

Cabinet Member for Housing and Jobs

Agenda

Date: Monday, 27th April, 2015
Time: 10.00 am
Venue: Committee Suite 1, 2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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.

For requests for further information

Contact: Cherry Foreman

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4. **Proposed Adoption of Amendments to the Boundary of the Sandbach Town Centre Conservation Area and Adoption of the Associated Character Appraisal and Management Plan** (Pages 1 - 22)

To consider proposed revisions to the Sandbach Town Centre Conservation Area.

5. **Sandbach Town Council Neighbourhood Plan Regulation 14 Consultation** (Pages 23 - 30)

To consider a consultation response to the draft Sandbach Town Council Neighbourhood Plan.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Cabinet Member for Housing and Jobs

Date of Meeting:	27 th April 2015
Report of:	David Hallam, Principal Conservation and Design Officer
Subject/Title:	Proposed Adoption of Amendments to the Boundary of the Sandbach Town Centre Conservation Area and Adoption of the Associated Character Appraisal and Management Plan
Portfolio Holder:	Councillor Don Stockton

1.0 Report Summary

- 1.1 Conservation Areas are designated by Local Planning Authorities under powers within the Planning (Listed Buildings and Conservation Areas) Act 1990 in order to preserve or enhance the character and appearance of our developed areas. Cheshire East currently has 76 Conservation Areas and within our overall approach to sustainable development they perform a vital role in helping to protect the character and heritage value of our towns and villages. They are also one of the building blocks for the development of neighbourhood plans. It is important that existing conservation areas are reviewed on a regular basis in order to accommodate and respond to changes in built character and policy.
- 1.2 Following community consultation last year, this report seeks Portfolio Holder authority to adopt the proposed revisions to the Sandbach Town Centre Conservation Area, which are set out in this report, and to authorise officers to undertake the necessary formal notifications as required by statute of those amendments. It also seeks Portfolio Holder authority to amend, adopt and publish the character appraisal and management plan prepared as part of the review, and which has also been subject to public consultation.
- 1.3 The review has comprised the preparation of a character appraisal for the conservation area, a review of the conservation area boundary and preparation of draft management proposals for the conservation area, including a draft management plan.
- 1.4 An extensive programme of consultation was undertaken, some of which was undertaken jointly with Sandbach Town Council. This is outlined in more detail in the main body of this report at 10.9. The overall number of responses was lower than anticipated, but it did provide clarity on the

community's conservation priorities and in relation to proposed boundary changes.

- 1.5 Given the consultation responses and the recent planning appeal decisions at Dingle Farm, it is proposed that a further, targeted review be undertaken at the earliest opportunity to consider extending the conservation area further to include the paddocks and land associated with Dingle Farm within the Conservation Area. This will include appropriate consultation, as required by the legislation and to reflect the community consultation procedures of the Council. It is envisaged that this will take place in June/July of this year, subject to resources being available.
- 1.6 Appendix 1 shows the proposed amended Conservation Area boundary plan, identifying the existing conservation area boundary edged blue, the amended conservation area boundary edged red and the area proposed to be consulted upon as a possible further extension to the conservation area boundary in a blue hatch, Appendix 2 comprises the Summary of consultation responses and Appendix 3 is the proposed Management Plan summary

2.0 Recommendations

- 2.1 That officers be authorised to undertake the necessary notification of amendment to the Conservation Area as required by Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and also be authorised to carry out the necessary amendments to the Conservation Area character appraisal and associated management plan and to publish them accordingly (as set out in 10.17 to 10.20 of this report).
- 2.2 That officers be authorised to engage in the implementation of actions within the Management Plan in accordance with standing orders and subject to separate reporting requirements as deemed necessary on an action by action basis.
- 2.3 That officers be requested to carry out a further review of the Conservation Area boundary adjacent to Dingle Farm at the earliest possible time.

3.0 Reasons for Recommendations

- 3.1 Section 69 of the Act¹ states that:

‘(1)Every local planning authority —

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and (b) shall designate those areas as conservation areas.

¹ Planning (Listed Buildings and Conservation Areas) Act 1990

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.'

- 3.2 Section 71 of the Act states: 'it shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas'.
- 3.3 The last review of the Conservation Area was in 1995, whilst the original designation was in 1970, when an appraisal document, including management proposals was adopted.
- 3.4 A detailed character appraisal has been prepared as part of the review of the conservation area, including reviewing the current boundary. The review has also led to draft management proposals for the conservation area that have been consulted upon, as encouraged by best practice².
- 3.5 The consultation process and a planning appeal decision have indicated that a further review of the Conservation Area Boundary is required in the vicinity of Dingle Farm.

4.0 Wards Affected

- 4.1 Sandbach Town

5.0 Local Ward Members

- 5.1 Cllr Barry Moran

6.0 Policy Implications

- 6.1 None

7.0 Financial Implications

- 7.1 The administrative costs associated with the legal notifications of amendment (press notices etc.) will be met within the 2014/15 budget for Development Management.
- 7.2 Part of the management plan entails specific projects, albeit only one falls within the priority short term projects identified by the community. This project is a shop front improvement project to be led by Sandbach Town Council with Cheshire East as a key partner (refer to revised Action Plan produced as Appendix 3). Future financial input into this and other

² Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage, revised 2012

projects would have to be subject to an individual bid for Cheshire East capital funding, in accordance with its Finance and Contract Procedure Rules and approval processes, and would be joint projects with the Town Council and other agencies.

- 7.3 There are also 5 non-project based priority actions linked to the statutory functions of the Council which will need to be met within the annual budget for Development Management.
- 7.4 In respect to other longer term projects, Cheshire East would not be the lead agency for such projects.
- 7.5 During the consultation and as part of the management plan itself a caveat was and will be included to the effect that all management actions are subject to the availability of funding/resources.

8.0 Legal Implications

- 8.1 The approval of this report relates to the adoption of the revised boundary of the Conservation Area and its publication/notification in accordance with statutory requirements and the cabinet member authorising officers to amend the Conservation Area character Appraisal and Management Plan.
- 8.2 Certain of the management actions indicated in the management proposals, such as the service of an Article 4(2) direction will require separate individual approval by members, either via the Cabinet or by the Portfolio holder on its behalf.

