

Cabinet Member for Housing and Jobs

Agenda

Date: Tuesday, 21st October, 2014

Time: 9.15 am

Venue: The Kim Ryley Room - Westfields, Middlewich Road Sandbach

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

2. Declarations of Interest

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. Public Speaking Time/Open Session

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relating to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. Neighbourhood Area Application - Audlem (Pages 1 - 8)

To consider designating Audlem Parish as Audlem Neighbourhood Area for the purposes of preparing the Audlem Neighbourhood Plan.

For requests for further information

Contact: Cherry Foreman

Tel: 01270 686460

E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies

5. **Neighbourhood Area Application - Bunbury** (Pages 9 - 16)

To consider designating Bunbury Parish as Bunbury Neighbourhood Area for the purposes of preparing the Bunbury Neighbourhood Plan.

6. **Neighbourhood Area Application - Middlewich** (Pages 17 - 24)

To consider designating Middlewich Parish as Middlewich Neighbourhood Area for the purposes of preparing the Middlewich Neighbourhood Plan.

7. **Neighbourhood Area Application - Poynton** (Pages 25 - 32)

To consider designating Poynton Parish as Poynton Neighbourhood Area for the purposes of preparing the Poynton Neighbourhood Plan.

8. **Neighbourhood Area Application - Sandbach** (Pages 33 - 40)

To consider designating Sandbach Parish as Sandbach Neighbourhood Area for the purposes of preparing the Sandbach Neighbourhood Plan.

9. **Neighbourhood Area Application - Stapeley and District** (Pages 41 - 46)

To consider designating Stapeley and District Parish as Stapeley and District Neighbourhood Area for the purposes of preparing the Stapeley and District Neighbourhood Plan.

CHESHIRE EAST COUNCIL**PORTFOLIO HOLDER HOUSING AND JOBS**

Date of Meeting: 21 October 2014
Report of: Strategic Planning & Housing Manager
Subject/Title: Audlem Neighbourhood Area Application
Portfolio Holder: Councillor Don Stockton

1.0 Report Summary

- 1.1 The report requests designation of the Audlem Neighbourhood Area. An application to designate this neighbourhood area was submitted by Audlem Parish Council in August 2014. Discussions on the extent of the neighbourhood area have been held; the extent of the neighbourhood area is proposed to reflect the extent of the Parish boundary for Audlem.

2.0 Recommendations

- 2.1 Approve and designate Audlem Parish as Audlem Neighbourhood Area, for the purposes of preparing Audlem Neighbourhood Plan, as per the map attached at Appendix 1.

3.0 Reasons for Recommendations

- 3.1 It is considered that the Audlem neighbourhood area application has been prepared in accordance with existing regulations and guidance and is desirable to designate for these reasons:
- The application submitted meets the requirements as presented at Part 2 (5) of the Neighbourhood Planning (General) Regulations 2012
 - Audlem Parish Council is the relevant body to undertake Neighbourhood Planning
 - The Neighbourhood Plan Area follows the existing political and administrative boundary for the Parish of Audlem and does not include land in any adjoining Parish
 - No other applications have been made for Neighbourhood Areas covering all or part of the area
 - Issues concerning strategic interests in the Parish have been discussed; no relevant strategic issues have been identified

4.0 Wards Affected

- 4.1 Audlem

5.0 Local Ward Members

- 5.1 Councillor Rachel Bailey

6.0 Policy Implications

- 6.1 The designation of Audlem Parish as a neighbourhood area will allow Audlem Parish Council to prepare a neighbourhood plan with formal statutory powers. Once completed, the plan will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Once adopted, the policies eventually held in the Audlem Neighbourhood Plan will be used for decision making purposes within the parish of Audlem alongside those other relevant policies from the Cheshire East Development Plan.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Audlem (a largely rural parish) to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The process allows greater engagement of rural communities and for such communities to take ownership of planning policy which directly affects their futures.

8.0 Financial Implications

- 8.1 The designation of a neighbourhood area for Audlem Parish will not incur direct costs to the Council in itself, however this application, and future applications, will require input and time from officers both in the Spatial Planning team and from other services. A package of technical support has been made available to Audlem Parish Council toward preparing a neighbourhood plan. This support is being made available within the existing budget for the Spatial Planning team. There are also other grants available from Cheshire East council that may be awarded and from external bodies such as Locality.
- 8.2 At a later stage direct costs will be incurred as the Council is required to hold an independent examination of the proposed neighbourhood plan and a referendum on the plan. Under the Neighbourhood Planning (General) Regulations 2012, the costs of this examination and referendum are required to be met by the Council. Such costs will be met through existing budgets and through grant funding from central government (£20,000 payable to the authority from central government in recognition of the costs of referendums and payable upon successful examination of a neighbourhood plan)
- 8.3 The Community Infrastructure Levy (CIL) is a charge levied on new development. Where an adopted CIL is in place, 15% of all CIL payments must be allocated to the local council which hosts development. Where such a local council has an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 Neighbourhood area applications must be made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. Any qualifying body (including a parish council) is entitled to initiate the process. Applications must be publicised in compliance with Regulation 6 of those regulations. Section 61G of the Town and Country Planning Act 1990 sets out the requirements for determining applications for an area to be designated a neighbourhood area. Section 61G(5)(c) of the 1990 Act provides that a 'neighbourhood area' must be an area which the local planning authority considers "appropriate". In determining an application, the local planning authority must also have regard to the desirability of designating the whole of the area of a parish council as the neighbourhood area.
- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, are prepared in accordance with the Town and Country Planning

Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

- 9.3 A “neighbourhood area” can be an area within the Local Planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the Local Planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5): In determining an application the authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area. Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum.
- 9.4 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted (‘made’) by the Council, form part of the Development Plan for Cheshire East. The content of the Audlem Neighbourhood Plan is as yet unknown and will only be determined by the community through the process of plan making. The content may include site allocations for development or policies that relate to the development of land. Neighbourhood plans are increasingly scrutinised by the development industry and are becoming the subject of legal challenge. As any future neighbourhood plan would form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond.
- 10.2 Managing this risk means carefully following the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance.

11.0 Background and Options

- 11.1 The Localism Act 2011 introduced new legal rights that enable communities to prepare local development plans (neighbourhood plans) with equal weight to the Local Plan for decision making purposes on development proposals.
- 11.2 Such plans have the power to allocate land for development purposes and establish local policies applicable to the development of land. Any future neighbourhood plan must be prepared in accordance with the National Planning Policy Framework (NPPF) and the strategic policies held within the Development Plan of the host local authority.
- 11.3 The first stage in establishing a neighbourhood plan is the designation of a neighbourhood area (the geographic extent within which future policies and land designations will apply).
- 11.4 Audlem Parish Council has applied to designate the full extent of Audlem Parish as the Audlem Neighbourhood Area.
- 11.5 In considering this application Cheshire East Council must give regard to whether the application has been prepared in accordance with existing regulations and guidance and whether such a designation is desirable and appropriate for future planning in Audlem and its surrounding locality.

- 11.6 The emerging Local Plan Strategy and the existing Development Plan for Cheshire East do not identify any strategic interests within the Parish.

12.0 Conclusions

- 12.1 For the reasons set out in section 3 above, it is recommended to approve and designate Audlem Parish as Audlem Neighbourhood Area, for the purposes of preparing Audlem Neighbourhood Plan, as per the map attached at Appendix 1.

