

Cabinet Member for Housing and Planning Agenda

Date:	Tuesday, 5th January, 2016
Time:	10.30 am
Venue:	Committee Suite 1, 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 relevant 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

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4. **Brereton Neighbourhood Plan - Decision to Proceed to Referendum** (Pages 1 - 118)

To consider the recommendations of the Examiner and whether or not to proceed to referendum.

5. **Bunbury Neighbourhood Plan - Decision to Proceed to Referendum** (Pages 119 - 204)

To consider the recommendations of the Examiner and whether or not to proceed to referendum.

CHESHIRE EAST COUNCIL

Report of:	Director of Planning and Sustainable Development
Subject/Title:	Brereton Neighbourhood Plan – Decision to proceed to referendum
Portfolio Holder:	Councillor Ainsley Arnold: Housing and Planning
Date of Meeting:	5 January 2016

1.0 Report Summary

- 1.1 The Brereton Neighbourhood Development Plan (BNDP) was submitted to the Council in July 2015 and, following a statutory publicity period, proceeded to Independent Examination. The Examiners report has now been received and recommends that, subject to some minor modifications, the Plan should proceed to referendum.
- 1.2 The Council must now consider the recommendations of the Examiner and decide how to proceed.

2.0 Recommendations

- 2.1 That the Council accepts the Examiner's recommendations to make modifications to the Brereton Neighbourhood Plan as set out in the Examiner's report (at Appendix 1) and confirms that the Brereton Neighbourhood Plan will now proceed to referendum in the Brereton Neighbourhood Plan area.

3.0 Reasons for Recommendations

- 3.1 The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.
- 3.2 Subject to the modifications set out in the Examiner's Report, the Brereton Neighbourhood Plan is considered to meet the statutory "Basic Conditions" along with other legal and procedural requirements set out in regulations. As such it can now proceed to referendum.

4.0 Wards Affected

- 4.1 Brereton Rural

5.0 Local Ward Members

- 5.1 Councillor John Wray

5.0 Policy Implications

- 6.1 Neighbourhood planning allows communities to establish land-use planning policy to shape new development. This is achieved through the formation of a vision and the development of objectives and policies to achieve this vision. If a neighbourhood plan is supported through a referendum and is 'made' it then forms part of the statutory development plan and becomes, with the adopted Local Plan, the starting point for determining relevant planning applications in that area.
- 6.2 A neighbourhood plan must meet a number of legal and procedural requirements and meet the 'Basic Conditions' (as prescribed in Schedule 10, paragraph 8 of the Localism Act). These Basic Conditions require neighbourhood plans to:
- Have appropriate regard to national policy.
 - Contribute to the achievement of sustainable development.
 - Be in general conformity with the strategic policies in the development plan for the local area
 - Be compatible with EU obligations
 - Be compatible with human rights requirements
 - Not be likely to have a significant effect on a European site or a European offshore marine site.

7.0 Implications for Rural Communities

- 7.1 Brereton is a rural parish and the Brereton neighbourhood plan addresses a number of rural issues including Business and Economic Activity and Protecting the Rural Environment. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

8.0 Financial Implications

- 8.1 The referendum is estimated to cost £4000. This will be paid for through government grant (£30,000) and the service's revenue budget.

9.0 Legal Implications

- 9.1 The Neighbourhood Plan is considered to meet the basic conditions and all relevant legal and procedural requirements and this is supported in the Examiner's Report.

10.0 Risk Management

- 10.1 The decision to 'make' the Neighbourhood Plan is, like all decisions of a public authority, open to challenge by Judicial Review. The risk of any legal challenge to the Plan being successful has been minimised by the thorough and robust way in which it has been prepared and tested.

11.0 Background and Options

- 11.1 The preparation of the Neighbourhood Plan began in January 2013.

- 11.2 The location and extent of the Brereton neighbourhood area is shown on the map in Appendix 2.
- 11.3 The final Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council on 23rd July 2015.
- 11.4 The supporting documents included:
- Plan of the neighbourhood area
 - Consultation Statement
 - Basic Conditions Statement
 - Supporting Documents Library Listing with links to background evidence, SEA screening opinion, consultation activity, relevant legislation and regulations
- 11.5 Cheshire East undertook the required publicity between 10th August 2015 and 21st September 2015. Relevant consultees, residents and other interested parties were provided with information about the submitted Plan and were given the opportunity to submit comments to the Examiner.
- 11.6 The Borough Council appointed John Mattocks as the independent Examiner of the Plan. On reviewing the content of the Plan and the representations received as part of the publication process, Mr. Mattocks decided to hold a public hearing. The hearing was held at Sandbach Town Hall on 11th November 2015
- 11.7 A copy of the Examiner's Report is provided at Appendix 1. A copy of the Neighbourhood Plan (as submitted to the Council prior to examination) is included at Appendix 3.
- 11.8 The Examiner's Report contains Mr. Mattocks findings on legal and procedural matters and his assessment of the Plan against the Basic Conditions. It recommends that a number of modifications be made to the Plan. These are contained within the body of the Report.
- 11.9 Overall it is concluded that the Brereton Neighbourhood Plan does comply with the Basic Conditions and other statutory requirements and that, subject to recommended modifications, it can proceed to a referendum.
- 11.10 The Examiner specifically noted the thorough engagement that the Parish Council carried out with local residents and comments that the "parish council and the project group are to be congratulated on the effectiveness of the public engagement process."

