will be required to provide and/or fund maintenance or how this may be legally enforced. This issue is far more complicated than indicated, particularly if housing is sold freehold and it is assumed the local authority will maintain.</p> | <p>Policy SE 13 Flood Risk Water Management in the LPS 4. <i>All developments, including changes to existing buildings, seeks improvements to the current surface water drainage network and be designed to manage surface water. This should include appropriate sustainable drainage systems (SuDS) and Green Infrastructure to store, convey and treat surface water prior to discharge with the aim of achieving a reduction in the existing runoff rate, but must not result in an increase in runoff</i></p> <p>Also refer to response to issue 93 (below)</p> | Please refer to response for issue 93 (below) |
| 93 | <p>Comment on the reference on page 43 to the potential adoption of SUDS. Was valid when government was considering the formation of a SUDS Approving Body (SAB), but that will not now be implemented and the Lead Local Flood authority (LLFA) is a statutory consultee in the planning process.</p> <p>ii) Remove reference to adopting SUDS on page 43 (iii 84). The Council/LLFA will not adopt SUDS in the absence of the SAB.</p> | <p>This is clarified in paras iv/62-64</p> <p>Comment noted in relation to bullet 5 of para iii/84</p> <p>A SuDS Manual is in preparation and this will clarify the situation with regards to adoption</p> | <p>Amend bullet 5 of para iii/84 to:</p> <p>“sustainable drainage systems (SuDS), for example flow attenuation devices, swales and storage areas that are located within the adoptable area and that convey, control or store highway surface water”</p> <p>A SuDS Manual is being prepared by the Council which will further clarify the situation with regards to SuDs adoption</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| 94 | There is a strong reluctance from Cheshire East Highways to adopt SUDs features and as such this element of the design guide is worthless unless these systems are accepted by the adopting authority. | Response as for issue 93 (above) | Please refer to response for issue 93 (above) |
| | Other issues with document layout/ length and content | | |
| 95 | Fully endorse the intentions of the Design Guide, it is a comprehensive step by step approach, but lengthy. A summary document published to raise public awareness would be of value | <p>Noted</p> <p>The document was designed to be used electronically and will be accessible in high res PDF format. This will enable users to key word search through the document and to navigate more effectively, particularly with the Guidance in 2 volumes.</p> <p>Consider production of summary document and also overarching edit of the Design Guide.</p> | No further action required |
| 96 | Comments on pagination, use of Roman numerals causing confusion. Suggest Arabic and decimal paragraph numbering. The five character areas in volume 1 are not separately numbered – would be useful to separate into individual chapters. Contents of vol II lacks sub headings of vol 1. | Noted, however it was felt it was helpful to split the guide into 2 volumes because of the size of document and also to facilitate volume 1 applying to possible future guidance for other forms of development that would be in a further volume. There is logic therefore in having 2 volumes. It will also allow volume 2 to be more easily cross-referenced against volume 1, both electronically or in paper form (i.e. by having the 2 volumes open side by side) | No further action required |
| 97 | Text is somewhat opaque and overly uses planning and technical language. The glossary is not easily legible and does not | <p>Noted. However, the document is written for a mixed audience and therefore it has to balance between technical and non-technical information</p> <p>Final version to be a high Res PDF</p> | <p>Proofing of the glossary against the SPD terminology to be undertaken</p> <p>Replace first sentence of Vol 1 ii/05 with:</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | <p>include all terminology set out in the Design guide e.g. pastiche.</p> <p>Page 14. Para 05. This should be reworded along the lines of 'one of the characteristics that modern development often lacks is the capacity to invoke an emotional response'. For 'bare' read 'bear'.</p> | <p>In relation to 'Chocolate Box' design, comment noted but the guide is not intended to define a particular architectural style but, to ensure good design is secured that it achieves a strong sense of place and is of an enduring quality.</p> <p>Rewording of Page Vol 1 ii/05 could be reworded as suggested</p> | <p>"One of the characteristics that modern development often lacks is the capacity to invoke a positive emotional response."</p> |
| 98 | <p>Figure ii:31 is helpful but the unreadable key obscures part of it. The Density grid [Figure ii:32] is of very marginal use. A larger Figure ii:31 with coloured sections for densities and a clear key would have been more useful. The illustration of the War Memorial Cottages would have been better as a photograph.</p> | <p>Noted References to photos and illustrations to be made clear and references made to their purpose.</p> <p>Noted re: the key to figure ii:31. Clarity of keys on different diagrams to be checked</p> <p>In relation to density grids, noted but disagree. See comments in relation to issue 18</p> | <p>Please refer to response for issue 17 (above)</p> <p>References to photos and illustrations to be made clear and references made to their purpose.</p> <p>Clarity of keys on different diagrams to be reviewed as required</p> |
| 99 | <p>Naming product suppliers</p> | <p>Noted but, these materials/manufacturers have been assessed and accepted for adoption purposes by the Highway Authority, as part of the preparation of the Design Guide.</p> <p>There are footnotes in all tables which states "or similar approved" which means that other manufacturers/products comparable to those given as examples in the Design Guide may be acceptable,</p> | <p>No further action required</p> |

| Issue | Issue raised during consultation | Officer Response | Modification made |
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| | | subject to assessment for adoptability by the Highway Authority Consider whether further clarification is required . | |
| Issue | Issue Raised Following Consultation | Officer response | Modification Made |
| 1 | Access to good natural light and outlook within dwellings. Currently the Design Guide is silent on this | Noted. This can be added in conjunction with changes proposed above in relation to issue 2 SA Recommendation 1 | Insert new paragraph after vol 2 vi/19: “Homes should be designed to provide sufficient natural light and an outlook from a window(s) for habitable rooms. This is especially important in accommodation utilising |
| 2 | Spacing between dwellings | Spacing between dwellings should be managed to limit ‘zero plotting’ t ensure adequate spacing between dwellings and to prevent cramming | Insert para after vol2 ii/30 “In areas of lower density characterised by semi-detached and detached dwellings, adequate separation should be provided between dwellings both for amenity and townscape reasons, whilst in higher density areas, buildings should be terraced rather than leaving inadequate spacing between properties. Consequently the practice of ‘zero plotting’ shall be strongly discouraged in new housing layouts. |

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**The Cheshire East Borough Design Guide
Supplementary Planning Guidance**

**Sustainability Appraisal (SA)
&
Habitats Regulations Assessment (HRA)
Report: Updated**

March 2017

enfusion



**Cheshire East Local Plan:
The Cheshire East Borough Design Guide
Supplementary Planning Document**

**Sustainability Appraisal (SA) & Habitats Regulations
Assessment (HRA) Report: Updated**

March 2017

For and on behalf of Enfusion Ltd

| | | |
|--------------------------------|-------------------------------------|----------|
| <i>date:</i> | March 2017 | |
| <i>prepared for:</i> | Cheshire East Borough Council | |
| <i>prepared by (2016):</i> | Barbara Carroll Alastair Peattie | Enfusion |
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Cheshire East Local Plan

The Cheshire East Borough Design Guide SPD: SA & HRA Report: Updated March 2017

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1.0 INTRODUCTION

Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA)

- 1.1 Sustainability Appraisal (SA) is a systematic process that must be carried out during the preparation of a Local Plan relating to development. The purpose of SA is to promote sustainable development through assessing the extent to which an emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives¹.
- 1.2 The mandatory requirement for SA of local plans is set out in Section 19 of the Planning and Compulsory Purchase Act 2004 and in Paragraph 165 of the National Planning Policy Framework (NPPF). Extant guidance² recommends that SA incorporates the requirements for Strategic Environmental Assessment (SEA) set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations) implementing the requirements of the EU SEA Directive³ into UK legislation. The purpose of SEA is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of plans with a view to promoting sustainable development.
- 1.3 Supplementary Planning Documents (SPDs) are not required to be subject to SA but they may, in exceptional circumstances, require an SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.

Habitats Regulations Assessment (HRA)

- 1.4 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance - specifically sites and species protected under the Habitats Directive (92/43/EEC) and the Birds Directive (79/409/EEC).
- 1.5 A HRA screening must be carried out in order to determine if the SPD will result in any impacts that are likely to have significant effects on these protected sites - either alone or in combination with other plans and projects. Significance is judged taking into account the site's conservation objectives, site integrity, and condition. If the HRA screening process identifies any objectives or policies that are likely to have a significant effect on a European protected site, they will be subject to more detailed Appropriate Assessment (AA).

¹ <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/strategic-environmental-assessment-and-sustainability-appraisal-and-how-does-it-relate-to-strategic-environmental-assessment/>

² ibid

³ EU Directive 2001/42/EC

The Cheshire East Borough Local Plan & the Design Guide SPD

- 1.6 The new Local Plan sets planning policies and allocates sites for development up to 2030; it is comprised of 3 key documents - The Local Plan Strategy, the Site Allocations & Development Policies Documents, and the Waste Development Plan Document. The Council submitted its Local Plan Strategy to the Secretary of State in May 2014 and the independent examination is ongoing. Until the documents in the new Local Plan are adopted, the Saved Policies⁴ from previous Local Plans (Congleton Borough, Crewe & Nantwich, Macclesfield, and Cheshire Minerals & Waste) comprise the statutory development plan for Cheshire East with regard to determining planning applications.
- 1.7 The new Local Plan Strategy outlines the importance of good design in a number of the Draft Plan's Strategic Priorities, including the following policies:
 - SP2 focuses on the creation of sustainable communities including prioritising locating new housing in sustainable locations that promote healthier lifestyles and is well-designed, sustainable and energy efficient
 - SP3 protects and enhances environmental quality including the efficient management of resources and respecting the character and distinctiveness of places through careful design and siting of development
 - SP4 focuses on reducing the need to travel and promoting more sustainable transport with easy and safe accessibility to work, shop, services and recreation
- 1.8 Policy SD1 sets out a number of key design principles to be used at a local level in order to achieve sustainable development. Policy SD2 expands on these key principles of sustainable development, placing particular importance for new development to contribute positively to an area's character and identity with sustainable transport and efficient use of natural resources. Policy SE1 emphasises the need for design quality and that development proposals should make a positive contribution to their surroundings. Delivering sense of place, respecting local distinctiveness, designing for pedestrian priority and quality public realm are all important as well as liveability and safety. Policy SE9 energy Efficient Development and Policy SE8 Renewable and Low Carbon Energy support and guide development that follow the energy hierarchy and deliver low or zero carbon energy.
- 1.9 The new Cheshire East Council (CEC) Design Guide SPD is part of a tool of measures that seek to guide developers and ensure that they may understand the character of the area and design appropriately. The SPD cannot set out new policy but it does expand upon the Council's existing policies as set out within the adopted Local Plans – Congleton Borough (2005), Crewe & Nantwich (2005) and Macclesfield Borough (2004) – as well

⁴http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/saved_and_other_policies.spd

as the design policies of the emerging Cheshire East Borough Council Local Plan Strategy.