13.0 Access to Information

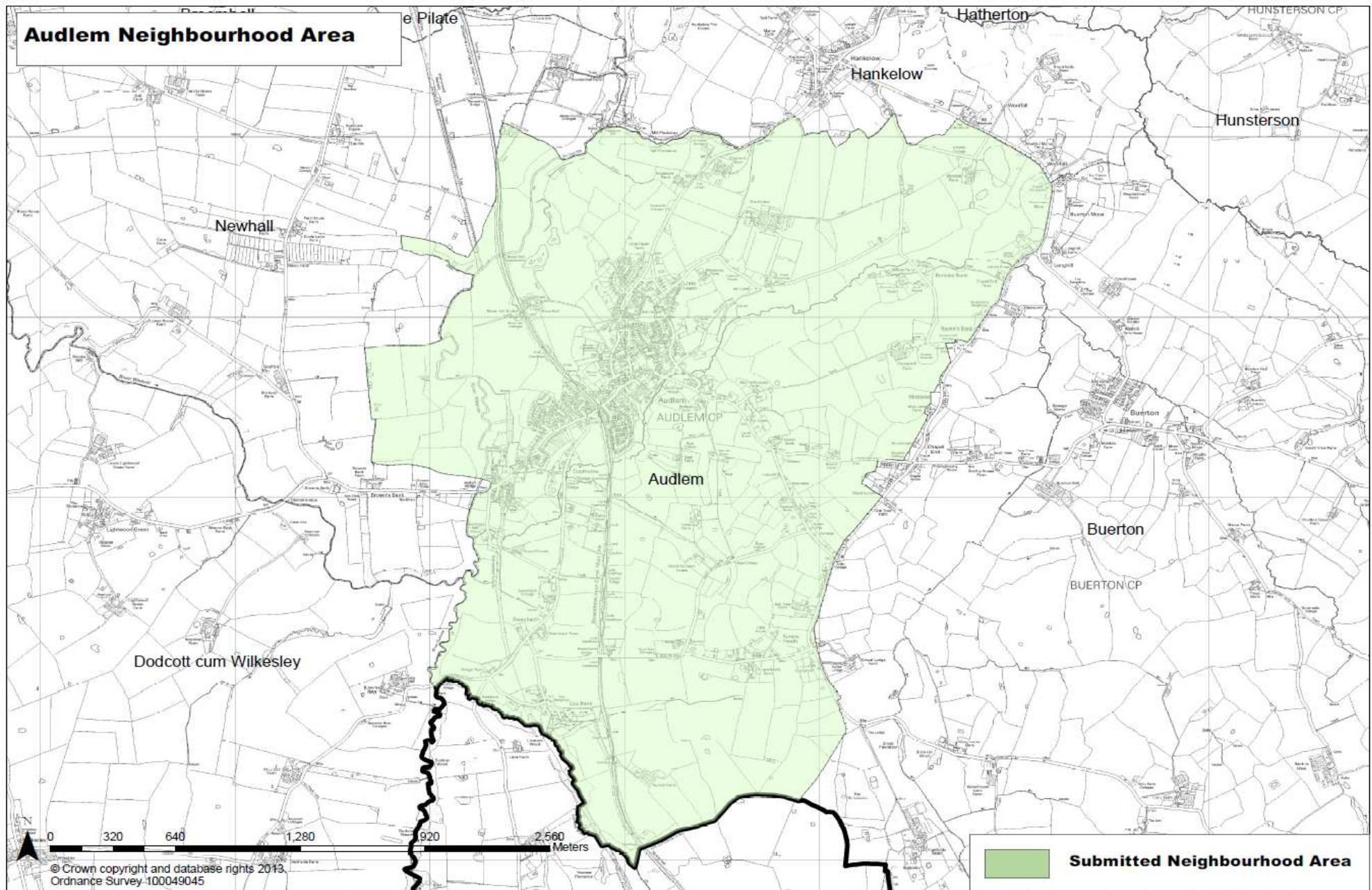
The background papers relating to this report can be inspected by contacting the report writer:

Name: Tom Evans
Designation: Principal Planning Officer
Tel No: 01625 383709
Email: Tom.evans@cheshireeast.gov.uk

14.0 Appendix 1: Proposed Bunbury Neighbourhood Area

15.0 Appendix 2: Results of Consultation

Appendix 1: Proposed Audlem Neighbourhood Area



Appendix 2: Results of Consultation

2 responses were received to the consultation. Of these, both were comments only and did not express support or objection to the proposal.

All comments are available via this link:

http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/audlem_neighbourhood_area_consultation

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CHESHIRE EAST COUNCIL**PORTFOLIO HOLDER HOUSING AND JOBS**

Date of Meeting: 21 October 2014
Report of: Strategic Planning & Housing Manager
Subject/Title: Bunbury Neighbourhood Area Application
Portfolio Holder: Councillor Don Stockton

1.0 Report Summary

- 1.1 The report requests designation of the Bunbury Neighbourhood Area. An application to designate this neighbourhood area was submitted by Bunbury Parish Council in August 2014. Discussions on the extent of the neighbourhood area have been held; the extent of the neighbourhood area is proposed to reflect the extent of the Parish boundary for Bunbury.

2.0 Recommendations

- 2.1 Approve and designate Bunbury Parish as Bunbury Neighbourhood Area, for the purposes of preparing Bunbury Neighbourhood Plan, as per the map attached at Appendix 1.

3.0 Reasons for Recommendations

- 3.1 It is considered that the Bunbury neighbourhood area application has been prepared in accordance with existing regulations and guidance and is desirable to designate for these reasons:
- The application submitted meets the requirements as presented at Part 2 (5) of the Neighbourhood Planning (General) Regulations 2012
 - Bunbury Parish Council is the relevant body to undertake Neighbourhood Planning
 - The Neighbourhood Plan Area follows the existing political and administrative boundary for the Parish of Bunbury and does not include land in any adjoining Parish
 - No other applications have been made for Neighbourhood Areas covering all or part of the area
 - Issues concerning strategic interests in the Parish have been discussed; no relevant strategic issues have been identified

4.0 Wards Affected

- 4.1 Bunbury

5.0 Local Ward Members

- 5.1 Councillor Michael Jones

6.0 Policy Implications

- 6.1 The designation of Bunbury Parish as a neighbourhood area will allow Bunbury Parish Council to prepare a neighbourhood plan with formal statutory powers. Once completed, the plan will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Once adopted, the policies eventually held in the Bunbury Neighbourhood Plan will be used for decision making purposes within the parish of Bunbury alongside those other relevant policies from the Cheshire East Development Plan.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Bunbury (a largely rural parish) to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The process allows greater engagement of rural communities and for such communities to take ownership of planning policy which directly affects their futures.

8.0 Financial Implications

- 8.1 The designation of a neighbourhood area for Bunbury Parish will not incur direct costs to the Council in itself, however this application, and future applications, will require input and time from officers both in the Spatial Planning team and from other services. A package of technical support has been made available to Bunbury Parish Council toward preparing a neighbourhood plan. This support is being made available within the existing budget for the Spatial Planning team. There are also other grants available from Cheshire East council that may be awarded and from external bodies such as Locality.
- 8.2 At a later stage direct costs will be incurred as the Council is required to hold an independent examination of the proposed neighbourhood plan and a referendum on the plan. Under the Neighbourhood Planning (General) Regulations 2012, the costs of this examination and referendum are required to be met by the Council. Such costs will be met through existing budgets and through grant funding from central government (£20,000 payable to the authority from central government in recognition of the costs of referendums and payable upon successful examination of a neighbourhood plan)
- 8.3 The Community Infrastructure Levy (CIL) is a charge levied on new development. Where an adopted CIL is in place, 15% of all CIL payments must be allocated to the local council which hosts development. Where such a local council has an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 Neighbourhood area applications must be made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. Any qualifying body (including a parish council) is entitled to initiate the process. Applications must be publicised in compliance with Regulation 6 of those regulations. Section 61G of the Town and Country Planning Act 1990 sets out the requirements for determining applications for an area to be designated a neighbourhood area. Section 61G(5)(c) of the 1990 Act provides that a 'neighbourhood area' must be an area which the local planning authority considers "appropriate". In determining an application, the local planning authority must also have regard to the desirability of designating the whole of the area of a parish council as the neighbourhood area.
- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, are prepared in accordance with the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

- 9.3 A “neighbourhood area” can be an area within the Local Planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the Local Planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5): In determining an application the authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area. Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum.
- 9.4 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted (‘made’) by the Council, form part of the Development Plan for Cheshire East. The content of the Bunbury Neighbourhood Plan is as yet unknown and will only be determined by the community through the process of plan making. The content may include site allocations for development or policies that relate to the development of land. Neighbourhood plans are increasingly scrutinised by the development industry and are becoming the subject of legal challenge. As any future neighbourhood plan would form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond.
- 10.2 Managing this risk means carefully following the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance.