12.0 Next steps

- 12.1 The Councils agreement to the Neighbourhood Plan proceeding to a referendum would be followed by the publication of a decision statement to that effect along with the reasons for that decision. This would appear on the Council's website and a copy of it would be sent to the Brereton and those who have asked to be notified of the decision. The Plan would also be modified and published in its final form on the Council's website with a schedule of the modifications made.

- 12.2 An information statement about the referendum and other specified documents required by the regulations must also be published. This signals the start of the referendum process. The referendum date has to be at least 28 clear working days after the information statement and other documents are published. Assuming the Council endorses the recommendation in this report, and then all necessary procedures which follow can be undertaken promptly, it is anticipated that a referendum could take place on or around 10 March 2016.
- 12.3 The referendum would follow a similar format to an election. All those registered to vote within the neighbourhood area would be eligible to participate. The regulations require that the ballot paper contains only the following question: "Do you want Cheshire East Borough Council to use the Neighbourhood Plan for Brereton to help it decide planning applications in the neighbourhood area?". There would be two voting options, 'yes' or 'no'.
- 12.4 If more than 50% of those voting in the referendum voted 'yes', then Cheshire East Council would be required to 'make' the plan as soon as reasonably practical. The Brereton Neighbourhood Plan would then form part of the statutory development plan for the area. If there is a majority 'no' vote or a tied vote, then the neighbourhood plan would not come into legal force.

13.0 Appendices:

1. Examiners Report
2. Neighbourhood Area
3. Neighbourhood Plan

14.0 Access to Information

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

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Summary of main findings

0.1 It is a requirement of the Localism Act that this report should contain a summary of its main findings. The reasons for each of the recommendations are given in the following sections of the report.

0.2 The principal findings in this report are that the draft plan, subject to the modifications recommended in this report, meets the basic conditions as set out in the 1990 Act, does not breach and is otherwise compatible with EU obligations and is compatible with Convention Rights.

0.3 My main recommendations for modifications to the individual policies are:-

- The start date for the plan should be amended to 1st April 2010;
- Policy HOU01 should be deleted;
- Locational criteria for self-build housing should be introduced in Policy HOU05 as well as additional criteria for such housing on former farm complexes;
- 'Policy' HOU12 should change status to that of a definition of 'local housing connection(s)' for the purpose of implementing Policies HOU05 and HOU10;
- The scope of Policy HOU07 should be reduced to apply only to recreational land and open space with public access and be qualified by criteria from paragraph 74 of the NPPF. Part 2 of the policy should be more generally worded and omit specific figures for the width of buffer zones;
- Policy BUS01 should be re-worded to more clearly relate to land use matters;
- Policy ENV01 should be deleted and
- Policy ENV04 should be re-worded with a cross-reference to a new key map (C26) showing all sites of nature conservation interest in the parish, with that information deleted from key maps C21 and C22.

Introduction

Appointment

1.1 I have been appointed by the Cheshire East Council, acting as the Local Planning Authority, under the provisions of the Localism Act 2011, to carry out an independent examination of the Brereton Neighbourhood Plan. The proposed plan was submitted to the Local Planning Authority on 23 July 2015. Cheshire East Council carried out publicity for the proposed plan for 6 weeks between 10 August and 21 September 2015 giving details of how representations might be made, in accordance with Regulation 16 of the Neighbourhood Plans (General) Regulations 2012 ('the 2012 Regulations'). I was sent the documentation required under Regulation 17 on 30 September 2015 including copies of all of the representations received under Regulation 16. I have taken that documentation into account in carrying out the examination.

1.2 I am a Chartered Town Planner (Member of the Royal Town Planning Institute) with over 40 years post-qualification professional experience in local and central government. I am independent of the Brereton Parish Council and of the Local Planning Authority. I have no land interests in any part of the plan area.