9.0 Risk Management Implications

- 9.1 Statutory and local requirements in respect to publicity and future adoption of the conservation area appraisal and management proposals shall be met.

10.0 Background and Options

The Legal basis for Conservation Area Review

- 10.1 Local authorities have a statutory responsibility to manage the built heritage of their areas, including the periodic review of conservation areas and to formulate and publish proposals for preservation and enhancement of those areas.
- 10.2 Sandbach Town Centre Conservation Area was first designated in 1970. An appraisal was prepared for that designated area. Since then the conservation area has been extended on two more occasions, the first in 1976 and more recently in 1995. Neither of those extensions were the subject of updated appraisals or management proposals and therefore the appraisal and management proposal coverage is incomplete and where there is coverage, it is over 40 years old.

- 10.3 The enlargement of the conservation area has led to a more complex and varied conservation area than that first designated in 1970. The areas are of varied character and therefore face different issues in terms of threats to their historic interest. As a consequence there has been some erosion of character in certain parts of the conservation area due to the lack of management and controls, notwithstanding the conservation area designation.
- 10.4 Whilst there is no defined statutory period in terms of the frequency of conservation area review, it would be extremely difficult to argue that, in Sandbach's case, the review is not long overdue. Best practice advocated by English Heritage discusses review every 5 years and the need to have an up to date appraisal and management proposals for the conservation area³

The Conservation Area Review process

- 10.5 The review process entailed a detailed assessment of the positive and negative elements of a place, and in the case of a review of an existing conservation area, the continued relevance of the adopted boundary. The review was then encapsulated in a revised character appraisal, which explains what is significant in built heritage terms and what defines the special characteristics of the conservation area. The appraisal also identifies elements that are less positive and where improvement of the conservation area can be secured through planning and positive conservation management.
- 10.6 Management proposals have also been devised. There is a statutory duty for local planning authorities to draw up and publish proposals for the preservation and enhancement of conservation areas⁴
- 10.7 Both the appraisal and management plan were prepared working closely with both the Sandbach Town Council and the Sandbach Conservation and Heritage Group, comprising several meeting and workshop type sessions. It also entailed informal dialogue with some Cheshire East Council officers and with English Heritage. Amendments were incorporated to take account of that informal feedback.
- 10.8 The only statutory requirement for consultation set out in the Act is that proposals shall be submitted for consideration to a public meeting in the area to which they relate. However, English Heritage best practice guidance advocates wider community consultation as part of the review process.

The consultation arrangements

- 10.9 An extensive consultation programme was undertaken. This entailed:

³ Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage, revised 2012

⁴ Section 71 of the Planning(Listed Buildings and Conservation Areas) Act 1990

- 1) Advance publicity of the consultation via posters, distributed by the Town Council, and flyers posted through every mailbox in the conservation area, with specific notification letters for those areas proposed to be included. This was undertaken in the preceding week to the consultation.
- 2) Advance publicity of the consultation on the CEC, STC and Sandbach partnership websites (with the website providing an electronic resource of the review documentation and exhibition material once the consultation had commenced).
- 3) Several media releases were published during the period of consultation.
- 4) Preview presentation of the draft appraisal and management plan and suggested boundary changes to Sandbach Town Council Community and Environment Committee 29th August 2014
- 5) A public meeting co-hosted by the Town Council and held at the Literary Institute on the evening of 12th September 2014
- 6) Attendance at the monthly meeting of the Sandbach Historical Society to announce the consultation and hand out information.
- 7) Presentation to the Sandbach Traders and Retailers group (STAR), which was attended by representatives of both national and local businesses and the wider community.
- 8) A static exhibition located at Sandbach Library between 2nd September –15th October 2014 with feedback questionnaires available at the venue.
- 9) 4 surgery sessions, held at different times of the day/early evening, took place at the library during the early part of the consultation period.
- 10) Exhibition and attendance at the Saturday Farmers Market in late October 2014 and at the annual Sandbach Today community event hosted by the Sandbach Partnership and held on the morning of 7th September 2014.

10.11 A questionnaire was designed to capture the views of the community about the following aspects of the review of the conservation area:

1. Proposed extension to include certain areas within the conservation area
2. Proposed exclusion of part of the current conservation area
3. Views upon the list of management actions in the draft management plan
4. The top 5 priority actions from the list of actions in the management plan
5. Suggestions for other actions to be included in the Management Plan

10.12 Feedback comprised paper copy questionnaire at the exhibition and electronic questionnaire via the website. In addition, a separate email address was created for the consultation to allow for non standard responses or queries to be sent directly to the conservation team. This contact information was set out on all publicity material, as was the web address for the conservation area review homepage on the Cheshire East

Council website. Periodically during the consultation, the event was also flagged on the Cheshire East Council home page.

10.13 Collectively this provided a comprehensive and wide ranging programme to inform and capture the opinion of a range of people within the Sandbach Community and was carried out in addition to the minimum statutory requirement of holding a public meeting in the town.

10.14 We received 35 responses from the community and a detailed response from the Town Council. Whilst this was lower than anticipated the consultation served to inform a wide section of the community. From the consultation responses we had clear indications about suggested changes to the boundary, and the priority actions within the Management Plan. To this end therefore the consultation did achieve its objectives.