- 1.10 The CEC Design Guide SPD is structured within 2 volumes. Volume 1 provides a policy backdrop and describes the uniqueness of the Cheshire East Borough with a description of how landscape informs settlement structure and details of Settlement Character Areas. A Best Practice Design Approach is included with guidance on the chronology for good masterplanning and urban design, together with an introduction to the Use of Building for Life 12 (BfL12)⁵ industry standard for well-designed homes and neighbourhoods, and information on developments requiring Design Codes and preparation of Design & Access Statements. Sections 2 and 3 provide details for Urban and Street Design respectively.
- 1.11 Whilst Volume 1 provides the foundations for design, Volume 2 provides the structure. The initial section on Working with the Grain of the Place in Volume 2 explains using the character and setting of the area positively to influence design as it progresses. Section 4 presents an outline checklist for Green Infrastructure and Landscape Design. Section 5 explains principles of Sustainable Development (SD) including spatial (passive and active) design, energy, water, information & communication technology, waste & recycling, and adapting to climate change, and provides a SD checklist. Section 6 explains how many aspects of Quality of Life, the general well-being of people and communities, are influenced by good design, including open/green spaces, identity, employment opportunities, living spaces and leisure accessibility all contributing to health and happiness; a Quality of Life checklist is provided.

The SA & HRA of the Cheshire Borough Design Guide SPD

- 1.12 The new Design Guide SPD is intended to apply to the Saved Policies from the three former Councils' Local Plans for the time being - but will apply to the new Local Plan when it is adopted. The Borough Local Plans and Saved Policies were subject to environmental appraisal on the basis of the legal and regulatory requirements at the time.
- 1.13 The submitted Local Plan Strategy has been subject to SA and HRA in accordance with the NPPF (2012) and updated planning practice guidance⁶. A revised Local Plan SA Scoping Report was published in 2012 and an updated SA Report and HRA (Final) Report accompanied the Local Plan Strategy on submission for examination in May 2014⁷. These reports included the findings of assessment of the key Strategic Principles (SP2-4) and key Policies (SD1, SE1, SE8, SE9) that relate to good design of proposed development.
- 1.14 It should be noted that further SA work was carried out to take account of the further technical work and suggested revisions to the Local Plan Strategy

⁵ <http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

⁶ www.planningguidance.communities.gov.uk

⁷ <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library#sd>

arising during the suspension of the Examination⁸ and published in 2016. Following the resumed examination and the further work identified by the Inspector as necessary to the Proposed Changes (March 2016) version of the Plan in order for it to be adopted, further SA work was undertaken to consider the proposed Main Modifications to the Plan with a Further SA Addendum Report prepared (February 2017). The proposed Main Modifications to the Local Plan Strategy will be placed on public consultation in February 2017 and including its accompanying SA Further Addendum Report. Upon adoption of the Plan, there will be an SA/SEA Adoption Statement published that includes reporting how the SA/SEA has informed the preparation of the Plan.

- 1.15 Government guidance advises that SPDs do not require a Sustainability Appraisal but may in exceptional circumstances require an SEA if they are likely to have significant effects that have not already been assessed during the preparation of the Local Plan. In consideration of the ongoing examination of the Cheshire East Local Plan Strategy, the issues arising, and the extent of the interest from people, communities and developers, it was decided to undertake SA, incorporating SEA and HRA, of the draft Design Guide SPD to clearly demonstrate that due processes have been followed, and to provide clarity and reassurance to consultees and the Inspector.
- 1.16 This SA, incorporating the requirements of the SEA Regulations, and HRA have been carried out in consideration of extant Government guidance, good practice, and pragmatism, taking into account proportionality - the status of the SPD within the Local Plan hierarchy of documents and the tiering of assessment processes.

Consultation & Finalising the SPD

- 1.17 As part of the SPD preparation process, focused work was carried out with a wide range of stakeholders in order to ensure appropriate and proportionate involvement in advance of full formal public consultation. The details of this early consultation, and how stakeholders' views were taken into consideration, are reported in the Interim Statement of Consultation⁹ (April 2017). The Draft Design Guide SPD was published for public consultation between 5 April and 17 May 2016. Comments received have been taken into account, where appropriate, in finalising the SPD. The main issues raised and how they have been addressed will be summarised in the finalised SPD Statement of Consultation upon adoption of the SPD and available on the Council's website www.cheshireeast.gov.uk/planning/borough-design-guide. The Draft SPD was subject to SA/SEA & HRA and the SA & HRA Report (January 2016) accompanied the Draft Design Guide SPD on public consultation in April 2016.

⁸ <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

⁹ <http://www.cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>

This SA/SEA and HRA Report

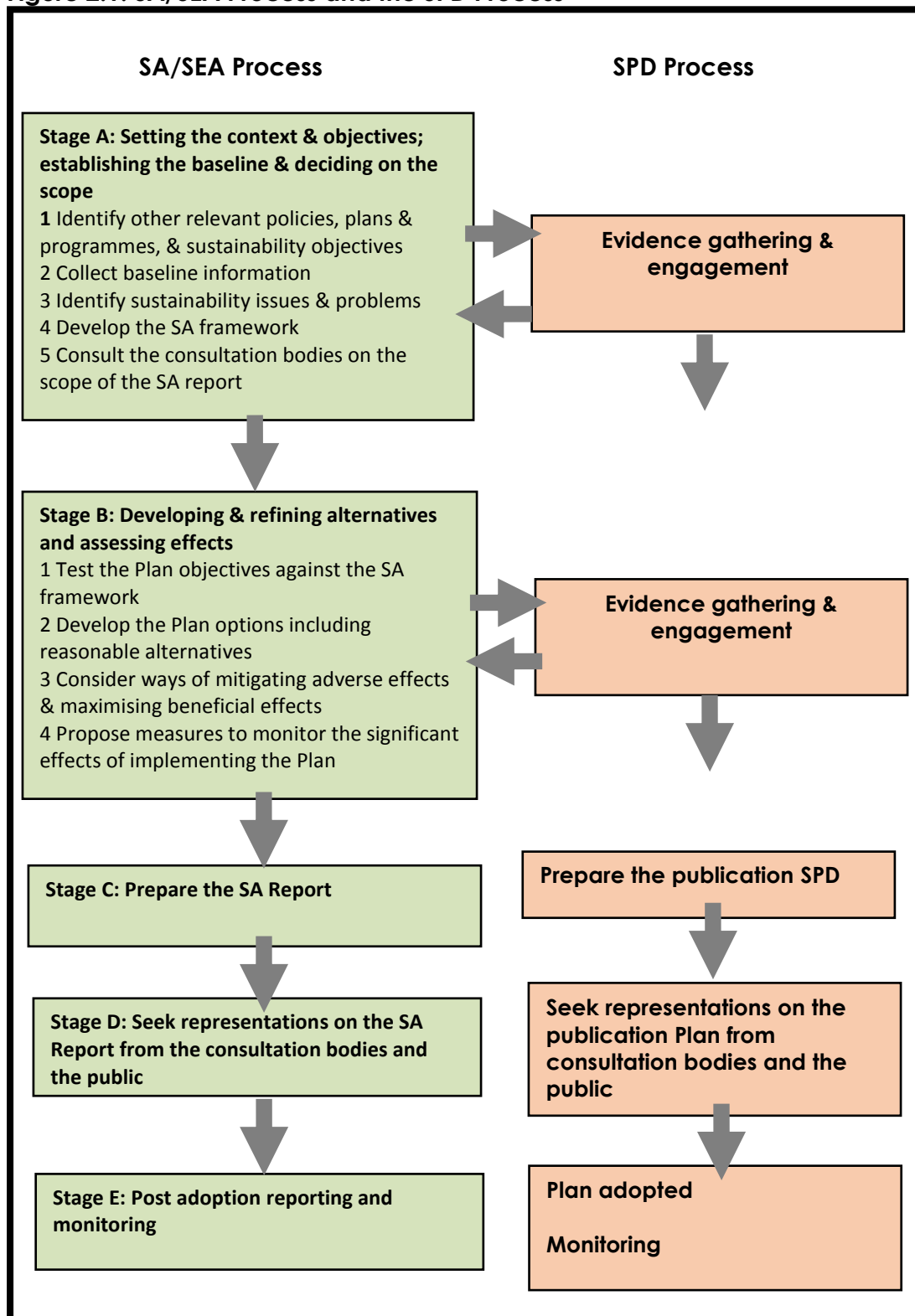
- 1.18 This SA/SEA & HRA Report (February 2017) updates the SA/SEA & HRA Report (January 2016) published in April 2016 and it is part of the wider SA process for the emerging Local Plan Strategy and associated documents. Any comments received on the SA Report (January 2016) have been considered. The changes made to the Draft SPD as a result of the consultation representations were subject to screening for their significance with regard to SA/SEA (and in accordance with the requirements of the SEA Regulations). Any significant amendments were tested through SA, any likely significant effects identified, and the previous SA findings updated.
- 1.19 The Local Plan Strategy (LPS) is at a late stage of development with the examination Hearings completed and the Proposed Main Modifications arising published for public consultation¹⁰ between 6 February and 20 March 2017 prior to adoption of the LPS anticipated soon thereafter. There is significant consideration afforded to the emerging LPS in planning decisions but until it is adopted, the saved policies from the previous Councils' Plans comprise the statutory development plan for the Cheshire East Borough area. The previous Plans were subject to Environmental Appraisal in accordance with the legislative requirements at the time. However, in consideration of the length of time since this was undertaken, and to clearly demonstrate SA/SEA process compliance at the current time, it was decided to undertake SA of the saved policies – and as reported in this SA Report Updated.
- 1.20 Following this introductory Section 1, Section 2 of this report outlines the approach taken and methods used. The findings of the appraisals are presented and discussed in section 3, including the consideration of alternatives. Section 4 presents the HRA and its findings. Section 5 explains the updating of the SA following consultation in 2016 and changes made to the Draft SPD. Monitoring proposals are indicated in section 6, together with a summary conclusion and next steps. Appendix A details the SA of the Saved Policies and Appendix B details the screening of changes arising from consultation for their significance with regard to the previous SA findings.

¹⁰ <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/mm>

2.0 APPROACH AND METHODS

Introduction and the SA Process

Figure 2.1: SA/SEA Process and the SPD Process



- 2.1 National Planning Practice Guidance¹¹ sets out the key stages and tasks for the SA (incorporating SEA) process and their relationship with the Local Plan process. The above diagram sets out the SA/SEA stages and tasks as they are applicable to the SPD preparation process, and shows how the two processes interact.
- 2.2 The first stage A of the SA process must identify the scope and level of detail of the information to be included in the SA Report. It sets out the context, objectives and approach of the assessment; and identifies relevant environmental, economic and social issues and objectives. Stage B of the SA process comprises the assessment of effects, including of any reasonable alternatives to the proposals in the draft plan; ways of mitigating adverse effects and maximising beneficial effects are considered, and monitoring measures proposed. Stage C of the SA process includes the preparation of the Sustainability Report that must include certain information. Stage D considers representations made on the SA Report from the consultation bodies and the public. After examination and adoption of the plan, SA Stage E includes the preparation of the post-adoption statement and considers monitoring.
- 2.3 Consultation on the proposed scope of the SA/SEA is required with the statutory bodies; wider public consultation is required for the draft plan and accompanying SA Report. It is important to note that SA is an iterative and on-going process. Stages and tasks in the SA process may be revisited and updated or revised as a plan develops, to take account of updated or new evidence as well as consultation responses. Government advises a pragmatic approach to SA/SEA and plan-making and suggests that the evidence base can be used for both processes. This SA Report (January 2016; updated March 2017) is Stage C.