My role as an examiner

1.3 The terms of reference for the independent examination of a Neighbourhood Development Plan are statutory. They are set out in the Localism Act 2011 and in the 2012 Regulations. As an examiner I must consider whether the plan meets what are called 'the basic conditions'¹. In summary, these require me to:-

- Have regard to national policies and to advice contained in guidance issued by the Secretary of State;
- Consider whether the making of the plan contributes to the achievement of sustainable development;

¹ These are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as introduced in Schedule 10 of the Localism Act 2011)

- Consider whether the plan is in general conformity with the strategic policies contained in the development plan for the area;
- Ensure that the plan does not breach, and is otherwise compatible with EU obligations relating to Strategic Environmental and Habitats Assessment and that the plan is compatible with Convention rights, within the meaning of the Human Rights Act 1998.
- Ensure that 'prescribed conditions' are met and 'prescribed matters' have been complied with in plan preparation and submission.

1.4 Legislation requires that my report on the draft plan should contain one of the following recommendations:-

- a) that the draft plan is submitted to a referendum, or
- b) that modifications are made to the draft plan and the modified plan is submitted to a referendum, or
- c) that the proposal for the plan is refused.

I may make recommendations for modifications which I consider need to be made to secure that the plan meets the basic conditions or for compatibility with EU obligations and (Human Rights) Convention Rights. The only other modifications which I may recommend are those to correct errors.

Procedural matters, including the need for a hearing

1.5 Cheshire East Council formally designated the parish of Brereton as a Neighbourhood Area on 31 July 2013. The plan relates solely to the designated area and has been submitted by the Brereton Parish Council as the 'qualifying body'. The title of the plan, as given on the front cover and in the formal Regulation 15 submission is the 'Brereton Neighbourhood Plan'. For that reason, all references in this report to the plan use that title, abbreviated to 'BNP'. However, all references in the document itself are to the 'Brereton Parish Neighbourhood Plan' (my emphasis) as it was in the Regulation 14 notice. This should be corrected for consistency.

1.6 The plan period is specified as 10 April 2015 to 9 April 2030. That is a 15 year period from the start of the Regulation 14 consultation on the pre-submission plan ending in the same year as the emerging local plan, the Cheshire East Local Plan Strategy (CELPS). The only aspect of the BNP which is in any way time related is Policy HOU01 for the provision of housing which policy is discussed in more detail in paragraphs 3.15-18 below. The BPC acknowledged during the examination that to enable comparison with CELPS monitoring housing data it would be logical to use the local plan base date of 1st April 2010. Therefore, for consistency and for ease of monitoring the start date of the plan should be changed to 1 April 2010 (Recommendation 2). The plan does not relate to mineral extraction or waste development or to nationally significant infrastructure. The statutory requirements in these respects have been met.

1.7 The legislation states that the ‘general rule’ is that the examination of the issues by the examiner should take the form of the consideration of written representations. However, an examiner must hold a hearing ‘for the purpose of receiving oral representations about an issue’ where he or she considers a hearing ‘is necessary to ensure adequate examination of the issue or a person has a fair chance to put a case’².

1.8 From my initial appraisal of the plan and the representations made, I came to the view that there were a number of issues relating to the housing policies in the plan which required in depth consideration before I could be satisfied that there had been an ‘adequate examination’ of such issues. In particular, this applied to the overall number of dwellings to be permitted over the plan period and the detailed implementation of policies intended to provide for local needs, especially in terms of provisions for ‘self-build’ housing which is a novel and emerging area of planning policy. Accordingly, I notified Cheshire East Council that it would be necessary to arrange a public hearing at which these issues might be discussed. This took place at Sandbach Town Hall on 11 November 2015. I spent the previous afternoon touring the parish so that I might fully appreciate the character of the area and look at more recently constructed housing and sites with outstanding planning permission.

² Paragraph 9 of Schedule 4B to the 1990 Act (as in reference 1 above)

1.9 There were a few other points upon which I sought clarification from the Parish Council but which I considered might be satisfactorily dealt with by way of a written exchange. These were sent to the local planning authority by e-mail on 21 October and a response was received on 6 November as part of BPC's written submissions for the hearing. At my request, all written submissions were placed in the public domain on the Cheshire East Council web site.

1.10 The Parish Council have submitted a Basic Conditions Statement in accordance with the Regulations. It provides a detailed assessment, including commentary in tabular form in relation to each of the policies in the plan, of the extent to which the plan meets the basic conditions, as summarised in paragraph 1.3 above. I have taken that assessment into account in my examination. I have also taken into account all of the written representations made on the submitted draft plan, along with the written and oral responses to the questions I raised during the examination.

Preparation of the plan and the pre-submission consultation process

2.1 As required by legislation, the Parish Council have submitted a Consultation Statement. It sets out in considerable detail the process of public engagement and sets out the manner in which the issues raised in the Regulation 14 consultation, which took place between 10 April and 22 May 2015, were considered and addressed in the final draft plan as now submitted for examination.