10.15 The report attached at Appendix 2 sets out a summary of the consultation responses and the proposed actions, both in terms of amendments to the boundary and changes to both the character appraisal and management plan. The headlines are identified below:

10.16 **Comments**

- 85% of responses supported extending the boundary. There were minority comments about not wishing to extend the boundary further and 'watering down' or undermining the conservation area. Specific comments were also made about extending the boundary further to include the Paddocks off Dingle Lane.
- In respect to the proposal to remove part of the conservation area (the largely residential part of Green and Wells Streets), the result was more finely balanced. 47% were opposed, 28 % supported the exclusion and 15% were undecided. A number of comments were made supporting why the area should be retained in the conservation area, including:
 - the alterations have not been so damaging to justify removal,
 - it would dilute the principles of the original designation and would send out the wrong message,
 - continued inclusion means there is a chance of securing enhancement,
 - these streets would remain visible from the heart of the conservation area and would therefore further detract.
- In response to the proposed management plan, 5 priorities were identified (in fact 6 because 2 were deemed to be of equal priority):
 - Serve an Article 4 direction
 - Improve design quality in the planning process
 - Prepare local list of Assets at Risk
 - Shop front/building frontage improvement scheme
 - Promotion of the conservation area to residents, businesses and visitors
 - Highway and streetscape works to protect and enhance historic streetscape

- A number of other recommended actions were identified, in addition to those in the Management Plan, these included:
 - Setting up a Conservation Area Friends/Trust Group
 - Publically praising those who do good things within the conservation area (for example positive works to buildings/areas)
 - A householder grant scheme
- A range of other comments were made, including:
 - Concern about development proposals current at the time of the consultation
 - Comments about the post office building and tree lighting on the Cobbles
 - The character appraisal and management plan seen as a positive step in promoting the conservation area and engaging the community
 - The need for co-ordination between/within public authorities
 - That Sandbach retains its identity and does not become a 'clone' town
 - The need to improve streets and lanes and to encourage businesses to look after frontages
 - The need to improve shop fascias and signage to reflect the town's heritage
 - Too many of the proposals are assigned to the Town Council, more should be with Cheshire East Council.
- Sandbach Town Council made some specific comments in relation to the draft management plan:
 - Disagreement with extending the conservation area along Middlewich Road and also that the paddocks associated with Dingle Farm should be included in the Conservation Area
 - Further clarification on the benefits of the zone of sensitivity (proposal 2 of the Management Plan) should be set out in the Management Plan document
 - Include the Lower Chequer in the list of buildings at risk
 - In respect to proposal 9 relating to shop front guidance, the Town Council wanted input into the more detailed guidance and to ensure that there was a clear vehicle for Cheshire East to adopt it.
(it should be stressed the guidance referred to in Proposal 9 is additional Cheshire East Wide guidance on shop front design as part of a design SPD to supplement core and Development Management Policies)
 - various minor changes within the Action Plan table, principally around who leads and supports particular actions.

10.17 Proposed changes

Boundary alterations

- **Dingle Farm** - The ward member for the area and the Town Council believe that the paddock land to Dingle Farm should be included within the Conservation Area. They consider that they represent the majority

community view in this respect and that officers should therefore amend the document accordingly.

Officers were concerned that this was not appropriate and originally considered and discounted this approach, favouring the extension of the conservation area to include the farm's immediate curtilage (which is clearly defined on site). However, the recent appeal decisions in relation to proposed development at Dingle Farm concluded that the setting of the farm was extensive; including the paddocks and that their development would contribute to suburbanising and therefore seriously harming the setting of the listed building and a key approach into the conservation area.

Legal Officers have advised that as the paddock land was not originally included in the proposed revised boundary and therefore not subject to the original consultation, it would not be appropriate to include it as part of this conservation area review. Therefore, it is proposed to proceed with adopting the revision to the boundary as originally proposed, namely to include the immediate curtilage of Dingle Farm, but not the paddocks.

Given the consultation responses and planning appeal decision, it is proposed that a further, targeted review be undertaken at the earliest opportunity to consider extending the conservation area further to include the paddocks and land associated with Dingle Farm within the Conservation Area. This will include appropriate consultation, as required by the legislation and to reflect the community consultation procedures of the Council. It is envisaged that this would be undertaken in June/July of this year, subject to resources being available

- **Middlewich Road** - The Town Council made representation that there should be no extension of the conservation area along Middlewich Road beyond Chapel Street, however there was some community support for its inclusion. The area includes properties associated with the former ERF works and former community buildings some of Victorian origin and is a key gateway to the town centre. It is therefore recommended that this area continue to be included in the revised conservation area.
- **Green Street/Welles Street** - There was a majority community view that Green Street and Welles Street should remain within the Conservation Area. It is therefore proposed to retain this area within the designated conservation area
- **Other minor proposed extensions** – no comments were received in respect to the other inclusions and therefore it is proposed that the boundary be amended to include those.

10.18 The suggested revised boundary proposed by officers and the area proposed to be consulted upon as a possible further extension to the conservation area boundary is provided as Appendix 1.

10.19 Alterations to the appraisal document

- Minor typographical corrections, including street names,
- Include more information/clarification on the Sandbach Skirmish
- Re-title heading “6 suggested boundary amendments” on page 66 to “Potential boundary amendments”. Substitute Map 11 with the areas of assessment plan from page 1 of Appendix 2b (i.e. the plan showing the areas originally assessed rather than the proposed boundary revisions)
- Potential minor corrections to plans, updating of photographs

10.20 Alterations to the management plan and action plan summary table

- Proposal 2 – modify and insert additional text to clarify the purpose and benefits of the zone of sensitivity
- Proposal 5 - Reviewing the list of potential buildings at risk given the time that has lapsed since the draft was prepared.
- Edits to Action Plan summary table as set out in the Sandbach Town Council response (see section 1b of Appendix 2), except action 12 (now action 8 in the revised Action Plan summary – Appendix 3) , which should still refer to ‘scheme’ as opposed to strategy, as this is a project. Action 10 of the summary (now action 6 of non-priority projects of the modified action plan) refers to a public realm strategy.
- In response to the community suggestion of setting up a Conservation Area Friends Group or Trust, a further action has been included in the non-priority actions section of the Action Plan (action 4). A proposal will be added into the main Management plan providing further explanation of this action.
- Potential minor corrections to plans, updating of photographs
- In response to consultation comments, insert a further action in the Other Recommended Actions to encourage a Sandbach scheme to recognise and reward good practice in relation to conservation and design and other place making activities within the town as a whole. This would be led either by the Town Council or Sandbach partnership.

10.21 **Next steps**

Once adopted, under the provisions of the Act, a notice has to be placed in the London Gazette and in a local newspaper and it needs to be recorded on the Land Charge Register, in addition to notifying English Heritage.

Thereafter the amended character appraisal and management plan shall be published, with copies available on the built heritage part of the Planning website and with links to partner websites such as the Town Council and the Sandbach Partnership.