11.0 Background and Options

- 11.1 The Localism Act 2011 introduced new legal rights that enable communities to prepare local development plans (neighbourhood plans) with equal weight to the Local Plan for decision making purposes on development proposals.
- 11.2 Such plans have the power to allocate land for development purposes and establish local policies applicable to the development of land. Any future neighbourhood plan must be prepared in accordance with the National Planning Policy Framework (NPPF) and the strategic policies held within the Development Plan of the host local authority.
- 11.3 The first stage in establishing a neighbourhood plan is the designation of a neighbourhood area (the geographic extent within which future policies and land designations will apply).
- 11.4 Bunbury Parish Council has applied to designate the full extent of Bunbury Parish as the Bunbury Neighbourhood Area.
- 11.5 In considering this application Cheshire East Council must give regard to whether the application has been prepared in accordance with existing regulations and guidance and whether such a designation is desirable and appropriate for future planning in Bunbury and its surrounding locality.
- 11.6 There are no strategic interests located in the Parish as identified by the emerging Local Plan Strategy and existing Development Plan.

12.0 Conclusions

- 12.1 For the reasons set out in section 3 above, it is recommended to approve and designate Bunbury Parish as Bunbury Neighbourhood Area, for the purposes of preparing Bunbury Neighbourhood Plan, as per the map attached at Appendix 1.

13.0 Access to Information

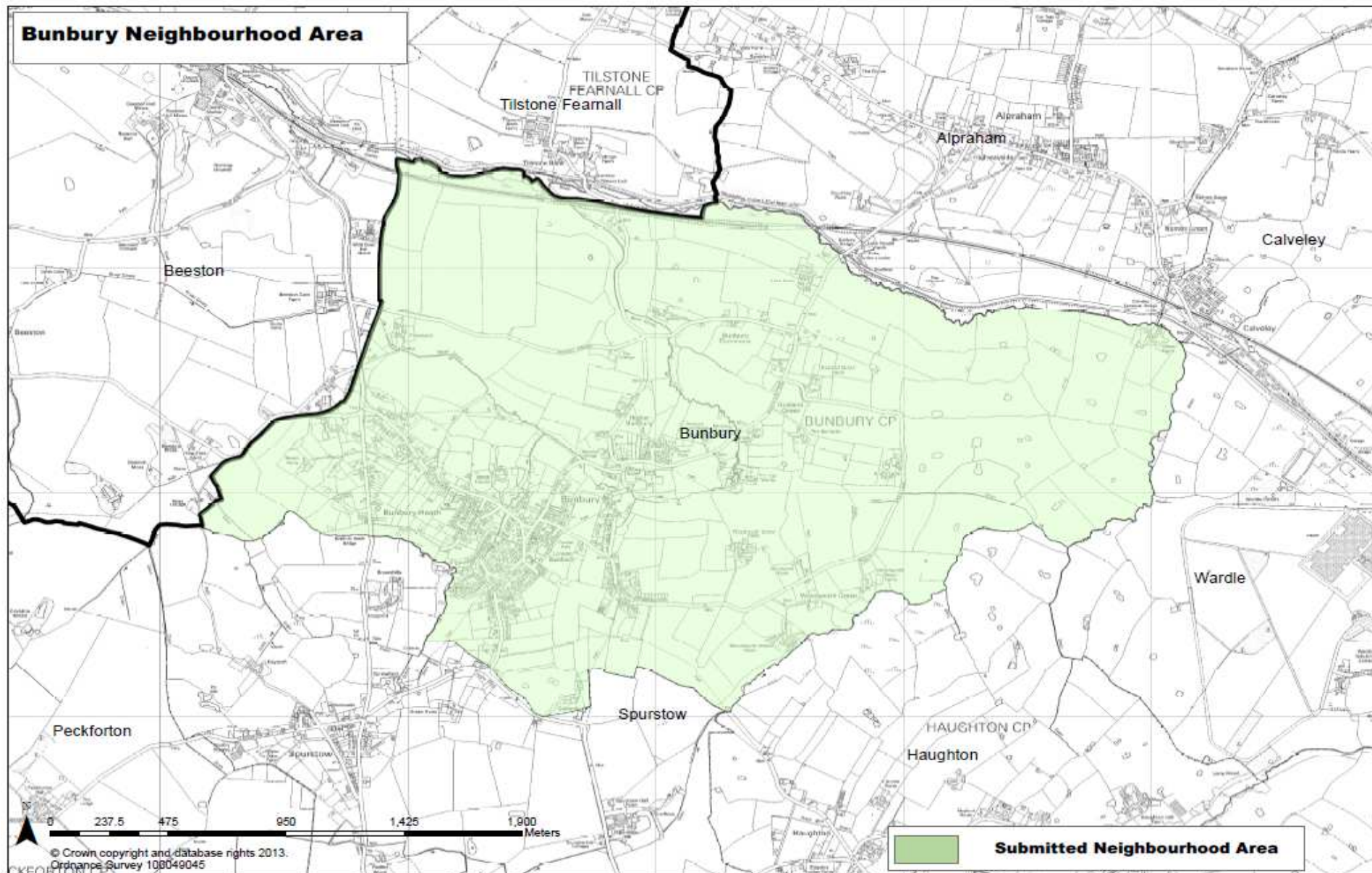
The background papers relating to this report can be inspected by contacting the report writer:

Name: Tom Evans
Designation: Principal Planning Officer
Tel No: 01625 383709
Email: Tom.evans@cheshireeast.gov.uk

14.0 Appendix 1: Proposed Bunbury Neighbourhood Area

15.0 Appendix 2: Results of Consultation

Appendix 1: Proposed Bunbury Neighbourhood Area



Appendix 2: Results of Consultation

5 responses were received to the consultation. Of these, 3 supported the proposed neighbourhood area and 2 submitted comments only.

All comments are available via this link:

http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/Bunbury_neighbourhood_area_consultation?tab=list

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CHESHIRE EAST COUNCIL**PORTFOLIO HOLDER HOUSING AND JOBS**

Date of Meeting: 21 October 2014
Report of: Strategic Planning & Housing Manager
Subject/Title: Middlewich Neighbourhood Area Application
Portfolio Holder: Councillor Don Stockton

1.0 Report Summary

- 1.1 The report requests designation of the Middlewich Neighbourhood Area. An application to designate this neighbourhood area was submitted by Middlewich town Council in August 2014. Discussions on the extent of the neighbourhood area have been held; the extent of the neighbourhood area is proposed to reflect the extent of the Parish boundary for Middlewich.

2.0 Recommendations

- 2.1 Approve and designate Middlewich Parish as Middlewich Neighbourhood Area, for the purposes of preparing Middlewich Neighbourhood Plan, as per the map attached at Appendix 1.

3.0 Reasons for Recommendations

- 3.1 It is considered that the Middlewich neighbourhood area application has been prepared in accordance with existing regulations and guidance and is desirable to designate for these reasons:
- The application submitted meets the requirements as presented at Part 2 (5) of the Neighbourhood Planning (General) Regulations 2012
 - Middlewich Parish Council is the relevant body to undertake Neighbourhood Planning
 - The Neighbourhood Plan Area follows the existing political and administrative boundary for the Parish of Middlewich and does not include land in any adjoining Parish
 - No other applications have been made for Neighbourhood Areas covering all or part of the area
 - Issues concerning strategic interests in the Parish have been discussed; relevant strategic issues have been identified, these are Local Plan Strategy Site CS20 Glebe Farm, Strategic Location SL9 Brooks Lane, Strategic Location SL10 Midpoint 18 Extension and a key piece of infrastructure, the Middlewich Eastern Bypass.

4.0 Wards Affected

- 4.1 Middlewich

5.0 Local Ward Members

- 5.1 Councillor Paul Edwards; Councillor Simon McGrory; Councillor Michael Parsons

6.0 Policy Implications

- 6.1 The designation of Middlewich Parish as a neighbourhood area will allow Middlewich Town Council to prepare a neighbourhood plan with formal statutory powers. Once completed, the plan will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Once adopted, the policies eventually held in the Middlewich Neighbourhood Plan will be used for decision making purposes within the parish of Middlewich alongside those other relevant policies from the Cheshire East Development Plan.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Middlewich (a largely urban parish with close connections to adjacent rural areas) to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The process allows greater engagement of rural communities in and adjoining Middlewich and for Middlewich Town Council to take ownership of planning policy which directly affects rural areas within and adjoining the parish.