2.2 The measures taken to engage the local population in the plan preparation process from an early stage are very much in evidence. Public opinion sought on the principle of producing the plan before the application for designation. The first consultation event also took place in March 2013, before the neighbourhood plan area had been formally designated by Cheshire East Council. Every effort has been taken to publicise the plan across a wide spectrum of the community, including local groups and business interests. I have little doubt that the thoroughness of the engagement process has resulted in the noticeable lack of criticism in any of the representations made on the plan with a large majority being in support. The parish

council and the project group are to be congratulated on the effectiveness of the public engagement process.

The Plan

3.1 In paragraph 1.3 above I have set out the terms of reference for my examination of the plan in accordance with the relevant Act and Regulations. In doing so I will first consider the consistency of the plan with the Human Rights Act and then whether EU Regulations have been complied with. I will then consider the extent to which the plan meets the basic conditions.

The Human Rights Act and EU Obligations

3.2 In the second paragraph of section 6 in the Basic Conditions Statement it is stated that the Neighbourhood Plan, and the policies and proposals contained within it, has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (as amended, 2010); and that the plan complies with the Human Rights Act. No representations have been made concerning this aspect but from my own assessment I have no reason to conclude other than that the approach taken in the plan is fully compatible with Convention Rights.

3.3 The same section of the Basic Conditions Statement also deals with the need for a Strategic Environmental Assessment (SEA) in accordance with EU Regulations³.

On 21 January 2015 the Parish Council requested that Cheshire East Council issue screening opinions as to whether the plan would require a SA/SEA and also whether an appropriate assessment under the Habitats Regulations would be required. An initial opinion was issued by the CEC on 20 March 2015, which was that the plan would not have any significant environmental effects and that, consequently, an environmental assessment would not be required⁴. In April 2015 the BPC produced a statement on Sustainability Appraisal⁵.

3.4 A representation by Gladman's challenges the adequacy of CEC's screening opinion. They suggest that the screening was undertaken only on the submission

³ The Strategic Environmental Assessment Directive, 2001/42/EC

⁴ Document SD/C26a, included with Regulation 14 documentation on BPC web site. Regulation 5(6) of the Environmental Assessment of Plans and Programmes (SI 2004 No. 1663) applies.

⁵ Document SD/C28

draft and was too late to influence its content contrary to advice in Planning Policy Guidance (PPG)⁶. However, as indicated above, a screening opinion was requested from the CEC by the qualifying body as early as January 2015. The Cheshire East Council's initial screening document is a full and systematic assessment of the environmental implications of the policies and proposals in the draft BNP which is acknowledged not to seek to make site allocations but to include a number of protective policies. The initial opinion was consulted upon in parallel with the consultation on the pre-submission draft plan⁷ and responses received from statutory consultees in May, including confirmation by Natural England that a full environmental assessment would not be required.

3.5 The final screening opinion, or the 'determination' as required under the Regulations⁸, although not specifically identified as such, was made on 14 July 2015 and sent to the statutory consultees as part of the documentation made available publicly at the start of the Regulation 16 consultation on 10 August, within 28 days of the 'determination' under the Environmental Assessment Regulations⁹.

3.6 Gladman's also draw attention to the examiner's report into the Lindfield Neighbourhood Plan in which it was concluded that an additional site allocation should be made, requiring an SEA. As I discuss later in this report, the situation in Brereton is very different. It is an entirely rural parish containing two small villages which were not proposed in the statutory development plan to accommodate significant housing development, nor for that matter are they so proposed in the emerging CELPS. As an SEA is not required there is no requirement for alternative growth scenarios to be tested. That is more appropriate for the higher level local plan, for which an SA/SEA has been produced.

3.7 The plan-making body ('the relevant authority') must also consider the provisions of the Habitats Regulations.¹⁰ The Bagmere SSSI, which lies within Brereton Parish and within 700 metres of the settlement boundary of Brereton Heath, is part of the Midlands Meres and Mosses Phase 1 RAMSAR. Other Sites of

⁶ Ref. ID 11-028-20150209

⁷ The 'Regulation 14' consultation

⁸ Regulation 9(1) of the 2004 Regulations, see footnote 4 above.

⁹ Regulation 11 of the 2004 Regulations

¹⁰ The Conservation of Habitats and Species Regulations, 2010 ('the Habitats Regulations')

European significance fall within a 15 km. radius of the centre of the parish. Consequently, the HRA screening assessment undertaken by Cheshire East Council as set out in Appendix 1 of Document SD/C29a, finalised in July 2015, presents a detailed and thorough analysis. It concludes that neither the Neighbourhood Plan itself nor in combination with the policies and proposals of the CELPS, would have a 'significant adverse effect' on the sites and that an 'appropriate assessment' was not required. This conclusion was supported in consultation by Natural England subject to a strengthening of policy ENV04 to clarify that protection should be applied to land 'adjacent to or within the proximity of' the designated sites'.