SA/SEA Scoping

- 2.4 An initial SA Scoping Report (2009) and a revised SA Scoping Report (March 2012) were prepared and subject to consultation with the public and statutory bodies. Comments received were reviewed and a final SA Scoping Report completed in May 2012. This completes Stage A of the SA process and sets the scope for the assessment of Local Plan documents, including a SA Framework of Objectives and significance criteria that form the basis for assessment against the baseline conditions and character of the area.
- 2.5 The SA of the draft Design Guide SPD used the SA Framework of Objectives that has been applied to the Local Plan Strategy. The SA Framework of Objectives for the Local Plan is set out below in Table 2.1.

¹¹ www.planningguidance.communities.gov.uk

Table 2.1: SA Framework

| No. SA Objective | Appraisal Criteria/Rationale |
|--|--|
| 1. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability | Will it provide an appropriate quantity and quality of housing? Will it provide an appropriate mix of housing types and tenures? Will it deliver sufficient affordable and low cost housing? |
| 2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport. | Will it provide good opportunities to access facilities and services? Will it provide good opportunities to access various forms of public transport? Will it provide good opportunities to access open space? Will it provide good opportunities to access jobs? |
| 3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion. | Will it increase equality? Will it increase social inclusion? Will it create a cohesive community? Will it reduce poverty? Will it address issues of the ageing population? Will it result in a better quality of life for all? |
| 4. Create an environment that promotes healthy and active lifestyles. | Will it improve human health? Will it reduce the number of long term illnesses? Will it reduce smoking, alcohol use and obesity? Will it create a healthy environment with good opportunities to access facilities that encourage an active lifestyle? |
| 5. Maintain and/or create vibrant rural communities. | Will it contribute to a vibrant rural community? Will it make sure that the rural environment - built and natural, is maintained or enhanced? Will it create a cohesive rural community? |
| 6. Create a safe environment to live in and reduce fear of crime. | Will it promote design that discourages crime and anti-social behaviour? Will it promote the safety of the community? |
| 7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough. | Will it maintain or enhance necessary infrastructure? Will it maintain or enhance necessary services and facilities? Will it increase the accessibility of the countryside? Will it provide the infrastructure to support the existing community? Will it provide the infrastructure to support the future community - considering cumulative impacts? |
| 8. Manage the causes and effects of climate change. | Will it reduce emissions of greenhouse gases - in particular carbon dioxide and methane? Will it reduce the heat island effect? Will it increase resilience to extreme weather events and longer term rising temperatures? Will it prevent or mitigate flooding or rising sea levels? Will it encourage the efficient use of water? |

| | |
|---|---|
| 9. Positively address the issues of water quality and quantity and manage flood risk within the Borough. | <p>Will it encourage the efficient use of water?</p> <p>Will it encourage water efficient design and layout of schemes/buildings?</p> <p>Will it encourage the re-use and recycling of water, for example grey water and/or rain water harvesting?</p> <p>Will it maintain and improve the quality of ground and surface waters?</p> <p>Will it prevent loss and encourage additional provision of permeable surfaces?</p> <p>Will it minimise risk to people, property and ecosystems from flooding?</p> |
| 10. Manage the impacts of development and associated activities to positively address all forms of pollution. | <p>Will it positively contribute to the management of air pollution?</p> <p>Will it positively contribute to the management of water pollution?</p> <p>Will it positively contribute to the management of contaminated land/make sure additional contamination does not occur?</p> <p>Will it encourage positive remediation of sites?</p> |
| 11. Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally. | <p>Will it protect or enhance biodiversity?</p> <p>Will it protect and minimise the fragmentation or cause enhancement of habitats?</p> <p>Will it help protect any species at risk?</p> <p>Will it protect or enhance geodiversity and geological sites and features?</p> <p>Will it protect or enhance internationally, nationally, regionally or locally designated sites or species?</p> |
| 12. Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated. | <p>Will it protect or enhance the landscape?</p> <p>Will it protect or enhance the townscape?</p> <p>Will it complement the existing built and natural environment, ensuring that the area remains distinctive?</p> <p>Will it protect or enhance the areas internationally, nationally or locally designated heritage assets and their setting?</p> |
| 13. Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources. | <p>Will it encourage the efficient use of energy?</p> <p>Will it result in energy efficient development?</p> <p>Will it result in the high quality design and layout of development?</p> <p>Will it promote and encourage the use of renewable energy?</p> <p>Will it incorporate renewable energy technologies?</p> |
| 14. Achieve sustainable waste management through adhering to the principles of the waste hierarchy | <p>Will it make sure of the treatment of waste with regard to the principles of waste hierarchy?</p> <p>Will it encourage sustainable methods of construction and use?</p> <p>Will it result in appropriately designed waste management facilities?</p> <p>Will it encourage the disposal of waste as close to point of origin as possible?</p> |
| 15. Manage mineral extraction and encourage their | <p>Will it encourage the reuse and/or recycling of minerals?</p> |

| | |
|--|---|
| recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations. | Will it protect nationally, regionally and locally important mineral resources? Will it allow for the delivery of a sufficient supply of minerals? Will it balance the need to deliver minerals with social and environmental issues? |
| 16. Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure. | Will it reduce the use or result in efficient consumption of natural resources? Will it allow the creation of natural resources? Will it protect, enhance, create or connect green infrastructure assets? Will it make sure of the protection or enhanced use of the best quality agricultural land? Will it encourage the re-use of previously developed land, buildings and infrastructure? |
| 17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas. 18. To maintain and enhance the vitality and viability of town and village centres with a balanced provision of retail, leisure, visitor and cultural facilities. | Will it result in sustainable economic growth? Will it contribute to the achievement of a competitive, low-carbon economy? Will it allow a diverse range of business types? Will it positively affect both the urban and rural economy? Will it enhance the viability and vitality of town centres? Will it enhance the viability and vitality of village centres? Will it create a balanced provision of retail, leisure, visitor and cultural facilities? |
| 19. Positively manage the Borough's diverse rural economy. | Will it contribute to the achievement of a diverse rural economy? |
| 20. Improve access to education and training, and the links between these resources and employment opportunities | Will it increase access to education and training opportunities? Will it increase access to jobs and employment opportunities? |

2.6 The SEA Regulations (12 (3)) require consideration of the objectives of other relevant Plans and Programmes (PP) during the SA/SEA scoping stage. The PP Review was undertaken and reported for the SA Scoping in 2009, updated 2012, and this informed the higher level SA/SEA; overall they remain relevant to the SA/SEA of the SPD.

2.7 The SEA Regulations also require that the likely significant effects on the relevant aspects of the environment should be assessed and reported; a number of key issues are named. The characteristics of the plan area should be described, including the likely evolution without the plan. Government advises a pragmatic approach to the collation, analysis and reporting of this baseline information - and much of it is shared between the plan-making and SA/SEA processes. The baseline characteristics were identified, and consulted upon, in the SA scoping 2009 and 2012. Issues for sustainable development were identified and contributed to the preparation of the SA Framework of Objectives.

Appraising the draft Design Guide SPD

- 2.8 As explained above, this SA/SEA is part of an assessment tier that correlates with the hierarchy of plan-making and, in line with Government guidance, is proportionate to the stage of plan-making and assessment. It should also be remembered that at subsequent levels of plan-making, there are the Environmental Impact Assessment (EIA) Regulations (amended 2015) that require assessment of development proposals above certain thresholds. The SPD must be in conformity with the higher level Local Plan that has been subject to detailed SA/SEA.
- 2.9 Accordingly, the same SA Framework was used to structure the appraisal of the SPD and to demonstrate conformity with the previous higher level SAs. The appraisal used the previous baseline information and any relevant evidence that has been updated since 2014 as part of the ongoing examination of the Local Plan Strategy, including the evidence supporting the SPD. This formed the basis for testing the draft SPD against the SA Objectives, together with professional judgment in the absence of any relevant information, particularly with regard to cumulative effects.
- 2.10 In compliance with the SEA Regulations, the appraisal considered the likely significant effects, including short, medium and long term, permanent, and temporary, positive and negative, secondary, cumulative and synergistic, wherever possible and relevant. Any gaps or difficulties were also reported. The appraisal recognised 6 levels of significance in the same way as the earlier SAs of higher level planning documents and as shown in the following diagram:

Table 2.2: Categories of Significance

| Categories of Significance | | |
|-----------------------------------|--|--|
| Symbol | Meaning | Sustainability Effect |
| - - | Major Negative | Problematic because of known sustainability issues; mitigation likely to be difficult and/or expensive |
| - | Minor negative | Potential sustainability issues; mitigation and/or negotiation possible |
| + | Minor positive | No sustainability constraints and development acceptable |
| ++ | Major Positive | Development encouraged as would resolve existing sustainability problem |
| ? | Uncertain | Uncertain or Unknown Effects |
| / | Neutral | Neutral effect |
| - ? | It is possible to have two symbols for an SA Objective. For example, a policy or development could have the potential for a minor negative effect against SA Objective 11 (Biodiversity); however, there is an element of uncertainty until lower level assessments have been carried out. | |

- 2.11 The SA considered the likely significant effects of the implementation of the Design Guide SPD on the sustainability objectives for the Cheshire East Borough area. SA Objectives were grouped by themes so that the appraisal could focus on the key aspects. Many of the issues and aspects of the draft SPD are inter-related and the appraisal sought to focus on the key matters, avoid duplication, and retain the readability of the report. For each sustainability theme, the relevant SA Objectives are recorded and a narrative provided describing any significant effects identified, mitigation of any significant adverse effects, and any suggestions for enhancing beneficial effects. The findings of the HRA were integrated into the SA (and also reported here later in section 5).

Alternatives Considered

- 2.12 The EU SEA Directive requires assessment of the likely significant effects of implementing the plan and “reasonable alternatives” taking into account “the objectives and geographical scope” of the plan and the reasons for selecting alternatives should be outlined in the Report. The Directive does not specifically define the term “reasonable alternative”; however, UK SA/SEA guidance¹² advises that it should be taken to mean “realistic and relevant” i.e. deliverable and within the timescale of the plan. This is confirmed by the NPPF (paragraph 167) that requires that assessments should be proportionate to the level and scope of decision-making.
- 2.13 The Design Guide SPD is limited to its geographical scope (the Cheshire East Borough area) and its sphere of influence aligned with its purpose - to provide developers, their agents and design teams with a framework of advice that will support compliance with requirements in the Cheshire East Local Plan Strategy for key Policies SD1, SE1 Design, SE 8 & 9 Energy. The Submission SA Report (May 2014) considered the implications of the do-nothing scenario with no design policy in the Local Plan and significant negative effects were identified, particularly with regard to energy, climate change, local distinctiveness, heritage, community safety, sustainable construction, and waste management. At this stage, no other reasonable alternatives were identified. The higher level plan-making and accompanying SAs have been subject to wide consultation and no additional alternatives have been suggested.
- 2.14 In consideration of the purpose, objectives and sphere of influence of the SPD and its place in the plan and SA hierarchies, there were no other reasonable alternatives possible that required testing through the SA/SEA process at this stage.