11.0 Access to Information

Appendix 1 Proposed amended Conservation Area boundary plan identifying the existing conservation area boundary edged blue and the amended conservation area boundary edged red and the area proposed to be consulted upon as a possible extension to the conservation area in a blue hatch.

Appendix 2. Summary of consultation responses

Appendix 3. The proposed Management Plan summary

Background papers

The Draft conservation area appraisal and management plan and appendices and consultation material can be inspected by following this link:

<http://www.cheshireeast.gov.uk/default.aspx?page=19533>

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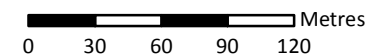
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Appendix 1



- Existing Conservation Area Boundary
- Proposed Areas of Extension to the Conservation Area Boundary
- Paddocks and land associated with Dingle Farm to be subject to future consultation for possible inclusion within the Conservation Area



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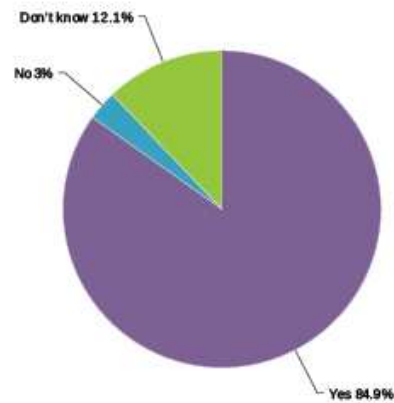
Sandbach CA review – Consultation summary and proposed changes

1 Consultation response summary

35 responses in total (33 responses by questionnaire, also TC formal response and an individual letter)

1a) Questionnaire responses

Question 1 - extension of the boundary

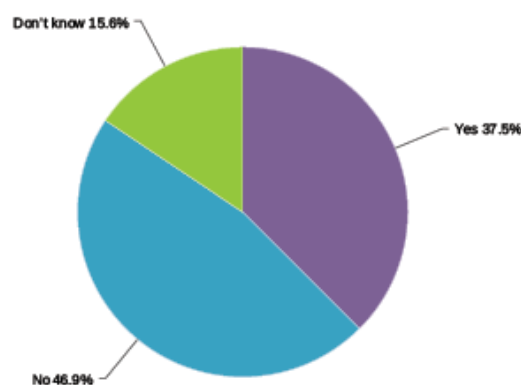


Response	Percentage	Count
Yes	84.9%	28
No	3.0%	1
Don't know	12.1%	4
Total		33

Statistics

Total Responses 33

Question 2 - Proposed exclusion of part of green Street/Welles Street



Response	Percentage	Count
Yes	37.5%	12
No	46.9%	15
Don't know	15.6%	5
Total		32

Statistics

Total Responses 32

Summarised comments explaining why respondents disagreed with exclusion

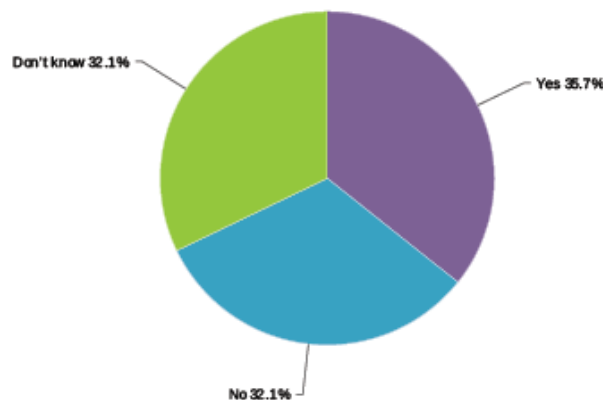
- Alterations haven't been that bad and the historic character remains
- Exclusion dilutes the principles of initial designation and the purpose of the CA and it sets a precedent. It would be detrimental to exclude part and try and enhance the remainder
- If included stand better chance of restoration – exclude and there is little chance
- The streets are visible from the conservation area (and would be if the boundary was amended)
- Justification is as a result of poor planning and enforcement - this must be strengthened
- Changes undertaken have been a response to improve comfort of houses. Timber windows and doors require more regular maintenance and replacement and cost more
- The condition of streets and pavements should also be tackled – cleaning, weed removal, resurfacing and apply pressure to store waste bins to the rear of houses

Q 3 - Proposed Action/Management plan – top 5 actions

1	action 1 - Article 4 direction	CEC to lead
2	action 8 – improve design quality in planning process	CEC to lead
3	action 3 – local list of assets at risk	CEC to lead
4	action 13 - Shop front/building frontage improvement scheme	STC to lead
5=	action 2 - Promotion of CA to residents, businesses – leaflets, website etc.	STC to lead
5=	action 6 - Highway/streetscape works protect/reinstate historic streetscape	CEC to lead

NB: Some specific comments were made in respect to individual actions, these will be summarised in the final consultation report

Q4 – Other recommended management proposals



Statistics			
Yes	35.7%	<div style="width: 35.7%; background-color: #8e7cc3;"></div>	10
No	32.1%	<div style="width: 32.1%; background-color: #1f9e9d;"></div>	9
Don't know	32.1%	<div style="width: 32.1%; background-color: #f4cccc;"></div>	9
Total			28
Total Responses		28	

Other recommendations (summary)

- Resist changes to exterior of Town Hall (particularly the glazed kiosk)
- Publically praise those who do good things (e.g. Old Hall and Old Black Bear)
- Clamp down on takeaways
- Ensure street spellings are accurate
- Improving conditions for cyclists including the Lanes and the main route along High Street. This should be linked to the outcomes of the movement study. Improvements should improve and not affect cyclists access to the town centre. This should include a safety audit of all the existing cycleway traffic management infrastructure
- All conservation streets to be cleaned and weeded and shop keepers should be encouraged to keep frontages clean
- Seek spot listing of the Mill and Demeter Health Foods (and potentially other buildings)
- Modest householder grant scheme to restore historic features
- Facilitate a conservation area Friends/Trust group e.g. Harrow on the Hill
<http://www.harrowhilltrust.org.uk/>

Q5 - Other comments (summary)