3.8 Policy ENV04 in the submitted plan has been strengthened as required.

There is also a mitigation clause written into policies HOU01 and HOU02.

Nevertheless, Natural England have made representation on the submitted plan in which they express concern that the mitigation policy safeguards in the plan might not be sufficient in themselves should the neighbourhood plan be 'made' before the CELPS is adopted and the additional protective policies therein come into effect.

They suggest that, should that be a possibility, then the policy wording of the draft CELPS should be included in the BNP to ensure that the appropriate mitigation measures are undertaken before any development takes place. As I considered this to be somewhat of a novel argument I requested that the CEC should formally respond to Natural England by letter, which they have done. I have taken that response into account along with Natural England's representation.

3.9 I consider that Natural England's concerns represent an over-reaction, especially as the BNP is not a plan which seeks to promote development over and beyond that envisaged in the CELPS. The CEC have drawn attention to the strongly protective policies NR2 and NR3 which are both saved in the Congleton Borough Local Plan (CBLP), which remains the statutory plan and which, until the CELPS is adopted, has the full force of s.38(6) of the 1990 Act (as amended) behind it. The same would apply to neighbourhood plan policies should the plan be 'made' before adoption of the CELPS. The policies in the emerging CELPS are 'material considerations' in the decision-making process and that would apply equally to the mitigation policies as it would to those which promote development; they are inter-linked and all part of a package of measures. It would not be appropriate for a

decision-maker to attach significant weight to pro-development policies without also taking full account of any significant environmental effect such development would have in the absence of mitigation. Furthermore, it is not good practice to replicate policy in documents at different 'tiers' of the statutory development plan

3.10 Taking all of the above into account, I am satisfied that the submitted plan is compatible with EU environmental obligations and does not breach Convention Rights.

General conformity with the strategic policies of the Development Plan for the Area

Summary of development plan policy

3.11 As mentioned in paragraph 3.9 above, the statutory development plan for the area is the Congleton Borough Local Plan (CBLP) First Review which was adopted in 2005. The plan period ended in 2011 and, consequently, the plan does not provide an up-to-date context for decision making at least in relation to those policies, such as for housing, which are time-related. A 'saving direction' under the provisions of the Planning and Compulsory Purchase Act 2004 was made by the Secretary of State in January 2008¹¹ in which the majority of the plan policies were retained and still form part of the statutory development plan.

3.12 The parish of Brereton lies within what is described in the CBLP as part of the rural area where 'Limited development will ... be facilitated in smaller settlements where it may aid the provision of rural services or provide effective housing to meet local need.'¹² The plan includes a settlement hierarchy (Policy PS3) which looks to focus most development in the towns, which include Sandbach and Congleton. Sandbach abuts Brereton to the west whereas Congleton is close by to the east. Holmes Chapel, which abuts to the north, and Brereton Green have equal status as a 'village in the countryside' to which Policy PS5 applies. They have a 'settlement zone line' shown on the proposals map. Brereton Heath is described as a 'settlement in the countryside' to which Policy PS6 applies. It has a defined 'infill boundary line'. All other parts of the parish are classified as being in the 'open countryside' to which Policy PS8 applies. Under that policy the types of

¹¹ Paragraph 1(3) of Schedule 8 of the 2004 Act

¹² Extract paragraph 2.48 of the CBLP

development which might be permitted are listed, including affordable homes subject to Policy H14. On the economy, the plan recognises the need for rural diversification and the types of development which might be permitted within the 'open countryside' are listed under Policy E5. Policy E4 is permissive of employment development within the settlement zone line of the Policy PS5 villages. Other policies cover transport and the environment.

3.13 The overall thrust of the statutory plan as it applies to Brereton parish is that it is a countryside area where development should be to meet local needs and where the rural character is to be protected. I consider that the BNP is entirely in conformity with the aims and objectives of the CBLP although, as discussed below, the scale of the housing development which has taken place in recent years, especially at Brereton Heath, has to be recognised. In that regard, it seems to me apt that the vision should refer to the parish being a 'Green Gap' between the surrounding towns and villages. Not only is such a concept in line with the statutory plan but the settlement strategy in the emerging CELPS¹³ remains substantially as in the CBLP. Brereton parish comes within the 'other settlements and rural areas' subject to CELPS Policy PG2 where development 'in the interests of sustainable development' is envisaged 'in order to sustain local services', with affordable housing 'to meet a particular local need'.

Does the plan meet local needs?