Appraising the Saved Policies

- 2.15 The draft Design Guide SPD had been tested according to sustainability themes that recognise the inter-relationships amongst the SA Objectives. The same approach was taken for appraising the relevant saved policies to help

¹² <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

provide correlation and compatibility, using the same SA Framework and undertaken by the same independent consultants. As the policies and proposals in the adopted Local Plans had been subject to Environmental/Sustainability Appraisal¹³ (according to legislation and guidance at that time), a pragmatic approach was taken to update the SA with the updated/refined SA Framework and in consideration of “significant” effects in accordance with the requirements of the SEA Regulations and EU Directive.

Appraising the Finalised Design Guide SPD & Updating the SA

- 2.16 Many of the proposed changes to the Design Guide SPD are minor with regard to significance for the SA process - they are concerned with correcting errors, addressing omissions, providing more clarity, and updating of information; others seek to improve the overall usability and interpretation of the document. The proposed changes were screened for their significance with regard to SA using professional judgment – do the changes, deletions and additions significantly affect the findings of the SA Report (July 2016) accompanying the Revised Plan (March 2016) and/or do they give rise to significant environmental/sustainability effects?
- 2.17 A pragmatic and proportionate approach was taken and as relevant to this stage of plan-making and assessment. A professional judgment was made for SA significance taking into account the proposed change and using the same method and SA Framework of Objectives for sustainable development as the previous SA work for the LPS, thus providing continuity and consistency of process. The work was undertaken to the same level and by the same independent specialist consultants.
- 2.18 Similarly, a pragmatic and proportionate approach was taken to assessing the relevant saved policies from the previous Councils' Plans. Relevant policies were grouped by SA topic and assessed using the same method and SA Framework of Objectives for sustainable development as the SA work for the LPS. A narrative approach using independent professional judgment was used to identify and report any significant effects.

13

http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/congleton_local_plan/congleton_local_plan.aspx
http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/crewe_and_nantwich_local_plan/crewe_and_nantwich_local_plan.aspx
http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/macclesfield_local_plan/macclesfield_local_plan.aspx

3.0 SUSTAINABILITY APPRAISAL FINDINGS: DRAFT SPD**Context**

- 3.1 Three Strategic Priorities for the Local Plan Strategy provide the overarching aims for the plan:
- Promoting economic prosperity by creating conditions for business growth
 - Creating sustainable communities, where all members are able to contribute and where all infrastructure required to support the community is provided
 - Protecting and enhancing environmental quality
- 3.2 The planning and management for these 3 priorities for development growth in the Cheshire East Borough area are defined through the Strategic Policies, Sites and Strategic Locations. Policy SD1 sets out key design principles to be used at a local level in order to achieve sustainable development in the Cheshire East Borough area. Policy SD2 expands on these key principles, applying them to new development proposals. Policy SE1 requires that development proposals should make a positive contribution to their surroundings in terms of sense of place, design quality, sustainable design, liveability/workability, and safety. Policies SE8 Renewable & Low Carbon Energy, and SE9 Energy Efficient Development set out the importance of high standards for sustainable energy.
- 3.3 The Sites and Strategic Locations proposed in the Local Plan Strategy have been selected after calls for sites, analysis of potential site options using a constraints and opportunities approach, and subject to SA. Thus the sites and locations proposed for the Cheshire East Borough area have been determined to be those most sustainable and deliverable within the scope and timescale of the Plan. Potential major negative effects have been avoided or mitigated, and where possible, likely positive effects have been enhanced. Details are provided in the SA Reports accompanying the submission Local Plan Strategy through examination.
- 3.4 The Design SPD (Vol 2) is founded on a proactive use of the Building for Life 12 (BfL12)¹⁴ guidance by the Design Council Cabi that is the industry standard for the design of new housing developments and neighbourhoods, believing that housing should be attractive, functional and sustainable. BfL12 seeks to build better homes and involve local communities in planning through a structured approach with 12 urban design criteria representing a Question/Answer checklist for the quality of placemaking. This provides a systematic framework that can be assessed and monitored; developers achieving at least 9 of the 12 criteria are eligible for Built for Life™ accreditation. Each section of the SPD includes a clearly boxed table with

¹⁴ <http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

the relevant BfL12 questions and further explanation specific to Cheshire East to help guide the development project.

SA of the Draft Design Guide SPD

- 3.5 The findings of the SA of the Cheshire East Design Guide SPD (Volumes 1 & 2) are discussed in the following section and according to sustainability themes that recognise the inter-relationships amongst the SA Objectives:

- Housing & Employment; Services & Amenities
- Communities & Health; Accessibility
- Climate Change
- Water
- Biodiversity
- Cultural Heritage & Landscape
- Natural Resources: Energy, Waste, Minerals & Land

Housing and Employment;

[SEA Topics: Population, Material Assets]

SA Objectives:

1. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability.
17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas
18. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas.
19. Positively manage the Borough's diverse rural economy.
20. Improve access to education and training, and the links between these resources and employment opportunities.

- 3.6 Cheshire East is under development growth pressures and has full objectively assessed needs for housing and employment as set out in Policy PG1. Whilst other Policies promote appropriate quantity, mix and affordability, Policy SE1 Design requires that development proposals make a positive contribution to their surroundings, with details provided in the Design Guide SPD - thus supporting SA objectives for housing quality and a low carbon economy with positive effects that will be cumulative in the longer-term.
- 3.7 The SPD provides more certainty of positive effects on housing quality by defining what quality means for housing and its setting in Cheshire East; specific aspects of housing are detailed and case examples/SD precedents provided. Whilst the Design SPD does not directly affect objectives for the economy and education/training, these are likely to be supported through high quality and sustainably designed housing for local workers. The influence

of high quality design on employment and job satisfaction is explained in the SPD (Vol 2 Quality of Life vi 15-18) and this will contribute to more certainty of positive effects.

Communities and Health; Services and Amenities; Accessibility

[SEA Topics: Population, Health, Material Assets]

SA Objectives:

2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport
3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion
4. Create an environment that promotes healthy and active lifestyles
5. Maintain and/or create vibrant rural communities
6. Create a safe environment to live in and reduce fear of crime.
7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.
10. Manage the impacts of development and associated activities to positively address all forms of pollution [Air]

- 3.8 An aim of the Design SPD and associated toolkit elements is to enable communities and elected members to better participate and articulate design concerns. The toolkit seeks to *"provide a mechanism to recognise, support and celebrate good design in the planning process and resist design that is poorly considered and not of the quality expected in the Borough"* (Vol 2 07). Overall, this commitment and approach to enabling better participation will support SA Objectives for communities with potential major positive effects that will be cumulative in the longer-term.
- 3.9 Development proposals will be expected to include a Design and Access Statement that will provide details. Accessibility is considered by the Design SPD in section i 40-50 that explains how to maintain and improve connectivity through sustainable routes (walking, cycling & public transport) with the development whilst avoiding conflicts with existing residents. Section iv Green Infrastructure includes a useful diagram (page 55) that explains its multi-functionality and the links between sustainable transport network, biodiversity and human health, together with more details on proactively designing for good accessibility. Green Infrastructure section iv 24-60 provides details of accessibility standards, including for recreation and green space with positive effects for accessibility and health in both short and longer-term.
- 3.10 The Design SPD recognises the importance of design to help reduce inequality and promote social inclusion, for example, section iv 77 specifically explains how allotments, community gardens and orchards can help with social cohesion and inclusion. This can also be positive for health and well-being thus promoting SA Objectives 3, 4 and 5 with the potential for long-term cumulative effects. Accessibility to community services and amenities is

covered by the SPD, for example, good access to leisure and entertainment facilities and services is explained in section vi 21-22, with positive effects.

- 3.11 Generally, health in Cheshire East is good (Health & Wellbeing Strategy, 2014) although there are significant challenges such as unhealthy lifestyles, and an increasingly ageing population. Health is more than just the absence of disease or infirmity and, for example, the World Health Organisation defines health as a state of complete physical, mental and social wellbeing. Quality of Life (QoL) may have a different meaning for nearly everyone but the concept does recognise that other factors including jobs, housing, neighbourhood, community and cultural aspects are key elements to overall health and well-being.
- 3.12 The Design SPD includes section vi on QoL and explains those aspects that may be impacted by design. Paragraphs vi 07-08, 11-12 encourage sport, recreation and informal exercise that promote healthy lifestyles thus supporting SA Objective 4 with major positive effects in both the short and long-term. Vibrancy of communities is supported by the section on Quality of Life (Vol 2 vi 09-10, 13-14) that recognises how interaction of residents helps build community spirit with positive effects. Section v 51 explains how resident information packs can help inform residents on sustainable lifestyles – and thus overall promoting sustainability objectives with positive effects within the scope of a Design SPD.
- 3.13 The SPD includes details regarding security and safety through design, for example, Secured by Design is detailed in section ii 18 and 23, with positive effects for SA Objective 6. Air quality is addressed directly through considerations of energy in buildings, for example, section v 21 and 26. Also addressed through considerations of Green Infrastructure and positive effects on air quality, for example, section iv 16. Overall, these inter-related factors will contribute to major positive effects for SA Objectives on accessibility, communities and health, particularly in the longer-term.
- 3.14 **SA Recommendation:** It is noted that social inclusion and community attributes are positively encouraged through design but no specific mention is made of diversity and equality. This might be inferred through inclusion, and section v Sustainable Development Principles (v02) does include comment on “...designing in flexibility for changes of use, lifestyle and demography.” However, it would strengthen the sustainability of the Design Guide SPD with regard to SA accessibility/inclusion objectives if the different needs of people (for example, parents/carers with young children and the elderly) at different times of life were made explicit.

Climate Change

[SEA Topics: Climatic Factors]

SA Objectives:

8. Manage the causes and effects of climate change.

- 3.15 Managing and adapting to climate change is directly addressed within the SPD through consideration of thermal efficiencies/energy reduction (v 26), sustainable water use (v 38 also includes consideration of increasing frequency of severe weather such as flash flooding; through Sustainable Drainage Systems (SUDS) section iv; - and other ways including landscaping in v 52-54). Importantly, the SPD also recognises the significance of local food production and its increasing role in contributing to mitigating negative effects – as explained in section iv 75. The longer-term predicted effects are acknowledged (for example, section v 52) and ways that design can help build resilience to climate change is introduced with further mitigation of negative effects. Although sustainable transport is explained and encouraged throughout the SPD, for example, ii 49 and connectivity to public transport hubs, iii 02 and priority over the motor car, and SD principles v 02, 04 and 09-11, 13, the links between motor car usage, carbon emissions and climate change effects is not explained and this could be made more explicit. Overall, within its scope and sphere of influence, the Design SPD is likely to have major positive effects on climate change in the longer-term.
- 3.16 **SA Recommendation:** The inter-relationships between motor car use, sustainable transport modes, greenhouse gas emissions, and climate change could be made more explicit and thus enhancing the sustainability of climate change SA objectives through increased awareness/education.