- There should be a museum in the town
- Removal of the blue lights from the square – it is detrimental and feels ‘cold’ and should be replaced by amber or warm white. This will enhance the setting of the historic buildings around the square. Ladbroke’s is an eyesore (2)
- Concern about the proposals for the frontage of the Town Hall (4)
- Proposals listed are excellent for the town, giving re-emphasis on the status of the conservation area (2). Some bad examples of buildings and frontages in the CA.
- Lots of residents who are inspired to become involved – please ask us (2).
- To succeed whole project also needs the backing of the business community and needs co-ordination between planning, highways and streetscape who need to be supportive.
- Sandbach should not become a ‘clone’ town, it needs to keep its historic market town status
- Improve cycling provision (as per comments in relation to Q4)
- Discourage fly posting and take action against A boards
- Improve the environment of the Lanes and encourage landlords to keep them in good order e.g. George’s Walk.
- Control of pests – rats and pigeons
- Design guidelines for shop signs and fascias to ensure they reflect town’s heritage
- Concern about proposed new development and the impact on green spaces and other infrastructure. Concern about demolition of listed building to accommodate new development (presumably a reference to Dingle Farm proposals) (3)
- All listed and locally listed buildings should be marked on a map and unsympathetic proposals affecting the setting should be refused. Views into and out of the CA should be defined and protected. Development should reflect the organic qualities of Sandbach
- There should be a heritage watch group which should comprise experts and not enthusiastic amateurs
- Conservation area should extend to include other parts of the town centre, including Congleton Road and list the Mill, Demeters Health Food Shop.
- Barclays Bank a well designed, modern building
- Too many of proposals attributed to STC which does not have the resource. Should be with CEC which does

1b) Sandbach Town Council response to Part 2 Management Proposals (only those identified where change is recommended by STC)

Proposals

Proposal 1 boundary amendments

- Disagree with extension to include 45-67 Middlewich Road
- All of curtilage of Dingle Farm and paddocks to be included

Proposal 2 zone of sensitivity and setting of conservation area

- Agreed but benefits need to be clarified in the document

Proposal 5 assets at risk

- Add the Lower Chequer

Proposal 9 shop fronts and commercial buildings

- Agreed in principle but needs to be expanded to include:
 - In preparation of more detailed guidance STC should be involved
 - A clear adoption route, highlighting vehicle as being CEC
 - Actions to be included in the Management Plan

Management Plan (summary table)

Action 7 - Key partner to be STC

Action 12 – Change wording to ‘Develop’ (not promote) and ‘strategy’ (not scheme)

Action 14 - Change wording to ‘Develop’ (not promote) and ‘strategy’ (not scheme)

Action 16 – change timescale to short- medium

Action 17 – insert ‘and encourage’ after promote

Action 18 – insert ‘and encourage’ after promote; Make STC lead body with community as key partner

Action 19 Insert ‘Encourage’ at start of sentence

Other recommended actions

Item 9 – Make CEC lead body and STC key partner

1c Consultation response letters and emails

- Concern about potential for area being removed because of changes to doors and windows, this could happen to other areas. Is the intention to stop people improving their homes?
- In the past a shop was prevented from putting up external security shutters after having windows broken but were eventually allowed to put inside
- Concern about changes proposed as have seen some of so-called improvements in the past
- Historical information relating to Scotch Common and the skirmish are incorrect – believe the skirmish occurred on the Cobbles as Scots raided the market. The Common is not Common Land as it was donated by Lord Crewe
- Fountain and town pump do not get mentioned
- A pity that only the town centre is included as Elworth and Wheelock are important too
- Local authority failings: High Street transportation scheme; ignoring local businesses about preventing parking on cobbles; digging up the cobbles, and, proposed kiosk at Town Hall

Proposed changes

Appraisal changes

- Further research the history of the skirmish and relationship to Scotch Common – amend or clarify as necessary
- Correct typographical errors and update and amend as required, including amendments to analysis plans as required
- Re-title heading “6 suggested boundary amendments” on page 66 to “Potential boundary amendments”. Substitute Map 11 with the areas of assessment plan from page 1 of Appendix 2b (i.e. the plan showing the areas originally assessed rather than the proposed boundary revisions)

Proposed boundary changes

- **Dingle Farm** - The ward member for the area and the Town Council believe that the paddock land to Dingle Farm should be included within the Conservation Area. They consider that they represent the majority community view in this respect and that officers should amend the document accordingly.

Officers were concerned that this was not appropriate and originally considered and discounted this approach, favouring the extension of the conservation area to include the farm’s immediate curtilage (which is clearly defined on site). However, the recent appeal decisions in relation to proposed development at Dingle Farm concluded that the setting of the farm was extensive; including the paddocks and that their development would contribute to suburbanising and therefore seriously harming the setting of the listed building and a key approach into the conservation area.

Legal Officers have advised that as the paddock land was not originally included in the proposed revised boundary and therefore not subject to the original consultation, it would not be appropriate to include it as part of this conservation area review. Therefore, it is proposed to proceed with adopting the revision to the boundary as originally proposed, namely to include the immediate curtilage of Dingle Farm, but not the paddocks.

Given the consultation responses and planning appeal decision, it is proposed that a further, targeted review be undertaken at the earliest opportunity to consider the inclusion of the paddocks and land associated with Dingle Farm within the Conservation Area. This will include appropriate consultation, as required by the legislation and to reflect the community consultation procedures of the Council.

- **Middlewich Road** - The Town Council made representation that there should be no extension of the conservation area along Middlewich Road beyond Chapel Street, however there was some community support for its inclusion. The area includes properties associated with the former ERF works and former community buildings some of Victorian origin and is a key gateway to the town centre. It is therefore recommended that this area continue to be included in the revised conservation area.
- There was a majority view that Green and Welles Street should remain within the Conservation Area – retain this area within the designated conservation area
- No other changes are required, therefore the areas of Wesley Street and Bradwall Road and 9-15 the Commons will be included in the Conservation Area
- Upon final decision by the Portfolio Holder, adoption of the boundary and then amendment to the conservation area boundary plan included in the Character appraisal

Management Plan amendments

- Proposal 2 – modify and insert additional text to clarify the purpose and benefits of the zone of sensitivity
- Proposal 5 - Reviewing the list of potential buildings at risk given the time that has lapsed since the draft was prepared.
- Edits to summary table as set out in STC response (see section 1b above), except action 12 – should still refer to ‘scheme’ as opposed to strategy , as this is a project - action 10 of the summary (now action 6 of non-priority projects of the modified action plan) refers to a public realm strategy

Suggestions from the public that should not form part of the current management plan

- Publically praise those who do good things – a locally managed awards scheme has been discussed with STC and they will lead that - this should not be specifically part of the Management Plan however a reference will be made in the other recommended actions section of the Management Plan.
- Modest householder grant scheme to restore historic features – given present resource issues, this should be considered as part of a future review of the Management Plan
- Seek spot listing of the Mill and Demeter Health Foods – it is highly unlikely that these buildings will meet present listing criteria and they are already identified as being buildings that make an important contribution to the conservation area.