3.14 The concept of meeting local needs is not an easy one because in most cases planning decisions are not taken on the basis of the personal circumstances of an applicant. Dwellings for agricultural workers are a special case to which CBLP Policy H6(1) applies¹⁴. Affordable housing is also recognised as an 'exception' under CBLP Policy H14 subject to a local occupancy condition.

3.15 The difficulty is in assessing exactly what local needs are. A local housing needs survey was undertaken in Brereton in 2013¹⁵ which identified a need for the housing of 32 households over the plan period with a minimum of 12 needing affordable housing, for rent, within the first five years. Some caution is required in

¹³ Holmes Chapel, however, is proposed as a 'Local Service Centre'. Brereton Green does not have that status.

¹⁴ Paragraph 55 in the NPPF also refers

¹⁵ Document SD/C10

the figures because the return of questionnaires was only 39%. Even so, permissions for housing granted in recent years provide for an element of affordable housing with 7 already constructed as part of the Rose Cottage development fronting Holmes Chapel Road in Brereton Heath with a further 2 permitted on Moss Lane. The permission granted on appeal for 18 affordable homes on a site at London Road, Holmes Chapel, has been recognised as providing for the needs of Holmes Chapel and not Brereton despite the land being within the parish. Nevertheless, there will clearly be a need to monitor the delivery of affordable housing over the remainder of the plan period and, with the provision for exception sites in policy HOU03, there may be additional potential for such development.

3.16 A further study was commissioned by the BPC in 2014 from URS to provide housing needs advice for the Neighbourhood Plan¹⁶. It examines alternative approaches to the calculation of housing need at the local level. One approach is to apportion the total housing provision for the rural area in CELPS, which has been increased to 2950 for Cheshire East as a whole, on a population basis. This results in a requirement for 43 additional dwellings over the whole CELPS plan period of 2010-30. The alternative approach is derived from CLG Household projections, termed an 'unconstrained figure' of 58 dwellings over the same period. The recommended mid-point figure of 50 is that given in NP Policy HOU01. It also derives from a community survey in which the majority of respondents indicated that they would prefer 1-50 new homes to be built in the plan period.

3.17 Representations from the development industry question the basis for this figure with an assertion that provision should be significantly higher although no additional justification has been provided. However, I consider that the URS study represents reasonably robust evidence on the issue¹⁷ and, if anything, is more detailed than that which might be reasonably expected to support a neighbourhood plan. Along with those policies which look to providing for specific needs on an 'exceptions' basis, I consider that the plan adequately provides for local needs. It need go no further.

¹⁶ Document SD/C17

¹⁷ In accordance with guidance in the PPG, ref. ID 41-040-20140306

3.18 In that context, it is important to distinguish between need arising from the existing population of a rural area and externally generated demand by those who might be attracted to move to the area from outside. In view of the scale of recent development there is no case for additional development being required to maintain the viability of the limited local services. It is for that reason that I have questioned the inclusion of a reference to meeting external demand in the text under the objective for housing development on page 15 of the plan. It may well be that existing housing will be taken up by people moving from outside, and it is correct to say that there can be no control over it. Indeed, as recognised in the Taylor Review¹⁸, a common problem in rural areas which are within easy commuting distance of major employment centres is that such demand increases local house prices making it increasingly difficult for local people on lower incomes to buy houses locally. The plan contains policies which might enable such people to gain permission but the plan does not seek to meet external demand. The wording under the objective is misleading and does not reflect the development strategy. It should be omitted for that reason.

Recommendation 1

At the end of the first paragraph of text under the objective for Housing Development in section 6.1 on page 15 of the Plan, delete the words ‘and the demand from people who want to live in a rural area such as ours but work in urban areas nearby.’

The achievement of sustainable development and consistency with national policy and guidance

3.19 As indicated in paragraph 1.3 above the basic conditions include requirements to ‘have regard’ to national policies and advice¹⁹ and that the plan ‘contributes to the achievement of sustainable development’²⁰ In paragraph 6 of the NPPF it is stated that the major part of that document, paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development

¹⁸ “Living Working Countryside” - The Taylor Review of Rural Economy and Affordable Housing, 2008

¹⁹ Schedule 4B, Paragraph 8(2)(a)

²⁰ Schedule 4B, Paragraph 8(2)(d)

means in practice for the planning system. Therefore, the two basic conditions are closely linked and I shall consider them together.

3.20 In that context, although neighbourhood plans should be in ‘general conformity’ with the strategic policies of the development plan, it is good practice that it should, as far as reasonably practicable, be up to date and consistent with the emerging plan, the CELPS. That is so that, once that plan is adopted, the chances of any inconsistency, or even conflict, are reduced²¹.