8.0 Financial Implications

- 8.1 The designation of a neighbourhood area for Middlewich Parish will not incur direct costs to the Council in itself, however this application, and future applications, will require input and time from officers both in the Spatial Planning team and from other services. A package of technical support has been made available to Middlewich Parish Council toward preparing a neighbourhood plan. This support is being made available within the existing budget for the Spatial Planning team. There are also other grants available from Cheshire East council that may be awarded and from external bodies such as Locality.
- 8.2 At a later stage direct costs will be incurred as the Council is required to hold an independent examination of the proposed neighbourhood plan and a referendum on the plan. Under the Neighbourhood Planning (General) Regulations 2012, the costs of this examination and referendum are required to be met by the Council. Such costs will be met through existing budgets and through grant funding from central government (£20,000 payable to the authority from central government in recognition of the costs of referendums and payable upon successful examination of a neighbourhood plan)
- 8.3 The Community Infrastructure Levy (CIL) is a charge levied on new development. Where an adopted CIL is in place, 15% of all CIL payments must be allocated to the local council which hosts development. Where such a local council has an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 Neighbourhood area applications must be made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. Any qualifying body (including a parish council) is entitled to initiate the process. Applications must be publicised in compliance with Regulation 6 of those regulations. Section 61G of the Town and Country Planning Act 1990 sets out the requirements for determining applications for an area to be designated a neighbourhood area. Section 61G(5)(c) of the 1990 Act provides that a 'neighbourhood area' must be an area which the local planning authority considers "appropriate". In determining an application, the local planning authority must also have regard to the desirability of designating the whole of the area of a parish council as the neighbourhood area.
- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, are prepared in accordance with the Town and Country Planning

Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

- 9.3 A “neighbourhood area” can be an area within the Local Planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the Local Planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5): In determining an application the authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area. Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum.
- 9.4 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted (‘made’) by the Council, form part of the Development Plan for Cheshire East. The content of the Middlewich Neighbourhood Plan is as yet unknown and will only be determined by the community through the process of plan making. The content may include site allocations for development or policies that relate to the development of land. Neighbourhood plans are increasingly scrutinised by the development industry and are becoming the subject of legal challenge. As any future neighbourhood plan would form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond.
- 10.2 Managing this risk means carefully following the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance.

11.0 Background and Options

- 11.1 The Localism Act 2011 introduced new legal rights that enable communities to prepare local development plans (neighbourhood plans) with equal weight to the Local Plan for decision making purposes on development proposals.
- 11.2 Such plans have the power to allocate land for development purposes and establish local policies applicable to the development of land. Any future neighbourhood plan must be prepared in accordance with the National Planning Policy Framework (NPPF) and the strategic policies held within the Development Plan of the host local authority.
- 11.3 The first stage in establishing a neighbourhood plan is the designation of a neighbourhood area (the geographic extent within which future policies and land designations will apply).
- 11.4 Middlewich Town Council has applied to designate the full extent of Middlewich Parish as the Middlewich Neighbourhood Area.
- 11.5 In considering this application Cheshire East Council must give regard to whether the application has been prepared in accordance with existing regulations and guidance and whether such a designation is desirable and appropriate for future planning in Middlewich and its surrounding locality.

- 11.6 There are strategic interests located in the Parish as identified by the emerging Local Plan Strategy and existing Development Plan including these are Local Plan Strategy Site CS20 Glebe Farm, Strategic Location SL9 Brooks Lane, Strategic Location SL10 Midpoint 18 Extension and a key piece of infrastructure, the Middlewich Eastern Bypass. It is considered appropriate to include such strategic interests within the neighbourhood area.

12.0 Conclusions

- 12.1 For the reasons set out in section 3 above, it is recommended to approve and designate Middlewich Parish as Middlewich Neighbourhood Area, for the purposes of preparing Middlewich Neighbourhood Plan, as per the map attached at Appendix 1.

13.0 Access to Information

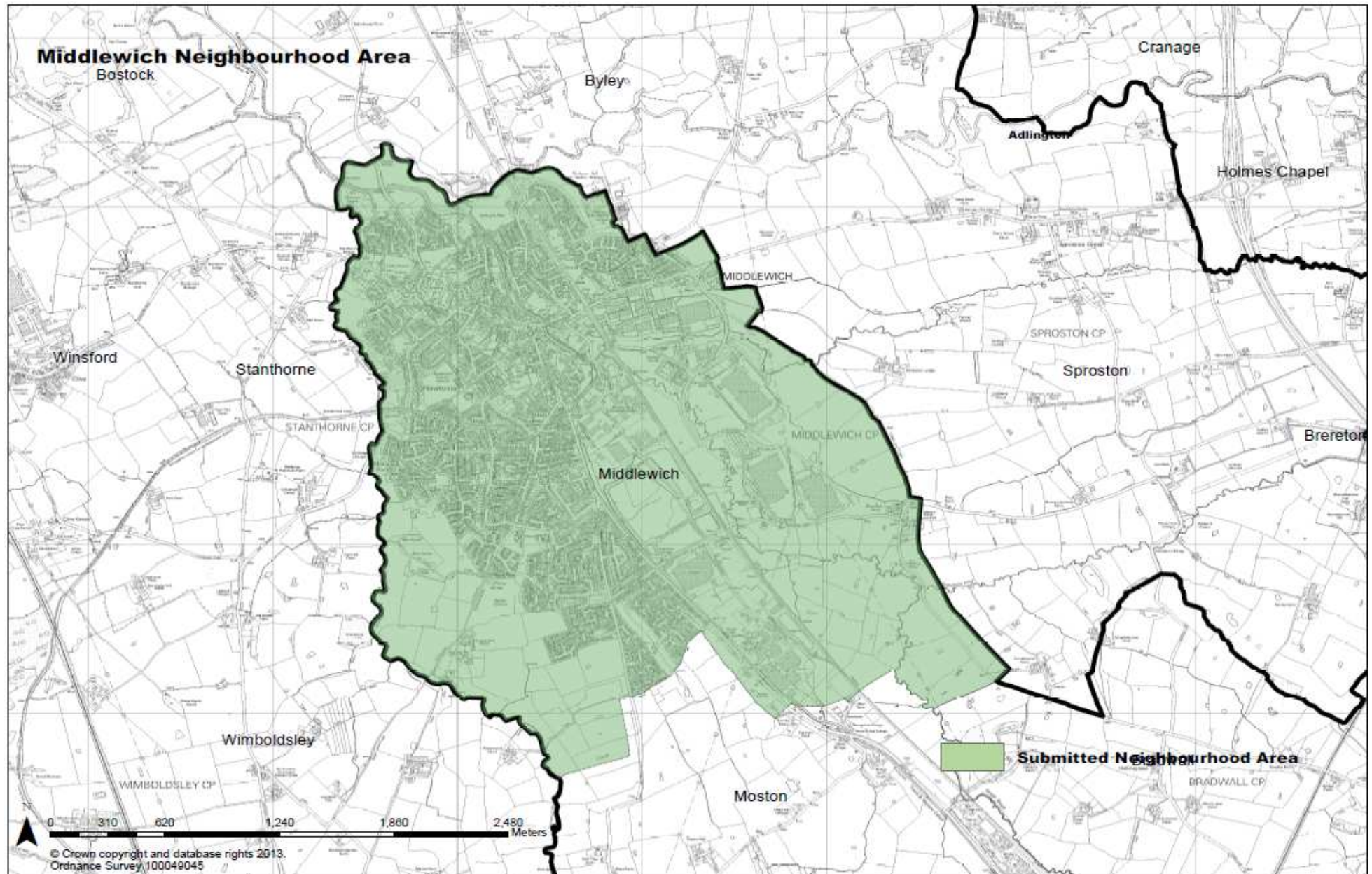
The background papers relating to this report can be inspected by contacting the report writer:

Name: Tom Evans
Designation: Principal Planning Officer
Tel No: 01625 383709
Email: Tom.evans@cheshireeast.gov.uk

14.0 Appendix 1: Proposed Middlewich Neighbourhood Area

15.0 Appendix 2: Results of Consultation

Appendix 1: Proposed Middlewich Neighbourhood Area



Appendix 2: Results of Consultation

9 responses were received to the consultation. Of these, 4 supported the proposed neighbourhood area and 5 submitted comments only. 1 response was received outside of the time limit of the consultation, submitting a comment only.