Those that should be included in the current management plan

- Facilitate a conservation area Friends Group similar to that in place in Harrow on the Hill to be community led but facilitated and supported by the Town Council and/or the Sandbach Partnership

SANDBACH CONSERVATION AREA ACTION PLAN

Priority actions - short term

No.	Action	Short, medium or long term	Lead body	Key partners	Notes
1	Serve Article 4 direction: remove rights to alter residential properties without planning permission	short	CEC	-	For residential properties within the CA boundary to restrict alterations without planning permission, including changes to windows and doors, satellite dishes, changes to boundaries
2	Improve design quality in planning process: preparation of design guidance for key sites and ensure planning decisions take account of management plan for the conservation area	ongoing	CEC	STC	CEC: prepare development briefs on key sites and in processing applications, TC in commenting on applications
3	Identify local assets at risk: compile a list of buildings that are vulnerable to change or are in poor condition	short then ongoing	CEC	STC	Identify candidates and feed into relevant Borough wide lists
4	Promote a shop front/building frontage improvement scheme (signage, shop fronts and building condition)	Short-long	STC	CEC	Long term programme for frontage improvement on key frontages as part of wider public realm uplift in conservation area, focused primarily on High Street/Hightown
5=	Promote/raise awareness of the conservation area to residents/businesses: leaflets, website etc.	short	STC	CEC	To ensure that residents and business are fully aware of the conservation area and the implications of being located within it
5=	Ensure that highways and streetscape works protect/reinstate areas of historic streetscape	ongoing	CEC	STC	Liaison with highways, streetscape and utilities to protect areas and features of historic streetscape and to reinstate where practicable as part of day to day management of the highway

Non-priority actions

Theme 1: Active heritage management

No.	Action	Short, medium or long term	Lead body	Key partners	Notes
1	Investigate unauthorised works and assess the need for enforcement action	short then ongoing	CEC	STC	Planning enforcement investigations for issues identified during survey or brought to attention of CEC and then ongoing
2	Establish a Heritage Watch group including assessing the risk of heritage crime to heritage buildings and features and respond to incidents	short then ongoing	STC	CEC, police, local community	Promote heritage crime awareness in town – establish heritage watch group, undertake HC risk audits for key assets/areas and prompt reporting of incidents
3	Consider serving discontinuance notices and designating an area of special advertisement control to remove rights for certain adverts that normally do not require advertisement consent	short	CEC	STC	Remove advertising rights for cases of inappropriate signage and ensure more forms of advertising require advertisement consent where the quality can be managed in accordance with the design guidelines
4	Facilitate a conservation area friends group	short	STC	Sandbach Partnership CEC, local community	Encourage the establishment of a trust group as suggested by members of the community, to encourage community ownership of the conservation area and its management

Theme 2: design/quality management

5	Ensure protection and enhancement of historic street pattern/views/assets	ongoing	CEC	STC	Ensuring development guidance reflects this objective, consideration in planning decisions
6	Prepare public realm guidelines: principles to manage and improve the quality of streets and spaces in the conservation area	short - medium	STC	CEC	Preparation of principles for street design and management within the conservation area
7	Prepare urban design framework: regeneration principles for town centre and key development sites in the conservation area	short - medium	STC	CEC	Preparation of a framework to inform regeneration within or on the edge of the conservation area

Theme 3: Projects

8	Develop a High Street/Hightown public realm enhancement scheme (new paving, seating, street lighting etc.)	Medium - long	STC	CEC	Potentially 2 or 3 phases. Phase 1 likely to be High Street between the Cobbles and Sandbach Town Hall, with further phases in Hightown and High Street (eastern end)
9	Promote a landmark buildings project: lighting and fabric improvements to key buildings	Medium	STC	CEC	Heritage led programme for key buildings, including fabric, setting and lighting
10	Undertake heritage interpretation projects: heritage trails, local plaque scheme,	Short-medium	SHG	STC CEC	To promote the heritage credentials of Sandbach as part of an enhanced tourist offer and to promote 'dwell time' with its economic

	website, interpretation of crosses etc.				spin offs in the town centre
11	Promote improvement to lanes/alleyways including Hope Street and Warm Walls: improvements to lighting, surveillance etc.	Short-medium	STC	CEC	Townscape enhancements to improve image/usability of key alleyways/pedestrian routes
12	Promote gateway enhancements: improvements to vehicle and pedestrian routes into and within the conservation area	Medium-long	STC	CEC	Enhancement to vehicular and pedestrian gateways into the conservation area to improve image and sense of arrival into the area
13	Promote a detractor sites/buildings project: Identify sites that are in poor condition and undertake remedial works	Short - medium	Local Comm unity	STC, CEC, land owners	Improvement of condition of detractor sites through temporary interventions in advance of longer term solutions
14	Protection/enhancement of green spaces: ensure trees and landscape are well managed and secure future planting	ongoing	STC	CEC, land owners	Positive management of green spaces and promotion of an urban greening project/succession planting

STC - Sandbach Town Council, CEC – Cheshire East Council, SCHG – Sandbach Conservation and Heritage Group

NB: The actions identified above are all subject to the availability of resources and funding

CHESHIRE EAST COUNCIL

Cabinet Member for Housing and Jobs

Date of Meeting:	27 th April 2015
Report of:	Interim Planning Executive
Subject/Title:	Sandbach Town Council Neighbourhood Plan Regulation 14 Consultation
Portfolio Holder:	Councillor Don Stockton

1.0 Report Summary

- 1.1 Sandbach Town Council (STC) have produced a draft neighbourhood plan and are seeking representation on its content.
- 1.2 Draft neighbourhood plans must be subject to public consultation prior to submission to the Local Planning Authority (known as the Regulation 14 consultation). At this stage, the plan consulted upon must be the preferred option of the community producing the plan.
- 1.3 Consultation allows representations to be made and, where appropriate, for STC to make amendments to its proposed plan, prior to submission to Cheshire East Council for consideration.
- 1.4 This report provides a consultation response to the draft STC Neighbourhood Plan as appended to this report at Appendix 1.