3.21 It is not appropriate or necessary for me to rehearse here in any detail the background to the on-going examination of the CELPS. The examination had been suspended but it is now progressing following the submission by the CEC of updated evidence on Objectively Assessed Housing Needs (OAHN), as requested by the Inspector. As stated above the apportionment method for calculating need in the URS study uses the currently submitted figures. I accept that the issue is still open for debate and it is possible that the rural areas housing requirement in the finally adopted plan could be higher. But, to my mind, it is significant that the level of commitment to new housing development in Brereton as the result of planning permissions granted in recent years would, if all implemented, and taking account of completions since 2010, exceed even the ‘unconstrained’ figure for housing needed over the whole plan period until 2030. *See paragraph 3.29 below.*

3.22 The thrust of the representations on this issue is that because the plan, through Policy HOU01, seeks to constrain housing development to approximately the level of existing permissions it is unduly restrictive and does not accord with the Government’s growth agenda. I consider that the national policy as expressed in the NPPF puts the onus first and foremost on the local planning authority, through the local plan process to demonstrate that the OAHN for the Strategic Housing Market Area (SHMA) is met. To achieve that, the overall provision in the rural area is proposed to be increased from that in the submitted plan but the URS study for Brereton takes account of that. I accept that the figure is not yet finalised, but even should the rural areas figure be increased further in the finally adopted CELPS the strategic direction of the plan and its settlement hierarchy has already been endorsed by the Local Plan Inspector. I do not accept, therefore, that the BNP is

²¹ PPG, Ref. ID 41-009-20140306

unduly restrictive in its approach to housing provision nor that its progression prior to local plan adoption would necessarily increase pressure on other parts of the rural area. There is no strategic context for increasing the housing provision in the BNP above the proposed level.

3.23 Gladman Developments have given some details of a planning application they have submitted for residential development on land off London Road, Holmes Chapel but which lies within Brereton parish. The proposal is now before the Secretary of State on appeal and a Public Inquiry is scheduled for March 2016. Gladman's submit that an expansion of Holmes Chapel might well be required to accommodate the increase of around 50% in Cheshire East's revised evidence base for the CELPS²². In their view, a southerly expansion of the town would represent a sustainable pattern of development but it would be contrary to the submitted BNP which makes no provision for it. The BNP would, therefore, restrict development and thus undermine the spatial objectives of the emerging CELPS and the core principles of sustainable development.

3.24 This raises an interesting issue with regard to the relationship between neighbourhood plans and emerging development plans, especially where the latter is looking to increase housing development in line with Government policy but the statutory development plan pre-dates the NPPF. However, it is clear from Planning Practice Guidance that neighbourhood plans may be prepared, indeed 'made' ahead of a development plan review. In the case of any conflict then, under s38(5) of the 1990 Act, any decision should be resolved in favour of the policy contained in the last document to become part of the development plan²³. This principle has been upheld by the courts.

3.25 The overall scale of housing to be accommodated within any local planning authority area and the options for distributing that housing between different settlements in order to optimise the sustainability of the plan strategy is very much a strategic issue. It is right and proper that such matters should be examined through the local plan process, as is happening in Cheshire East. It cannot reasonably be expected that a small-scale plan drawn up for an individual parish such as Brereton

²² In the draft CELPS, policy PG2, Holmes Chapel is classified as a 'Local Service Centre'.

²³ PPG, ID ref. 41-009-20140306

should accommodate wider area, strategic, requirements until they have the status of inclusion in the statutory local plan, at which point paragraph 184 in the NPPF would apply.

3.26 I agree that a Neighbourhood Plan should not prejudice the possibility of meeting wider housing needs, such as those of towns abutting the neighbourhood area (the classic ‘cross-boundary issue’), where there is a clear-cut commitment to such a proposal in an emerging development plan. However, as things stand, that is not the case in Cheshire East. In this regard, I cannot conclude on the evidence before me, which I consider to be proportionate for the purposes of a neighbourhood plan, that the BNP fails against either basic condition a) or d). Should the BNP be ‘made’ before the CELPS is adopted it would be apparent to any decision-maker that it did not seek to accommodate any wider strategic or cross-boundary housing requirement.

The overall provision for new housing in the plan: the purpose of Policy HOU01 and the means to its implementation

3.27 The wording of Policy HOU01 in the submitted plan is that ‘proposals totalling up to 50 houses will be allowed ... by the end of the plan period to 2030’. Desirable though it may be to use plain English in drafting Neighbourhood Plans, it is important, especially in the wording of policy statements, that there should be no ambiguity of meaning. The plan is implemented, as part of the wider development plan, through decisions on planning applications made to the local planning authority. In practice, to ‘allow’ a ‘proposal’ can only mean to grant planning permission upon application. The policy is also written in the future tense. Consequently, a common sense interpretation of the policy would be that planning permission will be granted for up to 50 new houses over and above those which already have planning permission. There is no means to limit or control the implementation of existing permissions and, conventionally, they are accepted as ‘commitments’ for the purpose of plan making.