Water

[SEA Topics: Water, Material Assets, Health]

SA Objectives:

- 9. Positively address the issues of water quality and quantity and manage flood risk within the Borough
- 10. Manage the impacts of development and associated activities to positively address all forms of pollution. [Water]

- 3.17 Water Management is addressed in the Design SPD in section v 38-39. Water as an increasingly important resource is introduced in v38 and the inter-relationships between resource use and flood risk management is made and sustainable urban drainage is clearly signposted to section iv. Water (quantity) resource management is detailed through design considerations for reducing consumption as well as for harvesting rainwater and recycling greywater. Paragraph v39 explains the relevant section regarding potable water use per person as required through the Building Regulations 2015 (G).
- 3.18 Flood risk management as part of overall water management is addressed in the Design SPD Guide under Blue Infrastructure within section iv Green Infrastructure & Landscape Design. As mentioned above, SUDS is signposted within SD Principles section v water management to section iv – although it is not explicit that sustainable drainage as part of flood risk management is considered under Blue Infrastructure (a term that may not be familiar to all users of the SPD). Nonetheless, by considering flood risk management and SUDS within the Green/Blue Infrastructure section, the importance of natural

resource management as part of infrastructure is emphasized, together with strong detailed guidance (section iv 61-70) on the inter-relationships and multi-functionality of these aspects of sustainable development with major positive effects for the SA objectives on water and flood risk management. Overall, the Design SPD is likely to have major positive effects on the water resource (quantity and flood risk management) and in the longer-term with cumulative and synergistic effects.

- 3.19 Potential pollution of water is not specifically addressed by the Design SPD and will be dealt with by other Local Plan Policies and through mechanisms by the relevant environmental regulator, the Environment Agency. Water is potentially most at risk from polluting activities during the construction phase and the likelihood of negative effects are minimised/mitigated through the use of an Environmental Management Plan. Grey water recycling is also a potential source of water pollution with possible minor negative effects that is mitigated through careful planning, design and management.
- 3.20 **SA Recommendation:** The sustainability of the Design SPD could be enhanced against the SA objective relating to water quality by including a comment on avoidance of pollution of water – perhaps most useful in the section iv on Green/Blue Infrastructure or as part of general comment on construction principles.

Biodiversity

[SEA Topics: biodiversity, flora, fauna]

SA Objectives:

11. Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally.

- 3.21 Important biodiversity and geodiversity protected at the international and national levels has already been considered through the site allocation process during the Local Plan preparation. Sites that could have major negative effects on such important habitats and features have been avoided. This is confirmed by the findings of the HRA Screening, as set out in the following section 4 of this SA Report. Policy SE3 Biodiversity and Geodiversity of the Cheshire East Local Plan Strategy provides protection and enhancement of biodiversity; “*development proposals which are likely to have a significant adverse impact on a site with national or international designations will not be permitted*”. Development proposals which are likely to have a significant adverse impact on regional or locally designated biodiversity or geodiversity will not be permitted (except in exceptional circumstances and in line with national planning policy); all development must aim to positively contribute to conservation and enhancement. Policies SE5 Trees, Hedgerows & Woodland, and SE6 Green Infrastructure provide additional protection and enhancement for biodiversity.
- 3.22 Biodiversity is addressed by the Design SPD in section iv on Green Infrastructure (iv 07-16). Paragraphs iv07-08 set out the context for promoting

biodiversity and clearly explain the role of the Cheshire and Peak District Biodiversity Action Plans for guiding development and advising biodiversity priorities. Paragraph iv09 appropriately states that “...development should not lead to loss of biodiversity and ideally should enhance it” thus promoting the fundamental principle of no net loss with positive effects. Paragraphs iv11-13 explain the possibilities for designing biodiversity within the overall wider landscape context and provide examples through a diagram. Paragraphs iv14-15 explain the potential for negative effects and how they might be mitigated including through the mitigation hierarchy from avoidance through to off-site compensation.

- 3.23 Paragraph iv16 addresses the importance of green corridors and explains their multi-functionality for “...delivery of other social and environmental effects including landscape, air quality, access and recreation” with further direct and indirect positive effects on SA objectives, including biodiversity and health. Overall, the Design SPD is likely to have major positive effects on biodiversity in the longer term. The SPD is strong on providing the context for biodiversity with the interactions and multi-functionalities and benefits of the biodiversity resource, including health and well-being. There is no specific mention of ecosystem services – the national¹⁵ approach to the environment in terms of the benefits provided to society and continued economic prosperity.
- 3.24 Geodiversity is noted in the Design SPD within the Green Infrastructure section at iv96 where the components of National Character Areas (NCAs) are discussed in regard to effects on landscape – and this is considered further in this SA Report in the following section on landscape. Policy SE3 Biodiversity and Geodiversity protects and enhances geodiversity in the same way as biodiversity (see above 3.20) such that there will be no significant adverse effects arising from proposed development.
- 3.25 **SA Recommendation:** The positive sustainability of the Design SPD could be strengthened by making explicit that geodiversity and important geological features should be protected and enhanced. The explanation and justification for the socio-economic benefits of enhancing biodiversity could be strengthened by reference to ecosystem services.

Cultural Heritage and Landscape

[SEA Topics: Cultural Heritage, including architectural & archaeological heritage; Landscape]

SA Objectives:

12. Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated

¹⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf

3.26 Volume 2 of the SPD within section iv Green Infrastructure & Landscape Design explains how Landscape Design contributes to the setting and effective integration of a new development into its environment (iv86). Paragraphs iv87-93 introduce good landscape design through understanding the natural and cultural elements (iv87), provide policy context and references for further information (iv88-89), set out principles (iv91) and the relevant questions for BfL12 (iv91-2). The further paragraphs iv94-146 provide details of landscape design according to the principles.

3.27 Policy SE4 The Landscape recognises the significance and high quality of the Cheshire East landscape and requires protection/conservation of the historic, natural and man-made landscape features. Policy SE7 conserves and enhances the character, quality and diversity of the historic environment; it requires high quality design. The particular importance of some landscapes is recognised and the Council has identified 9 areas of special character and qualities in the Cheshire East area. Volume 1 (ii01-241) of the Design SPD describes in detail the 5 additional settlement character areas created from north to south within the Cheshire East area as follows:

- North Cheshire Fringe
- Gritstone Edge
- Silk, Cotton & Market Towns
- Salt & Engineering Towns
- Market Towns & Estate Villages

These detailed characterisations provide the context for guiding good landscape design appropriate for the area, with further details provided in Volume 2 - Tables iv02-06. The SPD is strong on providing the characterisation context for Landscape Design, recognising inter-relationships with other factors and thus supporting sustainability objectives with positive effects.

3.28 Volume 2 section iv details landscape characterisation and design including paragraphs iv94-100 on landscape character; paragraphs iv101-106 on designations and policies; paragraphs iv107-112 details site analysis including biodiversity and sustainable water management; and paragraphs iv113-124 consider layout design – all with positive effects on SA objectives for landscape. Section iv125 outlines the potential impacts and effects on landscape from new development and the requirements/standards for assessing impacts through Landscape Visual Appraisal (LVA) or Landscape & Visual Impact Assessment (LVIA). Section iv129-132 addresses mitigation and enhancement possibilities – all with major positive effects on SA objectives for landscape with the potential for cumulative effects in the longer-term. Paragraphs on open space, materials, phasing and management all contribute to positive effects and mitigation of potential negative effects.

3.29 The importance of designated Conservation Areas is explained in iv104-5. Paragraph iv106 deals specifically with heritage and advises that a Heritage Impact Assessment may be required. This supports positive effects for SA objectives on cultural heritage including architectural heritage. Policy SE7 The Historic Environment requires that the character, quality and diversity of Cheshire East's historic environment will be conserved and enhanced.

Although the importance of all aspects of landscape character, including heritage, is mentioned in the SPD, the importance of impacts on the settings of heritage features is not made explicit and there is no mention of the archaeological resource. Thus these particular aspects of SA objectives are not progressed, although they are protected by SE7 that requires all new development should make a positive contribution “...including the setting of assets and where appropriate, the wider historic environment.”

- 3.30 **SA Recommendation:** The sustainability of the Design SPD would be strengthened through specific mention of the significance of the settings of heritage features and assets, and the potential for impacts on the archaeological resource – which may require an archaeological impact assessment (alone or as part of any requirement for an Environmental Impact Assessment EIA depending upon the scale and location of the new development).

Natural Resources: Energy, Waste, Minerals, Land

[SEA Topics: Soil, Material Assets]

[Water, Biodiversity and Air are considered within other themes]

SA Objectives:

- 10.** Manage the impacts of development and associated activities to positively address all forms of pollution [contaminated land]
- 13.** Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources
- 14.** Achieve sustainable waste management through adhering to the principles of the waste hierarchy
- 15.** Manage mineral extraction and encourage their recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations
- 16.** Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure

- 3.31 The Design SPD is very strong on energy efficiencies and promoting renewable energy, for example, as detailed in section v23-37, and as previously discussed here in the context of adapting/mitigating to climate change, and promoting sustainable transport and water management.
- 3.32 Waste and Recycling in new developments are specifically addressed in paragraphs v49-50, including layouts, flexibility and suggesting community composting where appropriate – all contributing to major positive effects for these SA Objectives. Encouragement of the vernacular and use of local materials will also contribute to sustainability objectives. Materials use is discussed in v40-42, including consideration of Whole Life Costs – with concomitant positive effects on SA Objectives for sustainable use of resources

in the longer term. Consideration of minerals is beyond the scope of influence of the Design SPD and covered by other Policies in the Local Plan Strategy – SE10 Sustainable Provision of Minerals.

- 3.33 Paragraph i14 introduces the situation for greenfield and brownfield land in the Cheshire East area, including that many of the contaminated or problematic brownfield sites have already been reclaimed and redeveloped. The Design SPD has limited relevance to this element of the SA Objective. It does note that brownfield land will continue to be promoted (i15) and explains how this might affect developer contributions. It might also be useful to mention that brownfield land is often rich in biodiversity and this can be an important factor in development.
- 3.34 Agricultural land is not specifically mentioned within the Design SPD. The sites selection and allocation process (and its accompanying SAs) through the emerging Local Plan Strategy have considered the potential loss of agricultural land and its quality. The Design SPD promotes local and community food production – section iv24-81 – and this will have positive effects on SA Objectives for efficient use of natural resources including land. Overall, within its scope and sphere of influence, the Design SPD is likely to have major positive effects on natural resources in the longer-term.

Inter-relationships

- 3.35 The Draft Design SPD is strong on guiding developers, communities and other interested people on the interactions and inter-relationships between sustainability factors. This can make guidance difficult to navigate and use, however, this SPD is well structured and explains clearly the inter-relationships, particularly the inherent interactions between biodiversity, landscape, cultural and historic heritage, socio-economic factors, especially health and well-being.

4.0 HABITATS REGULATIONS ASSESSMENT

Requirement for Habitats Regulations Assessment

- 4.1 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance.
- 4.2 The Habitats Regulations transpose the requirements of the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive] which aims to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under European Directive (2009/147/EC) on the conservation of wild birds [the Birds Directive]. In addition, Government guidance also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the HRA process as required by the Regulations.
- 4.3 The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the impacts of a project or plan, when considered in combination with the effects of other plans and projects against the conservation objectives of a European Site; would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse impacts should be assumed.