All comments are available via this link:

http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/middlewich_neighbourhood_area_consultation

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CHESHIRE EAST COUNCIL**PORTFOLIO HOLDER HOUSING AND JOBS**

Date of Meeting: 21 October 2014
Report of: Strategic Planning & Housing Manager
Subject/Title: Poynton Neighbourhood Area Application
Portfolio Holder: Councillor Don Stockton

1.0 Report Summary

- 1.1 The report requests designation of the Poynton Neighbourhood Area. An application to designate this neighbourhood area was submitted by Poynton Town Council in August 2014. Discussions on the extent of the neighbourhood area have been held; the extent of the neighbourhood area is proposed to reflect the extent of the Parish boundary for Poynton.

2.0 Recommendations

- 2.1 Approve and designate Poynton Parish as Poynton Neighbourhood Area, for the purposes of preparing Poynton Neighbourhood Plan, as per the map attached at Appendix 1.

3.0 Reasons for Recommendations

- 3.1 It is considered that the Poynton neighbourhood area application has been prepared in accordance with existing regulations and guidance and is desirable to designate for these reasons:
- The application submitted meets the requirements as presented at Part 2 (5) of the Neighbourhood Planning (General) Regulations 2012
 - Poynton Parish Council is the relevant body to undertake Neighbourhood Planning
 - The Neighbourhood Plan Area follows the existing political and administrative boundary for the Parish of Poynton and does not include land in any adjoining Parish
 - No other applications have been made for Neighbourhood Areas covering all or part of the area
 - Issues concerning strategic interests in the Parish have been discussed; relevant strategic issues have been identified, these are a key piece of infrastructure, the Poynton Relief Road and the need to accommodate some 200 new dwellings and 3ha of employment land as identified in the emerging Local Plan Strategy.

4.0 Wards Affected

- 4.1 Poynton East and Pott Shrigley; Poynton West and Adlington.

5.0 Local Ward Members

- 5.1 Councillor Howard Murray; Councillor Jos Saunders; Councillor Phillip Hoyland; Councillor Roger West

6.0 Policy Implications

- 6.1 The designation of Poynton Parish as a neighbourhood area will allow Poynton Parish Council to prepare a neighbourhood plan with formal statutory powers. Once completed, the plan will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Once adopted, the policies eventually held in the Poynton Neighbourhood Plan will be used for decision making purposes within the parish of Poynton alongside those other relevant policies from the Cheshire East Development Plan.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Poynton (a parish with a significant urban centre and also containing a large rural area) to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The process allows greater engagement of rural communities in and adjoining Poynton and for Poynton Town Council to take ownership of planning policy which directly affects rural areas within and adjoining the parish.

8.0 Financial Implications

- 8.1 The designation of a neighbourhood area for Poynton Parish will not incur direct costs to the Council in itself, however this application, and future applications, will require input and time from officers both in the Spatial Planning team and from other services. A package of technical support has been made available to Poynton Parish Council toward preparing a neighbourhood plan. This support is being made available within the existing budget for the Spatial Planning team. There are also other grants available from Cheshire East council that may be awarded and from external bodies such as Locality.
- 8.2 At a later stage direct costs will be incurred as the Council is required to hold an independent examination of the proposed neighbourhood plan and a referendum on the plan. Under the Neighbourhood Planning (General) Regulations 2012, the costs of this examination and referendum are required to be met by the Council. Such costs will be met through existing budgets and through grant funding from central government (£20,000 payable to the authority from central government in recognition of the costs of referendums and payable upon successful examination of a neighbourhood plan)
- 8.3 The Community Infrastructure Levy (CIL) is a charge levied on new development. Where an adopted CIL is in place, 15% of all CIL payments must be allocated to the local council which hosts development. Where such a local council has an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 Neighbourhood area applications must be made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. Any qualifying body (including a parish council) is entitled to initiate the process. Applications must be publicised in compliance with Regulation 6 of those regulations. Section 61G of the Town and Country Planning Act 1990 sets out the requirements for determining applications for an area to be designated a neighbourhood area. Section 61G(5)(c) of the 1990 Act provides that a 'neighbourhood area' must be an area which the local planning authority considers "appropriate". In determining an application, the local planning authority must also have regard to the desirability of designating the whole of the area of a parish council as the neighbourhood area.
- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, are prepared in accordance with the Town and Country Planning

Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

- 9.3 A “neighbourhood area” can be an area within the Local Planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the Local Planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5): In determining an application the authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area. Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum.
- 9.4 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted (‘made’) by the Council, form part of the Development Plan for Cheshire East. The content of the Poynton Neighbourhood Plan is as yet unknown and will only be determined by the community through the process of plan making. The content may include site allocations for development or policies that relate to the development of land. Neighbourhood plans are increasingly scrutinised by the development industry and are becoming the subject of legal challenge. As any future neighbourhood plan would form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond.
- 10.2 Managing this risk means carefully following the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance.

11.0 Background and Options

- 11.1 The Localism Act 2011 introduced new legal rights that enable communities to prepare local development plans (neighbourhood plans) with equal weight to the Local Plan for decision making purposes on development proposals.
- 11.2 Such plans have the power to allocate land for development purposes and establish local policies applicable to the development of land. Any future neighbourhood plan must be prepared in accordance with the National Planning Policy Framework (NPPF) and the strategic policies held within the Development Plan of the host local authority.
- 11.3 The first stage in establishing a neighbourhood plan is the designation of a neighbourhood area (the geographic extent within which future policies and land designations will apply).
- 11.4 Poynton Town Council has applied to designate the full extent of Poynton and Worth Parish as the Poynton Neighbourhood Area.
- 11.5 In considering this application Cheshire East Council must give regard to whether the application has been prepared in accordance with existing regulations and guidance and whether such a designation is desirable and appropriate for future planning in Poynton and its surrounding locality.

- 11.6 There are strategic interests located in the Parish as identified by the emerging Local Plan Strategy and existing Development Plan including these are the Poynton Relief Road and the need to identify some 200 new homes and 3ha of employment land. It is considered appropriate to address such issues within the proposed neighbourhood area.

12.0 Conclusions

- 12.1 For the reasons set out in section 3 above, it is recommended to approve and designate Poynton Parish as Poynton Neighbourhood Area, for the purposes of preparing Poynton Neighbourhood Plan, as per the map attached at Appendix 1.