2.0 Recommendation

- 2.1 That the comments and recommendations shown in Appendix 1 be submitted to Sandbach Town Council as Cheshire East Council's formal response to the draft STC Neighbourhood Plan Consultation.

3.0 Reasons for Recommendation

- 3.1 The reasons for each recommendation are outlined in the consultation response attached at Appendix 1. Neighbourhood plans must be produced to support sustainable development and meet the basic conditions as outlined at para 8(2) of Schedule 4B of the Town and Country Planning Act 1990. They must be produced in conformity with the National Planning Policy Framework and the strategic policies of the adopted local plan. In Cheshire East the relevant adopted local plan consists of the saved policies held within the Congleton Borough Local Plan 2011.

4.0 Wards Affected

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

5.0 Local Ward Members

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

6.0 Policy Implications

- 6.1 The Sandbach Neighbourhood Plan will, once adopted by CEC, form part of the statutory development plan for CEC and be applied within the Sandbach Neighbourhood Area.
- 6.2 To ensure CEC meets its responsibilities as the Local Planning Authority and to ensure co-ordination between the emerging Local Plan Strategy for CEC and locally produced neighbourhood plans, it is important for the Council to consider the implications of emerging neighbourhood plans and for the Council to make recommendations that would assist the delivery of positive and sustainable development in Cheshire East.

7.0 Implications for Rural Communities

- 7.1 A neighbourhood plan enables rural communities in Sandbach 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. The formal stages of consultation built into the neighbourhood plan process ensures such engagement is possible and the stages leading up to the production of a draft plan should also actively seek to enable all local residents and businesses in policy formation.

8.0 Financial Implications

- 8.1 The emerging neighbourhood plan for Sandbach will incur direct costs to the Council to support an independent examination of the plan and, should the examination be successful, a local referendum. Such costs will be met through existing budgets and through grant funding from central government (£30,000 per neighbourhood plan is payable to the authority from central government to support this agenda).
- 8.2 As the proposed Sandbach neighbourhood plan will form part of the Development Plan for Cheshire East Council, should the document be legally challenged, CEC will be responsible for meeting such costs.
- 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 local councils have an adopted neighbourhood plan, this figure rises to 25% of CIL charges.

9.0 Legal Implications

- 9.1 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.
- 9.2 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.
- 9.3 Once adopted by the Local Planning Authority (made), the neighbourhood plan is brought into full effect as a statutory part of the Development Plan for Cheshire East Council

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted ('made') by the CEC, form part of the Development Plan for Cheshire East. At the current stage, the plan submitted to consultation is the preferred option of STC. The formal stages of consultation built into the neighbourhood plan process enable STC to receive representations and to inform any refinement, alterations or improvements prior to formal submission of the plan to CEC.
- 10.2 The Council continues to prepare its Local Plan Strategy and whilst the LPS is not yet adopted, the examination of the plan is due to convene in Summer 2015; it is recommended that neighbourhood plans take this document, and its evidence base, into consideration when proposing planning policy.
- 10.3 As any future neighbourhood plan will form part of the Development Plan for Cheshire East, if legally challenged it is the responsibility of Cheshire East Council to respond to such a challenge and meet any associated costs.
- 10.4 Cheshire East Council will seek to work with local councils to ensure that policies proposed in neighbourhood plans meet the requirements placed upon them by legislation.

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 Sandbach Town Council have prepared a draft neighbourhood plan with specific policy content that will potentially affect planning decisions within the Sandbach Neighbourhood Area.
- 11.3 From the day of publication, decision takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the Framework (NPPF para. 216).
- 11.4 The emerging Cheshire East Local Plan Strategy (LPS) is such an emerging plan and not yet formally adopted. The LPS was submitted to examination in September 2014 and whilst the Inspector recognised that the first test of local plan making had been passed (the Duty to Co-operate), the examination was suspended to allow Council to address the areas of concern identified in the Inspector's interim views letter dated 6th November 2014.
- 11.5 The LPS has been in production since 2010, has been tested through a series of public consultations and is the final stages of production. It is anticipated that the examination of the LPS will resume in September 2015.
- 11.6 Accordingly this consultation response to the draft STC Neighbourhood Plan takes into account the NPPF, the existing Congleton Borough Local Plan, the emerging CEC LPS and other relevant legislation including the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.

12.0 Access to Information

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

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Appendix 1: Consultation Response to the draft Sandbach Neighbourhood Plan.

The emerging Sandbach Neighbourhood Plan contains a series of policies that seek to deliver sustainable development and include positive approaches to planning. There are areas that would benefit from further policy development and from the preparation of further evidence to support the position already preferred by the town council.

2.2 Vision and Aims

Supportive, no further comments

3.1 Protecting the Countryside

Policy PC1 – Areas of Separation

The urban form of Sandbach has evolved over time to join the three settlements of Wheelock and Ettiley Heath, Elworth and Sandbach Heath resulting in some areas of green space being retained within the larger settlement of Sandbach. A policy to retain such space for community, natural and amenity purposes is a positive approach to ensuring sustainable development in Sandbach. The position reached does not conflict with the existing Development Plan (DP) and is in accordance with the emerging CEC Local Plan Strategy (LPS). The policy principle is supported.