Guidance and Good Practice

- 4.4 The application of HRA has been informed by a number of key guidance and practice documents. Draft guidance for HRA 'Planning for the Protection of European Sites: Appropriate Assessment', was published by the Government (DCLG, 2006) and is based on the European Commission's (2001) guidance for the Appropriate Assessment of Plans. The DCLG guidance recommends three main stages to the HRA process:
- **Stage 1:** Screening for Likely Significant Effect
 - **Stage 2:** Appropriate Assessment, Ascertaining Effects on Integrity
 - **Stage 3:** Mitigation Measures and Alternatives Assessment
- 4.5 If alternative solutions or avoidance/ mitigation measures to remove adverse effects on site integrity cannot be delivered then current guidance recommends an additional stage to consider Imperative Reasons of Overriding Public Interest (IROPI) for why the plan should proceed. For the HRA of land use plans IROPI is only likely to be justified in a very limited set of circumstances and must be accompanied by agreed, deliverable

compensation measures for the habitats and species affected. For this reason the IROPI stage is not detailed further in this report.

- 4.6 More recently Natural England has produced additional, detailed guidance on the HRA of Local Development Documents (Tyldesley, 2009 (as updated)) that complements the DCLG guidance, and builds on assessment experience and relevant court rulings. The guidance: sets out criteria to assist with the screening process; addresses the management of uncertainty in the assessment process; and importantly outlines that for the HRA of plans; '... what is expected is as rigorous an assessment as can reasonably be undertaken in accordance with the requirements of the Regulations ...'.

HRA Screening of the Draft Design Guide SPD

- 4.7 An overview of the SPD and emerging Local Plan Strategy is provided within Section 1 of this Report. While it is important to note that the Design Guide currently relates to saved policies from a number of adopted plans - including Congleton Borough Local Plan, Crewe and Nantwich Local Plan, Macclesfield Local Plan - these will eventually be replaced by the emerging new Cheshire East Local Plan once adopted. This is reflected in Volume 1 of the Design Guide where it sets a number of relevant policies contained in the emerging Local Plan Strategy within the policy context. The three former Borough Local Plans and saved policies were subject to environmental appraisal on the basis of the legal and regulatory requirements at the time.
- 4.8 The Local Plan Strategy has been subject to HRA with a Final Report accompanying it on submission in May 2014. The HRA (Final) Report (Feb 2014) sets out the findings of the HRA process for the emerging Local Plan Strategy¹⁶. It concluded that, *"The existing policies and provisions in the Cheshire East Council Local Plan Strategy and other plans and strategies (see assessment tables at Appendix C) should ensure that potential significant adverse effects on the integrity of all identified European sites are avoided. However, as the Local Plan Strategy is a high tier plan, this means that it is difficult to devise more specific mitigation measures as the precise nature, scale, timing and location/layout of development is not known. Therefore, it will be necessary that Construction Environment Management Plans, landscaping, green infrastructure and open space proposals are submitted to the Council during the planning application process as part of sustainable development proposals for any sites in close proximity to European sites"*.
- 4.9 It should be noted that further HRA work has been carried out to take account of the further technical work and suggested revisions to the Local Plan Strategy arising during the suspension of the Examination. The findings of this work is presented in a HRA Addendum and concludes that the further evidence and suggested revisions are not likely to have adverse effects on the integrity of any European sites, subject to the inclusion of additional policy text within the Plan¹⁷.

¹⁶ <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

¹⁷ Ibid.

- 4.10 The SPD provides guidance for the design of future residential development in the borough. It sets out a number of criteria or questions that any proposal for residential development must consider and address. For the purposes of the HRA, it is important to note that the Design Guide SPD itself does not actually propose any residential development or associated infrastructure or activities. This will arise as a result of policies within the emerging Local Plan Strategy as well as applications submitted through the development management process.
- 4.11 Given the findings of the ongoing HRA process for the emerging Local Plan Strategy and that the SPD sets out criteria for future residential development and does not itself propose any development, it is considered that the Design Guide SPD will not have likely significant effects on any European sites and therefore further detailed assessment is not required.

5.0 CONSULTATION & FINALISING THE DESIGN GUIDE SPD

Consultation on the SA & HRA Report (2016)

- 5.1 The SA & HRA Report (January 2016) of the Draft Design Guide SPD (April, 2016) accompanied the draft SPD on public consultation 5 April to 17 May 2016. No representations were received from the public, key stakeholders or the statutory environmental bodies (Environment Agency, Historic England, Natural England) on the SA/SEA & HRA Report and its findings, implying endorsement of the approach and the findings.

SA of Saved Policies

- 5.2 As explained in the introduction to this report (paragraph 1.19), it was decided to undertake SA of the saved policies as set out within the adopted Local Plans – Congleton Borough (2005), Crewe & Nantwich (2005) and Macclesfield Borough (2004). The previous Plans were subject to Environmental Appraisal in accordance with the legislative requirements at the time. However, in consideration of the length of time since this was undertaken, and to clearly demonstrate SA/SEA process compliance at the current time.
- 5.3 The details of the SA and findings are provided in Appendix A. Overall the SA found that there are no significant negative effects from the Saved Policies. It is acknowledged that the relative significance of issues such as climate change, the understanding and practice of sustainable design and environmental sustainability have developed since this 2004-5, for example, with regard to ecosystems and Green Infrastructure. Nonetheless, it is considered that there are sufficient mitigation measures through Policies in the 3 Local Plans to avoid/minimise negative effects. The Saved Policies also offer potential for some positive effects that will be cumulative in the longer term.

Finalising the SPD & SA of Changes

- 5.4 The details of the screening for SA significance are provided in Appendix B. Many of the modifications to the Design Guide are minor for clarification and to improve overall usability – and will not significantly affect the findings of the previous SA. Additional text added for clarity contributes to strengthening previously found positive effects and/or confirms mitigation measures to ensure no negative effects and removing any previous uncertainty. Overall, the proposed modifications to the Design Guide SPD are likely to confirm and strengthen the previous findings of the SA with positive effects for sustainable development that will be cumulative in the longer term.

6.0 SUMMARY CONCLUSIONS & PROPOSED MONITORING

Summary & Conclusions

- 6.1 Supplementary Planning Documents (SPDs), unlike the Local Plan Strategy & Sites Allocation Documents, do not have a mandatory requirement for SA incorporating Strategic Environmental Assessment. However, in consideration of the recent history of, and interest in, the Cheshire East Local Plan, the Council decided to commission an independent SA of the draft Design SPD to clearly demonstrate that due processes have been followed, and to provide clarity and reassurance to consultees and the Inspector.
- 5.2 The SA has been undertaken according to good practice and in line with Government guidance. It is aligned with the SA of the Local Plan Strategy, following the same methods and approach, and is proportionate - acknowledging the hierarchy of plan-making and the tiering of assessments processes. Overall, the SA has found that the implementation of the Design Guide SPD will have major positive effects on SA Objectives within the scope and sphere of influence of the Plan. The SA made a few minor suggestions that could improve the sustainability of the SPD through making certain factors more explicit. The summary findings may be represented as follows:

Table 5.1: Summary SA Findings

| No. SA Objective | |
|--|-----------|
| SA Theme: Housing & Employment; Services & Amenities | + |
| 1. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability | ++ |
| 17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas. | 0/+ |
| 18. To maintain and enhance the vitality and viability of town and village centres with a balanced provision of retail, leisure, visitor and cultural facilities. | 0/+ |
| 19. Positively manage the Borough's diverse rural economy. | 0/+ |
| 20. Improve access to education and training, and the links between these resources and employment opportunities | 0/+ |
| SA Theme: Communities & Health; Accessibility | ++ |
| 2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport. | ++ |
| 3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion. | + |
| 4. Create an environment that promotes healthy and active lifestyles. | ++ |
| 5. Maintain and/or create vibrant rural communities. | + |
| 6. Create a safe environment to live in and reduce fear of crime. | ++ |
| 7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough. | 0/+ |

| | |
|---|-----------|
| 10. Manage the impacts of development and associated activities to positively address all forms of pollution <i>[air]</i> . | 0/+ |
| SA Theme: Climate Change | ++ |
| 8. Manage the causes and effects of climate change. | ++ |
| SA Theme: Water | ++ |
| 9. Positively address the issues of water quality and quantity and manage flood risk within the Borough. | ++ |
| 10. Manage the impacts of development and associated activities to positively address all forms of pollution <i>[water]</i> . | 0/- |
| SA Theme: Biodiversity | ++ |
| 11. Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally. | ++ |
| SA Theme: Cultural Heritage & Landscape | ++ |
| 12. Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated. | ++ |
| SA Theme: Natural Resources – Energy, Waste, Minerals, Land | ++ |
| 10. Manage the impacts of development and associated activities to positively address all forms of pollution <i>[contaminated land]</i> | 0? |
| 13. Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources. | ++ |
| 14. Achieve sustainable waste management through adhering to the principles of the waste hierarchy | ++ |
| 15. Manage mineral extraction and encourage their recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations. | 0 |
| 16. Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure. | + |

- 5.3 The HRA Screening concluded that the Design Guide SPD is not likely to have significant effects on any European sites as it does not propose any residential development itself. Development will arise as a result of policies in the Local Plan Strategy as well as applications submitted through the development management process. The HRA process for the emerging Local Plan Strategy concluded that the policies and proposed development will not have significant adverse effects on any European sites.

Updating the SA

- 5.4 No comments were received on the SA/SEA & HRA Report (January 2016) from the public consultation between 5 April and 17 May 2016. The relevant Saved Policies from the previous Councils' Plans have been subject to SA and it was found that there were no significant negative effects with suitable

mitigation measures in place and possibilities for promoting positive effects. The proposed modifications to the Design Guide SPD were screened for their significance with regard to SA/SEA. Overall, the findings of the previous SA and HRA remain valid and relevant. Most changes were for clarification and to improve the usability and interpretation of the guide, and not significant for the SA. Some changes strengthened mitigation measures thus removing any uncertainty and confirming that there are no negative effects; other changes strengthened likely positive effects. Overall, the proposed modifications to the Design Guide SPD will have positive effects for sustainable development that is likely to be cumulative in the longer term.

Proposed Monitoring

- 5.5 The SPD, together with the other Local Plan Documents and the SAs, will be monitored as part of the Council's comprehensive Monitoring Report, as required by Government. The SPD has been compiled within the context and requirements of BfL12 - the industry standard; thus self-monitoring. The SPD also includes questions and checklists throughout to aid monitoring. Specific mention of monitoring is noted, for example, Volume 2 v20-21 with measures of sustainability. Page 81 section iv provides longer term certainty because it encourages the provision of Landscape & Habitat Management Plans. No additional proposed monitoring that might be required as part of the SEA process was indicated from the findings of the SA.