13.0 Access to Information

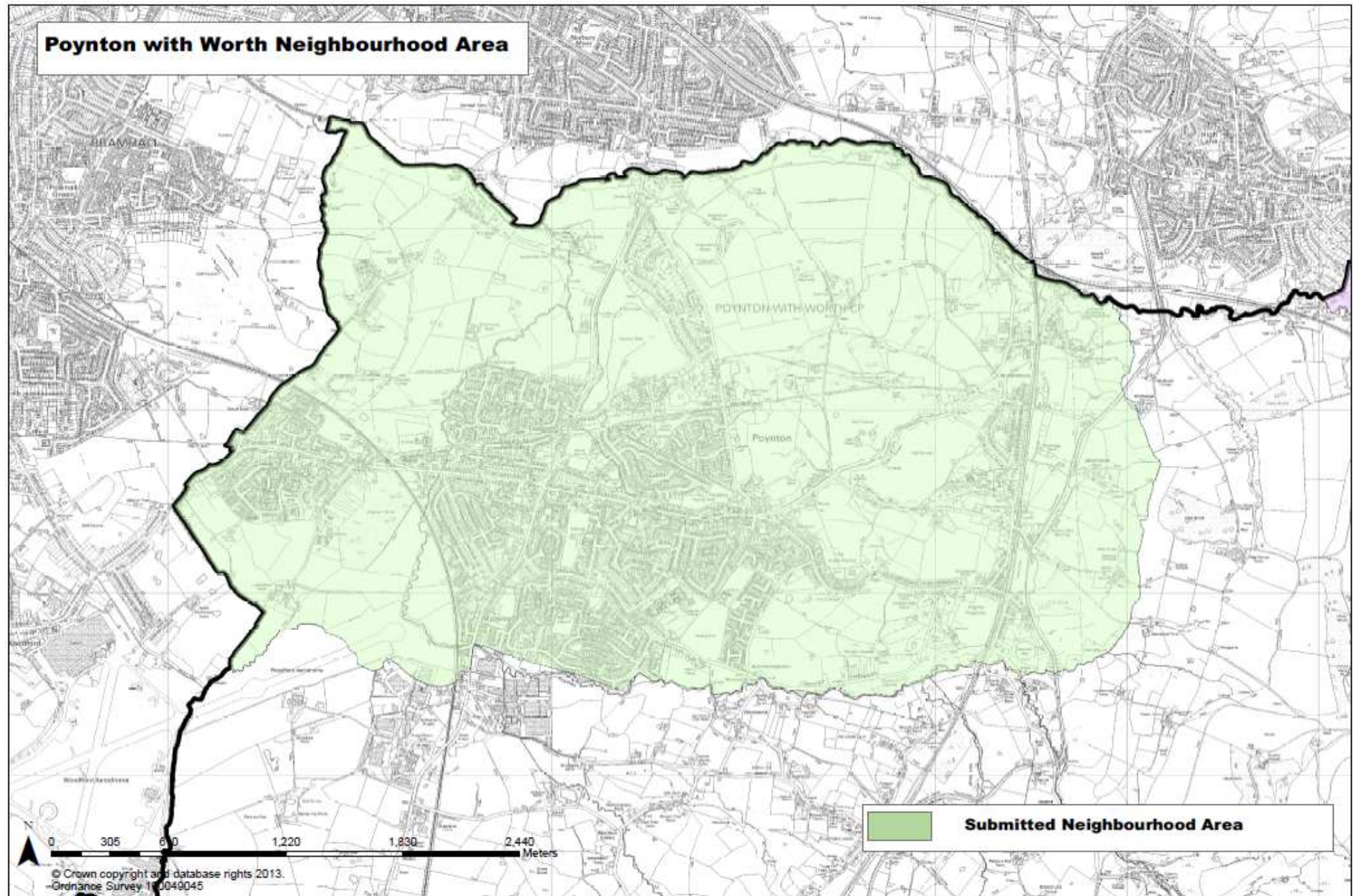
The background papers relating to this report can be inspected by contacting the report writer:

Name: Tom Evans
Designation: Principal Planning Officer
Tel No: 01625 383709
Email: Tom.evans@cheshireeast.gov.uk

14.0 Appendix 1: Proposed Poynton Neighbourhood Area

15.0 Appendix 2: Results of Consultation

Appendix 1: Proposed Poynton Neighbourhood Area



Appendix 2: Results of Consultation

6 responses were received to the consultation. Of these, 5 supported the proposed neighbourhood area and 1 submitted comments only. 1 response was received outside of the time limit of the consultation, submitting an objection to the neighbourhood area.

All comments are available via this link:

http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/poynton_neighbourhood_area_consultation

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CHESHIRE EAST COUNCIL**PORTFOLIO HOLDER HOUSING AND JOBS**

Date of Meeting:	21 October 2014
Report of:	Strategic Planning & Housing Manager
Subject/Title:	Sandbach Neighbourhood Area Application
Portfolio Holder:	Councillor Don Stockton

1.0 Report Summary

- 1.1 The report requests designation of the Sandbach Neighbourhood Area. An application to designate this neighbourhood area was submitted by Sandbach Town Council in August 2014. Discussions on the extent of the neighbourhood area have been held; the extent of the neighbourhood area is proposed to reflect the extent of the Parish boundary for Sandbach.

2.0 Recommendations

- 2.1 Approve and designate Sandbach Parish as Sandbach Neighbourhood Area, for the purposes of preparing Sandbach Neighbourhood Plan, as per the map attached at Appendix 1.

3.0 Reasons for Recommendations

- 3.1 It is considered that the Sandbach neighbourhood area application has been prepared in accordance with existing regulations and guidance and is desirable to designate for these reasons:
- The application submitted meets the requirements as presented at Part 2 (5) of the Neighbourhood Planning (General) Regulations 2012
 - Sandbach Parish Council is the relevant body to undertake Neighbourhood Planning
 - The Neighbourhood Plan Area follows the existing political and administrative boundary for the Parish of Sandbach and does not include land in any adjoining Parish
 - No other applications have been made for Neighbourhood Areas covering all or part of the area
 - Issues concerning strategic interests in the Parish have been discussed; relevant strategic issues have been identified, these are Local Plan Strategy Site CS24 (including Junction 17 of the M6)

4.0 Wards Affected

- 4.1 Sandbach Elworth; Sandbach Ettiley Heath and Wheelock; Sandbach Heath and East; Sandbach Town.

5.0 Local Ward Members

- 5.1 Councillor Sam Corcorran; Councillor Gill Merry; Councillor Barry Moran; Councillor Gail Wait

6.0 Policy Implications

- 6.1 The designation of Sandbach Parish as a neighbourhood area will allow Sandbach Parish Council to prepare a neighbourhood plan with formal statutory powers. Once completed, the plan will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Once adopted, the policies eventually held in the Sandbach Neighbourhood Plan will be used for decision making purposes within the parish of Sandbach alongside those other relevant policies from the Cheshire East Development Plan.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Sandbach (a parish containing a significant urban centre and also a large rural area) to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The process allows greater engagement of rural communities and for such communities to take part in the formation of planning policy which directly affects their futures.

8.0 Financial Implications

- 8.1 The designation of a neighbourhood area for Sandbach Parish will not incur direct costs to the Council in itself, however this application, and future applications, will require input and time from officers both in the Spatial Planning team and from other services. A package of technical support has been made available to Sandbach Parish Council toward preparing a neighbourhood plan. This support is being made available within the existing budget for the Spatial Planning team. There are also other grants available from Cheshire East council that may be awarded and from external bodies such as Locality.
- 8.2 At a later stage direct costs will be incurred as the Council is required to hold an independent examination of the proposed neighbourhood plan and a referendum on the plan. Under the Neighbourhood Planning (General) Regulations 2012, the costs of this examination and referendum are required to be met by the Council. Such costs will be met through existing budgets and through grant funding from central government (£20,000 payable to the authority from central government in recognition of the costs of referendums and payable upon successful examination of a neighbourhood plan)
- 8.3 The Community Infrastructure Levy (CIL) is a charge levied on new development. Where an adopted CIL is in place, 15% of all CIL payments must be allocated to the local council which hosts development. Where such a local council has an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 Neighbourhood area applications must be made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. Any qualifying body (including a parish council) is entitled to initiate the process. Applications must be publicised in compliance with Regulation 6 of those regulations. Section 61G of the Town and Country Planning Act 1990 sets out the requirements for determining applications for an area to be designated a neighbourhood area. Section 61G(5)(c) of the 1990 Act provides that a 'neighbourhood area' must be an area which the local planning authority considers "appropriate". In determining an application, the local planning authority must also have regard to the desirability of designating the whole of the area of a parish council as the neighbourhood area.
- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, are prepared in accordance with the Town and Country Planning

Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

- 9.3 A “neighbourhood area” can be an area within the Local Planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the Local Planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5): In determining an application the authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area. Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum.
- 9.4 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted (‘made’) by the Council, form part of the Development Plan for Cheshire East. The content of the Sandbach Neighbourhood Plan is as yet unknown and will only be determined by the community through the process of plan making. The content may include site allocations for development or policies that relate to the development of land. Neighbourhood plans are increasingly scrutinised by the development industry and are becoming the subject of legal challenge. As any future neighbourhood plan would form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond.
- 10.2 Managing this risk means carefully following the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance.