Recommendations:

A clearer definition of Green Gap/Area of Separation is needed, as is a fuller evidence base to underpin the justification for the policy. The policy position may be strengthened through a series of amendments and further work:

1. Terms of reference would benefit from consistency. Policy PC1 refers to 'Areas of Separation' and 'Green Gaps' within the policy text. For clarity a single term of reference is recommended, either 'Green Gap', or 'Area of Separation'
2. The term should be more clearly defined to identify the factors that contribute to the allocation of land as a gap/area of separation'. Such factors may include an assessment of amenity value, landscape value, recreation value, conservation value etc.
3. The proposed policy does not clearly articulate what is being separated or what the proposed gaps are between. If the gap is intended to refer to future development pressures arising outside of Sandbach (as the large scale extent may imply), this is not clearly stated in the definition of the function of the policy and no evidence is presented to support this approach. Understanding these issues will assist in understanding if it is appropriate to apply the policy to any particular area of land and whether the extent of the allocation is appropriate to the purpose of the policy.
4. In association, and as a recommended part of this work, the distinct and separate characteristics of the three settlements of Wheelock and Ettiley Heath, Elworth, and Sandbach Heath would benefit from an assessment to articulate their historic development and the features that define each of these areas as distinct within the wider town of Sandbach. This should identify any distinctive characteristics of the areas and how their setting within the landscape contributes to this distinctiveness.

5. The proposed Areas of Separation/Green Gaps as identified on the proposals map do not recognise the existence of existing planning permissions. The policy cannot apply retrospectively to land already granted permission for development and should clearly identify that land to which it applies; it is recommended that land subject to existing planning permission should be identified on the proposals map and should not be subject to Policy PC1.
6. A full assessment of the landscape value within areas identified as 'Green Gaps/Areas of Separation' will assist to understand what contribution such areas make to frame the setting of Sandbach and the sensitivity of this setting to future development pressure.
7. To assist toward the policy aim, the policy should assess the contribution of other identified policy aims and particularly draw on evidence identified in Policies PC2, PC3, PC4, PC5 and PC6. These policies identify distinct single issues that may contribute to the function of a 'Green Gap/Area of Separation' and help inform the definition of what a 'Green Gap/Area of Separation' is and how it promotes sustainable development. The policy could be enhanced by cross reference to these policies and a clearer definition of the role and function of a 'Green Gap/Area of Separation'.

Policy PC2 – Landscape Character

The policy does not conflict with the emerging CEC LPS or the adopted DP. The policy principle is supported

Recommendation:

The policy position can be strengthened through a clearer articulation of the relationship between the identity of Sandbach and how the character of the surrounding countryside and its farmland setting contributes to this end. A more detailed assessment of landscape characteristics and an assessment of their contribution to Sandbach as a historic market town would assist here alongside a fuller assessment of landscape sensitivity to future development pressure.

Policy PC4 – Local Green Spaces

The policy does not conflict with the emerging CEC LPS or the adopted DP. The policy principle is supported. In its current wording the policy does not offer any flexibility and does not address impact from development within proximity to the sites.

Recommendation:

Consider an alteration to the policy wording to introduce some flexibility and to consider impact of development arising in proximity to the sites.

Policy PC6 – Footpaths

The policy does not conflict with the emerging CEC LPS or the adopted DP.

Recommendation:

The policy references 'very special circumstances'. For decision takers the policy would benefit from the identification of the criteria that form 'very special circumstances'

3.2 Preserving Heritage and Character

Policy HC1 – Historic and Cultural Environment

The policy does not conflict with the emerging CEC LPS or the adopted DP however the policy makes reference to an unadopted version of the Sandbach Conservation Area Assessment currently under preparation by CEC.

The Sandbach Conservation Area Assessment is a document prepared by Cheshire East Council, outside of the neighbourhood plan process and will be periodically reviewed and updated by Cheshire East Council.

Recommendation:

To ensure consistency with the most up to date evidence undertaken and adopted by CEC, the , the policy should refer to the 'most recently adopted CEC Sandbach Conservation Area Assessment'. This will enable the policy to remain consistent with any updated approaches to the Sandbach Conservation Area as undertaken by the Local Planning Authority.

3.3 Managing Housing Supply

Policy H1 – Housing Growth

The policy does not conflict with the emerging CEC LPS or the adopted DP. However, the restriction of new development to 30 dwellings or less may have an impact on the viability of sites and therefore the contributions that can be made through the S106 or CIL (once adopted) process.

Recommendation:

To ensure a consistent point of reference, reference should be made to commitments and completions at a specific date. Some further information on the definition of an 'organic growth rate' would assist with interpretation of the policy. There is an exception to the policy in H5 that would be helpful to address within this policy.

Policy H2 – Design and Layout

The policy does not conflict with the emerging CEC LPS or the adopted DP

Recommendation:

As per Policy PC1, to assist with assessing how development proposals will be assessed as 'in keeping with the unique character of Sandbach and it's surrounding countryside', an assessment and definition of the features that contribute to the character of Sandbach and it's countryside is recommended.

Policy H4 – Housing and an Aging Population

The policy does not conflict with the emerging CEC LPS or the adopted DP

Recommendation:

Consider including within Policy H3.

3.4 Promoting Jobs and the Local Economy

Policy JLE1 – Preservation of Areas Allocated for Employment

Planning policy should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose (NPPF para 22).

The CEC LPS identifies the site for the delivery of up to 20ha of employment land and the future delivery of 200 homes in the southern section of the site. A planning permission has been granted under application 12/3948C including the development of up to 250 homes.

Whilst the policy to restrict future housing development on the site (over and above that granted planning consent) is supported in principal, the policy must be satisfied that the remainder of the site can be opened for employment development without the need to deliver further mixed uses.

Recommendation:

Policy should be re-worked to introduce flexibility in accordance with the NPPF and also to recognise the site's designation as identified in the emerging CEC LPS and the existence of a consent that grants permission for up to 250 new homes.

Should the position be retained it is recommended that evidence be provided to demonstrate that an employment use is viable and deliverable without the need to accommodate market housing.

3.5 Improving the Infrastructure

Policy IFT2 – Transport and Safety

The policy does not conflict with the emerging CEC LPS or the adopted DP.

Recommendation:

To ensure the policy remains consistent with changes to CEC development plan documents, rather than reference to the 'Cheshire East Local Plan Strategy Submission (2014)', the policy should reference 'most relevant, recent and up to date Development Plan Document held by Cheshire East Council'.