Appendix A: Sustainability Appraisal of Saved Policies as set out within the adopted Local Plans – Congleton Borough (2005), Crewe & Nantwich (2005) and Macclesfield Borough (2004)

- A.1 The SA findings (2016) of the Draft Design Guide SPD were considered according to sustainability themes that recognise the inter-relationships amongst the SA Objectives. The same approach was taken for appraising the relevant saved policies to help provide correlation and compatibility. As the policies and proposals in the adopted Local Plans had been subject to Environmental/Sustainability Appraisal¹⁸ (according to legislation and guidance at that time), a pragmatic approach was taken to update the SA with the updated/refined SA Framework and in consideration of "significant" effects in accordance with the requirements of the SEA Regulations and EU Directive.

Housing and Employment;

[SEA Topics: Population, Material Assets]

SA Objectives:

2. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability.
17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas
18. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas.
19. Positively manage the Borough's diverse rural economy.
20. Improve access to education and training, and the links between these resources and employment opportunities.

¹⁸

http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/congleton_local_plan/congleton_local_plan.aspx "A full appraisal has been undertaken of all the policies and proposals in this Local Plan to assess their likely impact on a broad range of environmental and sustainability factors" (paragraph 1.35)
http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/crewe_and_nantwich_local_plan/crewe_and_nantwich_local_plan.aspx "The Borough Council has carried out an appraisal of the Policies and Proposals contained in the Local Plan. This is summarised in a separate Background Document entitled "Borough of Crewe and Nantwich Local Plan Review 2011 – Environmental Appraisal".
http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/macclesfield_local_plan/macclesfield_local_plan.aspx "An environmental appraisal of the Borough Local Plan has been carried out. In each section there is a summary of the appraisal for that particular topic. The results of the full appraisal are available as a background report" (paragraph 1.9)

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich (2005): BE2 Design Standards

Macclesfield (2004): BE1 Design Guidance; DC1-10 Design & Amenity

Other Relevant Saved Policies:

Congleton LP (2005): H1-19 Housing; E3-19 Economy; DP1-11 Development Proposals

Crewe & Nantwich (2005): RES1-13 Housing; E1-7 Employment

Macclesfield (2004): H1-13 Housing; E1-8, 11 & 14 Employment

- A.2 Saved Policies specifically on Design are not all directly relevant to SA Objectives on Housing & Employment; however, they do help ensure that the details of the type of new development aligns with the aims of the Local Plans. Other Saved Policies that promote housing and employment will have major positive effects for SA Objectives on housing and economy/employment. An appropriate quantity & mix of housing and employment is secured through the specific development proposals. Thus SA objectives for housing quality and a low carbon economy are supported with major positive effects that will be cumulative in the longer-term.

Communities and Health; Services & Amenities; Accessibility

[SEA Topics: Population, Health, Material Assets]

SA Objectives:

2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport
3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion
4. Create an environment that promotes healthy and active lifestyles
5. Maintain and/or create vibrant rural communities
6. Create a safe environment to live in and reduce fear of crime.
7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.
10. Manage the impacts of development and associated activities to positively address all forms of pollution *[Air]*

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

Other Relevant Saved Policies:

Congleton LP (2005): GR6-7 Amenity & Health, GR9-10 Accessibility, GR14-16 Cycling & Walking, GR22-23 Services & Facilities, GR19 Infrastructure, S1-16 Town Centres & Shopping, RC1-13 Recreation & Community Facilities, DP4 Retail Sites, DP5 Recreation Sites

Crewe & Nantwich LP (2005): BE1 Amenity, BE3 Access, TRAN1-7 transport, RT1-17 Recreation & Tourism, S1-13 Shopping, Town Centres & Regeneration, CF1-3 Community Needs

Macclesfield LP (2004): NE18 Access to Nature Conservation, RT1-11 Recreation & Tourism, T1-5 Transport, DC15-16 Provision of Facilities,

- A.3 SA Objectives for sustainable communities are supported by specific design policies. For example, Congleton LP GR3 requires consideration of access to services and facilities, including adequate measures for public open space and recreation, together with an appropriate range of dwelling types and sizes taking into account the social mix in the locality – all with neutral to positive effects on SA Objectives 2-5 & 7. GR2 1) D) requires consideration of relationship to neighbouring properties and the locality generally, providing mitigation measures to avoid/minimise potential negative effects and support SA Objectives for existing and new communities. Macclesfield LP RT1-3 protects open spaces and recreational facilities requiring enhancement, as appropriate, - providing mitigation measures and the potential for some minor positive effects; DC6 controls accessibility, including for special needs groups thus supporting SA Objectives for inclusivity.
- A.4 Congleton LP GR3 Policy Criterion IV requires a safe environment supporting SA Objective No 6; GR2 Criterion IV also requires incorporation of measure to reduce the risk of crime - all with synergistic positive effects. Crewe & Nantwich LP BE2 requires provision of design and layout for public safety and to deter vandalism and crime, and BE3 requires safe pedestrian access, providing mitigation measures to reduce any negative effects. Macclesfield LP DC3 Amenity protects health and DC5 protects safety including reducing the risk of further crime providing mitigation measures against potential negative effects.
- A.5 Congleton LP GR3 Criterion V seeks safe and convenient pedestrian & cycle movement, minimising impacts of the car with potential positive effects on air quality in the longer term. Crewe & Nantwich LP BE1 requires that new development should not lead to an increase in air pollution and NE17 Pollution Control requires that new development will not lead to any increase

in air pollution – providing strong mitigation measures. Macclesfield LP RT7 seeks to create a network of cycleways, bridleways & footpaths with the minor positive effects on SA Objectives for accessibility and human health that will be cumulative and synergistic in the longer term.

- A.6 SA Objectives for sustainable communities are supported by LP Policies for provision and accessibility to services and facilities with positive effects that are cumulative in the longer term. Some Policies are specifically associated with provision of sufficient infrastructure, for example, Congleton GR19. Site specific requirements for services and facilities are set out in many policies – providing strong mitigation measures for potential negative effects and positive effects in the longer term.
- A.7 Some Policies have direct positive effects through protecting human health, for example, Congleton LP GR6, and Macclesfield LP DC3. Other Policies encourage healthy lifestyles through provision and access to recreational & open space facilities, such as Congleton LP RC1-2 & DP5, Crewe & Nantwich LP RT1-6, 9-17, and Macclesfield DC15-16. Certain Policies encourage healthy lifestyles through provision and access to sustainable transport modes of cycling and walking, for example, Congleton LP GR14-16, Crewe & Nantwich LP RT9 & TRAN6, and Macclesfield TR2-5. Certainty of positive effects is further secured through site specific requirements in development proposals/site allocations ensuring that mitigation measures to reduce/avoid potential negative effects are implemented.

Climate Change

[SEA Topics: Climatic Factors]

SA Objectives:

- 8.** Manage the causes and effects of climate change.

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

Other Relevant Saved Policies:

Congleton LP (2005): GR9-16 Accessibility & Transport,

Crewe & Nantwich LP (2005): TRAN1-12 Transportation,

Macclesfield LP (2004): H5 (4) Housing

- A.8 This section considers the implications of Saved Policies on managing and adapting to climate change with regard to accessibility and transport; flood risk is considered within the section on water and energy is considered in the section on natural resources. Congleton LP GR3 1) A) requires efficiencies with regard to access to services & facilities and choice of travel with the potential

for neutral or minor positive effects in the longer term through mitigation measures of reducing vehicle emissions by reducing the need to travel.

- A.9 Similarly, Crewe & Nantwich LP TRAN1-2 promotes public transport, TRAN3 promotes pedestrians, and TRAN5-6 promote cycling – all contributing to reducing the need to use vehicles and with potential for minor positive cumulative effects in the longer term. Macclesfield LP H5 requires that windfall housing sites should take into account any risk that may result from climate change; policies encouraging sustainable transport such as RT6 will reduce the need to travel with vehicles with the potential for minor positive cumulative effects in the longer term through reducing emissions.

Water

[SEA Topics: Water, Material Assets, Health]

SA Objectives:

- 9. Positively address the issues of water quality and quantity and manage flood risk within the Borough
- 10. Manage the impacts of development and associated activities to positively address all forms of pollution. [Water]

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design
Crewe & Nantwich LP (2005): BE2 Design Standards
Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenities

Other Relevant Saved Policies:

Congleton LP (2005): GR21 Flood Prevention
Crewe & Nantwich LP (2005): BE4 Drainage, Utilities & Resources; NE17 Pollution Control; NE20 Flood Prevention;
Macclesfield LP (2004): DC17-20 Water Resources,

- A.10 Utilities, prevention of pollution/protecting water quality, and flood risk are generally addressed directly through specific Saved Policies in the 3 Local Plans, for example, Congleton GR19-21 that includes requirement for using Sustainable Drainage Systems (SUDS), as appropriate, in GR20 1) & V). Mitigation measures are thus provided by Saved Policies such that there will be no significant negative effects on SA Objectives Nos 9 -10; there is also the potential for minor positive effects where SUDS are implemented with cumulative effects in the longer term.
- A.11 For example, Crewe & Nantwich LP NE17 specifically requires that pollution of surface water or groundwater will not be increased, providing strong mitigation measures with overall neutral effects on SA Objectives. Flood prevention is detailed in NE20 ensuring no significant negative effects.

Macclesfield LP DC17-20 protect water quality, the natural floodplain functioning and require incorporation of SUDS where appropriate, to reduce flood risk with the potential for positive effects.

Biodiversity

[SEA Topics: biodiversity, flora, fauna]

SA Objectives:

11. Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally.

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

Other Relevant Saved Policies:

Congleton LP (2005): NR1-5 Natural Environment

Crewe & Nantwich LP (2005): NE5-10 Nature Conservation

Macclesfield LP (2004): NE1-18 Natural Environment

- A.12 Specific Design Policies do not necessarily directly support objectives for biodiversity as this is protected by other Save Policies. For example, Congleton Saved Policy GR2 11) D) requires new development to maximise opportunities for creating wildlife/nature conservation habitats where such features can reasonably be included as part of site layouts and landscaping works with potential positive effects for SA Objective No 11 that are likely to be cumulative in the longer term. Crewe & Nantwich LP NE5-10 Nature Conservation Policies require new development to protect, conserve and enhance the natural conservation resources from international to local providing strong mitigation measures for any negative effects and the potential for minor positive effects, which will be cumulative in the longer term. Macclesfield LP NE7-18 protects nature conservation and seeks enhancement; NE15 specifically requires habitat enhancement, with the potential for positive effects that are cumulative in the longer term
- A.13 Important biodiversity and geodiversity protected at the international and national levels had already been considered through the site allocation process during the Local Plan preparation. Sites that could have major negative effects on such important habitats and features have been avoided. Further protection is provided through specific Saved Polices such as Congleton NR1-5 that require avoidance and/or other mitigation measures

for potential negative effects, Crewe & Nantwich NE5-10, Macclesfield LP NE11. Geodiversity is not specifically cited in the Saved Policies of the LPs and this reflects the planning guidance at the time (specificity included in the NPPF, 2012).

- A.14 There is no mention of Green Infrastructure¹⁹ that recognises the inter-relationships between biodiversity for nature, people and environmental resources, or ecosystem services – the national²⁰ approach to the environment in terms of the benefits provided to society and continued economic prosperity. However, these are matters that have developed since the preparation of the Local Plans and their Saved Policies. Overall, there are no significant negative effects likely from the Saved Policies and some minor positive effects are indicated through those Policies protecting important biodiversity.