11.0 Background and Options

- 11.1 The Localism Act 2011 introduced new legal rights that enable communities to prepare local development plans (neighbourhood plans) with equal weight to the Local Plan for decision making purposes on development proposals.
- 11.2 Such plans have the power to allocate land for development purposes and establish local policies applicable to the development of land. Any future neighbourhood plan must be prepared in accordance with the National Planning Policy Framework (NPPF) and the strategic policies held within the Development Plan of the host local authority.
- 11.3 The first stage in establishing a neighbourhood plan is the designation of a neighbourhood area (the geographic extent within which future policies and land designations will apply).
- 11.4 Sandbach Parish Council has applied to designate the full extent of Sandbach Parish as the Sandbach Neighbourhood Area.
- 11.5 In considering this application Cheshire East Council must give regard to whether the application has been prepared in accordance with existing regulations and guidance and whether such a designation is desirable and appropriate for future planning in Sandbach and its surrounding locality.

- 11.6 There are strategic interests located in the Parish as identified by the emerging Local Plan Strategy and existing Development Plan including emerging site CS24 and treatment of Junction 17 of the M6 motorway. It is considered appropriate to include such strategic interests within the neighbourhood area.

12.0 Conclusions

- 12.1 For the reasons set out in section 3 above, it is recommended to approve and designate Sandbach Parish as Sandbach Neighbourhood Area, for the purposes of preparing Sandbach Neighbourhood Plan, as per the map attached at Appendix 1.

13.0 Access to Information

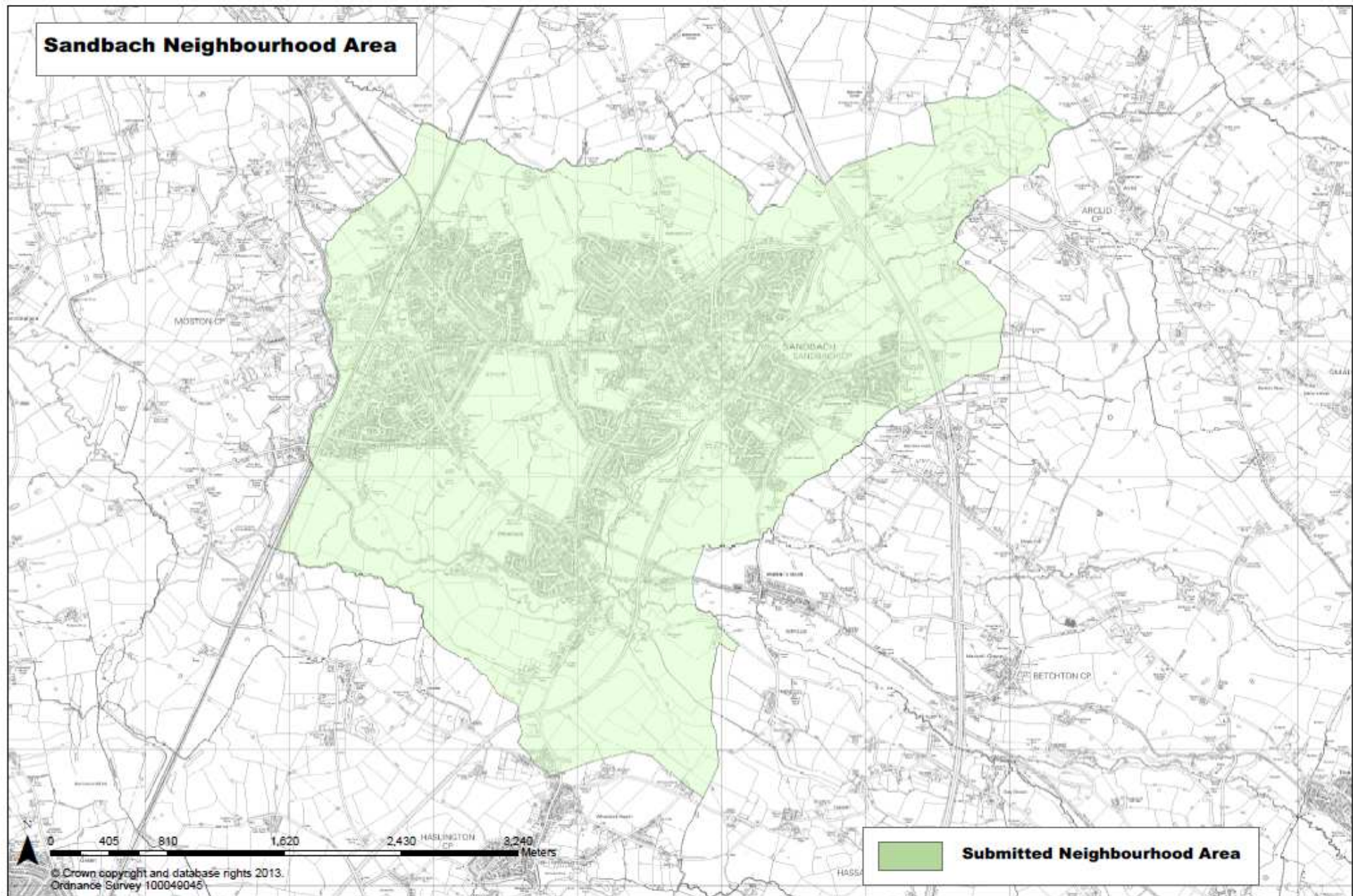
The background papers relating to this report can be inspected by contacting the report writer:

Name: Tom Evans
Designation: Principal Planning Officer
Tel No: 01625 383709
Email: Tom.Evans@cheshireeast.gov.uk

14.0 Appendix 1: Proposed Sandbach Neighbourhood Area

15.0 Appendix 2: Results of Consultation

Appendix 1: Proposed Sandbach Neighbourhood Area



Appendix 2: Results of Consultation

6 responses were received to the consultation. Of these, 4 supported the proposed neighbourhood area and 2 submitted comments only. 1 comment was received outside of the time limit of the consultation.

All comments are available via this link:

http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/sandbach_neighbourhood_area_consultation?tab=list

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CHESHIRE EAST COUNCIL**PORTFOLIO HOLDER HOUSING AND JOBS**

Date of Meeting:	21 October 2014
Report of:	Strategic Planning & Housing Manager
Subject/Title:	Stapeley and District Neighbourhood Area Application
Portfolio Holder:	Councillor Don Stockton

1.0 Report Summary

- 1.1 The report requests designation of the Stapeley and District Neighbourhood Area. An application to designate this neighbourhood area was submitted by Stapeley and District Parish Council in August 2014. Discussions on the extent of the neighbourhood area have been held; the extent of the neighbourhood area is proposed to reflect the extent of the Parish boundary for Stapeley and District.

2.0 Recommendations

- 2.1 Approve and designate Stapeley and District Parish as Stapeley and District Neighbourhood Area, for the purposes of preparing Stapeley and District Neighbourhood Plan, as per the map attached at Appendix 1.

3.0 Reasons for Recommendations

- 3.1 It is considered that the Stapeley and District neighbourhood area application has been prepared in accordance with existing regulations and guidance and is desirable to designate for these reasons:
- The application submitted meets the requirements as presented at Part 2 (5) of the Neighbourhood Planning (General) Regulations 2012
 - Stapeley and District Parish Council is the relevant body to undertake Neighbourhood Planning
 - The Neighbourhood Plan Area follows the existing political and administrative boundary for the Parish of Stapeley and District and does not include land in any adjoining Parish
 - No other applications have been made for Neighbourhood Areas covering all or part of the area
 - Issues concerning strategic interests in the Parish have been discussed; the emerging Local Plan Strategy Site CS22 Stapeley Water Gardens is located within Stapeley and District Parish

4.0 Wards Affected

- 4.1 Nantwich South and Stapeley

5.0 Local Ward Members

- 5.1 Councillor Peter Groves; Councillor Andrew Martin

6.0 Policy Implications

- 6.1 The designation of Stapeley and District Parish as a neighbourhood area will allow Stapeley and District Parish Council to prepare a neighbourhood plan with formal statutory powers. Once completed, the plan will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Once adopted, the policies eventually held in the Stapeley and District Neighbourhood Plan will be used for decision making purposes within the parish of Stapeley and District alongside those other relevant policies from the Cheshire East Development Plan.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Stapeley and District (a largely rural parish) to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The process allows greater engagement of rural communities within Stapeley and District and for the Parish Council to take ownership of planning policy which directly affects rural areas within the parish.

8.0 Financial Implications

- 8.1 The designation of a neighbourhood area for Stapeley and District Parish will not incur direct costs to the Council in itself, however this application, and future applications, will require input and time from officers both in the Spatial Planning team and from other services. A package of technical support has been made available to Stapeley and District Parish Council toward preparing a neighbourhood plan. This support is being made available within the existing budget for the Spatial Planning team. There are also other grants available from Cheshire East council that may be awarded and from external bodies such as Locality.
- 8.2 At a later stage direct costs will be incurred as the Council is required to hold an independent examination of the proposed neighbourhood plan and a referendum on the plan. Under the Neighbourhood Planning (General) Regulations 2012, the costs of this examination and referendum are required to be met by the Council. Such costs will be met through existing budgets and through grant funding from central government (£20,000 payable to the authority from central government in recognition of the costs of referendums and payable upon successful examination of a neighbourhood plan)
- 8.3 The Community Infrastructure Levy (CIL) is a charge levied on new development. Where an adopted CIL is in place, 15% of all CIL payments must be allocated to the local council which hosts development. Where such a local council has an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 Neighbourhood area applications must be made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. Any qualifying body (including a parish council) is entitled to initiate the process. Applications must be publicised in compliance with Regulation 6 of those regulations. Section 61G of the Town and Country Planning Act 1990 sets out the requirements for determining applications for an area to be designated a neighbourhood area. Section 61G(5)(c) of the 1990 Act provides that a 'neighbourhood area' must be an area which the local planning authority considers "appropriate". In determining an application, the local planning authority must also have regard to the desirability of designating the whole of the area of a parish council as the neighbourhood area.

- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, are prepared in accordance with the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.
- 9.3 A “neighbourhood area” can be an area within the Local Planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the Local Planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5): In determining an application the authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area. Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum.
- 9.4 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted (‘made’) by the Council, form part of the Development Plan for Cheshire East. The content of the Stapeley and District Neighbourhood Plan is as yet unknown and will only be determined by the community through the process of plan making. The content may include site allocations for development or policies that relate to the development of land. Neighbourhood plans are increasingly scrutinised by the development industry and are becoming the subject of legal challenge. As any future neighbourhood plan would form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond.
- 10.2 Managing this risk means carefully following the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance.

11.0 Background and Options

- 11.1 The Localism Act 2011 introduced new legal rights that enable communities to prepare local development plans (neighbourhood plans) with equal weight to the Local Plan for decision making purposes on development proposals.
- 11.2 Such plans have the power to allocate land for development purposes and establish local policies applicable to the development of land. Any future neighbourhood plan must be prepared in accordance with the National Planning Policy Framework (NPPF) and the strategic policies held within the Development Plan of the host local authority.
- 11.3 The first stage in establishing a neighbourhood plan is the designation of a neighbourhood area (the geographic extent within which future policies and land designations will apply).
- 11.4 Stapeley and District Parish Council has applied to designate the full extent of Stapeley and District Parish as the Stapeley and District Neighbourhood Area.
- 11.5 In considering this application Cheshire East Council must give regard to whether the application has been prepared in accordance with existing regulations and guidance and whether such a designation is desirable and appropriate for future planning in Stapeley and District and its surrounding locality.

- 11.6 There are strategic interests located in the Parish as identified by the emerging Local Plan Strategy and existing Development Plan. It is considered appropriate to include Local Plan Strategy Site CS22 at Stapeley Water Gardens within the proposed neighbourhood area.

12.0 Conclusions

- 12.1 For the reasons set out in section 3 above, it is recommended to approve and designate Stapeley and District Parish as Stapeley and District Neighbourhood Area, for the purposes of preparing Stapeley and District Neighbourhood Plan, as per the map attached at Appendix 1.

13.0 Access to Information

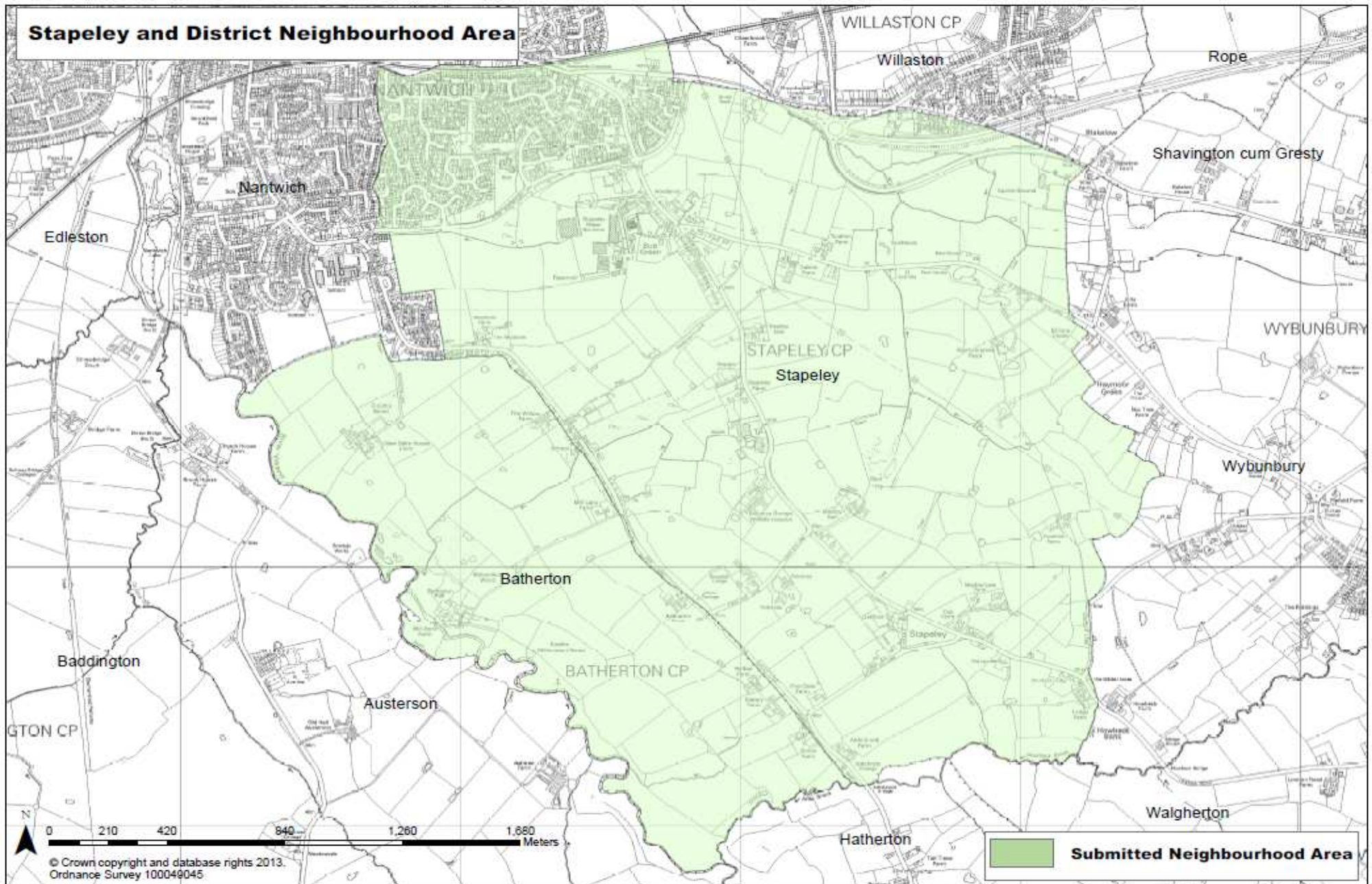
The background papers relating to this report can be inspected by contacting the report writer:

Name: Tom Evans
Designation: Principal Planning Officer
Tel No: 01625 383709
Email: Tom.evans@cheshireeast.gov.uk

14.0 Appendix 1: Proposed Stapeley and District Neighbourhood Area

15.0 Appendix 2: Results of Consultation

Appendix 1: Proposed Stapeley and District Neighbourhood Area



Appendix 2: Results of Consultation

5 responses were received to the consultation. Of these, 3 supported the proposed neighbourhood area and 2 submitted comments only.

All comments are available via this link:

http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/stapeley_and_district_neighbourhood_area_consultation