Cultural Heritage and Landscape

[SEA Topics: Cultural Heritage, including architectural & archaeological heritage; Landscape]

SA Objectives:

12. Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

Other Relevant Saved Policies:

Congleton LP (2005): GR4-5 Landscaping; BH1-16 Built Environment & Heritage

Crewe & Nantwich LP (2005): BE1-21 the Built Environment

Macclesfield LP (2004): NE1-18 Natural Environment; BE1-24 Built Environment

- A.15 The key Saved Policies on Design detail the requirements for new development and specifically relate to requirements for landscaping/townscape and heritage. For example, Congleton LP GR1 expects all development to be of a high standard, GR2 Design specifies overarching design criteria including landscaping, layouts & design that support the SA Objective with positive effects; GR2 111) requires respect for conservation, historic, architectural & archaeological valued/important features and areas within the site and a statement of design principles is required for large-scale, complex or sensitive sites providing further mitigation measures for any potential negative effects. GR3 requires consideration of

¹⁹ <http://publications.naturalengland.org.uk/publication/35033>

²⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf

the intrinsic qualities and character of the site and its surroundings – all contributing to provision of mitigation measures to avoid negative effects and promote positive effects against SA Objective No 12.

- A.16 Crewe & Nantwich LP BE2 requires new development to achieve a high standard of design and wherever possible, enhance the build environment. Saved Policies NE1-4 protect visual amenity and special landscape values in the countryside providing mitigation measures to limit negative effects for this SA Objective. Saved Policies BE7-14 include requirements to preserve and enhance Conservation Areas and protect Listed Buildings with mitigation measures for potential negative effects and the possibility for positive effects through enhancement.
- A.17 Macclesfield LP BE1 requires promotion of high standards of design that reflect local character, respecting surrounding buildings and their settings, and contributing to a rich environment and adding to the vitality of the area – all with positive effects for SA Objective No 12 that will be synergistic and cumulative in the long term. BE3-13 sets out requirements for Conservation Areas providing strong mitigation and seeking enhancement with positive effects. BE2 seeks to preserve, enhance and interpret the historic fabric with further detailed requirements set out in BE15-24 including the settings of important historic assets.

Natural Resources: Energy, Waste, Minerals, Land

[SEA Topics: Soil, Material Assets]

[Water, Biodiversity and Air are considered within other themes]

SA Objectives:

- 10.** Manage the impacts of development and associated activities to positively address all forms of pollution [contaminated land]
- 13.** Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources
- 14.** Achieve sustainable waste management through adhering to the principles of the waste hierarchy
- 15.** Manage mineral extraction and encourage their recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations
- 16.** Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure

Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

Other Relevant Saved Policies:

Congleton LP (2005): NR6-9 Reclamation of Land, Renewable Energy

Crewe & Nantwich LP (2005): BE4-6 Land, Infrastructure, Utilities; NE12

Agricultural Land Quality; NE19 Renewable Energy

Macclesfield LP (2004): DC19 Water Resources; DC62 Renewable Energy

- A.18 Protection of natural resources is generally not addressed directly through Design Saved Policies but rather through topic specific Policies, although Congleton GR2 Criterion VI requires taking into account the need for energy conservation and efficiency – with positive effects for SA Objective No 13. For example, Congleton NR6 Reclamation of Land protects life, health and the environment, and NR9 Renewable Energy guides such development with positive effects on SA Objectives.
- A.19 Crewe & Nantwich LP NE12 asserts that development on the best and most versatile agricultural land (Grade 1-3a) will not be permitted unless certain conditions are met – providing mitigation measures to minimise potential negative effects. BE2 Design Standards require that new development takes into account the need for energy efficiency by means of building type, orientation, and layout – with positive effects for SA Objective No 12.
- A.20 Macclesfield LP DC62 controls development proposals for renewable energy and the LP recognises that the most sustainable policies are those that promote woodland, landscapes and water resources that protect renewable energy sources for the future. Agricultural land is protected through Policies GC1-9 Green Belt & Countryside.
- A.21 Agricultural land has been protected through the assessment and allocation of specific sites in the Local Plans; extraction of minerals and sties for waste disposal are dealt with by the County Council's Plans; there are no likely significant negative effects on SA Objective Nos 14-16, mitigation measures are in place and some positive effects may be indicated.

Inter-relationships

- A.22 There are various inter-relationships of effects from design and other policies, particularly the inherent interactions between biodiversity, landscape, cultural and historic heritage, and socio-economic factors especially health and well-being. The Saved Policies are in accordance with legislation and guidance at the time they were prepared. The relative significance of issues such as climate change, the understanding and practice of sustainable design and

environmental sustainability have developed since this time, for example, with regard to ecosystems and Green Infrastructure. Nonetheless, it is considered that the Saved Policies in the 3 Local Plans still provide sufficient mitigation measures to avoid/minimise negative effects; they also offer potential for some positive effects that will be cumulative in the longer term.

Appendix B: Screening of Modifications to SPD for Significance for the SA

The table below summarises the key changes that have been made to the draft Design SPD considering issues raised during the public consultation (6 April to 18 May 2016). Many of the modifications are minor text amendments to improve clarity, consistency and accuracy; others seek to improve the overall usability and interpretation of the document. Such changes are not likely to significantly affect the previous findings of the SA (January 2016) and they are not recorded here. The full schedule of issues raised and modifications made is set out in the appendix to the Statement of Consultation on adoption of the SPD (available on the Council website <http://www.cheshireeast.gov.uk/planning/borough-design-guide>).

| SA Ref No. | Summary of Changes, Deletions and Additions | Screening: do the changes, deletions and additions significantly affect the findings of the previous SA or give rise to significant effects? SA & HRA Report (January 2016) http://www.cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx |
|------------|---|--|
| 1 | Further clarification for considering the needs of different age groups & family circumstances (SA recommendation No 1). Additional text suggesting that Lifetime Homes principles could be considered. | The further clarification contributes to likely positive effects found for the SA accessibility/inclusion objectives. |
| 2 | New paragraph added after Vol 2 iv/63 to make explicit the inter-relationships between public transport, walking/cycling and consequent impacts on greenhouse gas emissions (SA recommendation No 2). | The further clarification contributes to likely positive effects found for the SA objective on climate change. |
| 3 | New paragraph after Vol 2 iv/63 requiring avoidance of water pollution (SA recommendation No 3). | This confirms mitigation measures to ensure no negative effects on SA objectives for water quality, confirming neutral/positive effects and removing any uncertainty – overall, confirms findings of previous SA. |
| 4 | Additional text “and geodiversity” after iv/09; and new paragraph on ecosystem services after iv/11 (SA recommendation No 4). | This confirms mitigation measures to ensure no negative effects on SA objectives for geodiversity and removing any uncertainty. The new paragraph on ecosystem services strengthens the likely positive effects on biodiversity & inter-relationships with human health and socio-economic factors – overall, confirms findings of previous SA with potential for enhanced cumulative effects in the longer term. |

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| 5 | New paragraph after i/07 includes explicit requirement to consider potential impacts on heritage assets and their settings and including archaeology (SA recommendation No 5). | This confirms mitigation measures to ensure no negative effects on SA objectives for the historic environment and removing any uncertainty. |
| 6 | Additional clarity provided within the wording on the trigger for design coding including alignment with definition in Local Plan of 150 units for strategically important development (Vol 1 iii/30-32). | The additional clarification, especially in paragraph iii/32 that now aligns the trigger for outline schemes requiring a supporting Design Code at more than 150 dwellings, confirms mitigation measures to ensure no negative effects on SA objectives, removes any uncertainty, & strengthens possibilities for enhancement of positive effects that will be cumulative in the longer term. |
| 7 | Addition of sample settlement guidance for Poynton as a Key Service Centre in Vol 1 ii | Should confirm mitigation measures for any potential negative effects & confirm Kiley positive effects for Poynton – confirms findings of previous SA. |
| 8 | Clarification of tissue studies requirements for settlements & changes to Vol 1 iii/57. | Clarifies requirements for contextual assessment of site & wider context; not significant with regard to the SA findings. |
| 9 | New paragraph after i/27 to make explicit the connection between Neighbourhood Plans & the SPD. | This is likely to enhance positive effects identified for SA objectives on communities by helping to ensure that local design matters are taken into consideration in new development. |
| 10 | Amendments to paragraph iv/17 to include reference to the canal towpath network for travel choices & recreation. | This explicit mention of towpaths should strengthen positive effects found for SA objectives on sustainable transport, human health, and recreation. |
| 11 | Clarification for enclosure ratios including new text after ii/30. | This should help ensure mitigation measures are implemented for any potential negative effects on landscape/townscape & visual impact; helps remove any uncertainty in the SA findings for SA Objectives on landscape/visual amenity. |
| 12 | Additional text provided in checklist on p90 and after v/10 providing further information on cycling including provision of storage. | Enhances support for SA objectives on sustainable transport and human health and strengthens positive effects found in the previous SA. |
| 13 | Sustainability checklist – amendments to criteria 7 & 8 for clarification. | Clarification but overall not significant for SA findings. |
| 14 | Minor rewording in Vol 1 iii/11 & 12 to include "strongly encouraged" to a comprehensive approach for adjoining land/developments. | Provides clarification for a comprehensive approach that will help ensure that inter-relationships between effects are considered with likely enhancement of positive effects & confirmation of mitigation measures for any negative effects. |
| 15 | Additional text after vi/26 to make explicit that health impact assessments should consider noise & | This will strengthen the positive effects found in the SA for objectives on pollution control and human health. |

| | | |
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| | other forms of pollution that would adversely impact upon their emotional & physical well-being. | |
| 16 | Additional reference to cycling facilities criteria 3 & 4 & 5 of Working with the Grain of the Place Checklist; additional question in sustainability checklist. | This will strengthen positive effects for SA objectives on sustainable transport & human health by explicit mention of cycling. |
| 17 | Amendments to Vol 1 i/46 & iii/63-68 to provide clarification regarding lighting requirements. | Clarification supports positive effects for SA objectives on pollution control/visual amenity and human health with regard to safety; also confirms mitigation measures for any negative effects on bats & biodiversity SA objectives. |
| 18 | Additional sentence after Vol 2 iv/15 to include specific reference to nesting birds & roosting bats. | This will strengthen positive effects for SA objective on biodiversity. |
| 19 | Further references to towpaths & canals as important aspects of green & blue infrastructure in Vol 2 – text added after iii/39 & iv/71. | This will strengthen the positive effects for SA objectives on sustainable transport & human health. |
| 20 | Additional paragraph after v/13 to reinforce text on protection of natural resources in chapter iv. | Will reinforce positive effects for SA objectives on air, land & water quality. |
| 21 | Additional paragraph after Vol 2 iv/115 to address succession planting and specific reference to veteran trees, ancient woodland & hedgerows. | This additional specific text on trees will strengthen positive effects and confirm mitigation measures for SA objectives on biodiversity and landscape/visual amenity. |
| 22 | Additional text after Vol 2 vi/19 to include requirement for sufficient natural light. | Will strengthen positive effects on SA objective for human health. |

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