3.28 That is the approach which has been taken in the CELPS²⁴. The rural areas figure of 2950 is for the whole plan period of 2010 to 2030. Housing completions

²⁴ Table A

from the base date are deducted to give a residual figure of the number of houses which need to be delivered during the remainder of the plan period. Unimplemented planning permissions at a given date would be part of the potential housing supply with the rest being provided by allocation in the plan. The URS study equates the 'local need' for Brereton as 42-58 dwellings for the whole plan period from 2010. For consistency and 'read across' between figures it is sensible that the neighbourhood plan base or 'start' date should also be 2010 and I recommend that modification. However, consideration might be given to updating all statistics to 1st April 2015 and using that as the 'start' date for monitoring purposes.

Recommendation 2.

Amend the 'start' date for the plan period from 9th April 2015 to 1st April 2010.

3.29 At the hearing, the CEC provided updated figures for housing completions in Brereton, as at 30 September 2015, on sites granted permission since 1st April 2010. 33 houses had been completed and occupied in that period. At the same date there were extant permissions for a further 54 dwellings of which 18 are the affordable homes near Holmes Chapel which it was agreed should be discounted, leaving 36. Therefore, if all permissions were to be implemented the total 69 dwellings would exceed the URS 'local need' calculation by a wide margin. Even if a 10% allowance is made for non-implementation (a common practice) the resultant 32 dwellings in addition to the 33 completed would give a total of 65, 7 (12%) above the URS 'unconstrained' figure of 58. That is a comfortable margin, even should some other method be used to apportion the rural areas figure in the CELPS, for example to take account of the policy constraint applying in green belt areas which do not apply to Brereton.

3.30 The BPC have confirmed that it was not their intention that policy HOU01 should permit the granting of permission for another 50 houses over and beyond existing commitments. In that context, I note that the community survey was dated in 2013 before the permissions for development on Holmes Chapel Road, Brereton Heath were given. From that it is clear to me that the community of Brereton would not wish to see further significant housing development in the parish, over and above the level of existing commitments or what might be regarded as meeting a local need. As submitted, policy HOU01 would be likely to be misinterpreted. It is neither

clear nor unambiguous as required in Planning Policy Guidance²⁵ and needs to be modified to meet basic condition a).

3.31 Representations from the development industry object to Policy HOU01 on the basis that it is overly restrictive, particularly in inclusion of the words 'up to'. It is argued that such an approach is contrary to government guidance in the NPPF and any figure should be regarded as a minimum. It has been suggested that the average of 6 completions a year should continue. I find no evidential basis for making such provision especially when it is recognised that most completions have occurred within the last 2 years as a result of decisions taken to remedy a shortfall in an identified five year supply of land across Cheshire East. As the Local Plan Inspector has indicated in agreeing to suspend the examination of the CELPS the supply situation will have to be remedied for that plan to be found 'sound'.

3.32 I do, however, agree that setting a policy cap on the number of dwellings to be built over the whole plan period does not comply with the NPPF and so fails a basic condition. It is also totally unrealistic to include a figure which is significantly (around 23%) below the number of dwellings either already completed since 2010 or with unimplemented permissions. Furthermore, as BPC acknowledged at the hearing, there may be some limited potential for further development within the existing settlement boundaries, including through re-development in accordance with paragraph 2 of BNP Policy HOU02. There would be no justification for with-holding permission for development on a site which complied with all other development plan policies simply because a particular figure had been reached.

3.33 In discussion at the hearing the BPC suggested that, perhaps, the word 'around' might be substituted for 'up to'. However, not only would that be vague but also there would no practical means to implement it. As there is no existing or emerging strategic requirement for additional housing in Brereton I consider that other BNP policies are sufficient in their own right to protect the rural character of the parish. Policy HOU01 does not, in reality, serve any useful purpose AS A POLICY. It has value to the community as a signal of intent, but the plan must also be realistic about what can be achieved. I therefore recommend the deletion of the policy. The second part, which contains an important statement with regard to mitigation relating

²⁵ Ref. ID 41-041-20140306

to the Bagmere RAMSAR site, is duplicated in policy HOU02 where it is more appropriately placed. The justification and evidence to support the policy within Appendix A1 has a useful role as background material but it may be merged with that for policy HOU02. In that context it would be useful to include as up-to-date information as possible on housing completions and commitments.

Recommendation 3

Delete Policy HOU01 and integrate the justification and evidence material in Appendix A1 with that for Policy HOU02 updated to the latest available information on housing completions since 2010 and remaining unimplemented permissions.

The approach to policy wording

3.34 I refer above to PPG guidance about the need for policies to be expressed clearly and unambiguously. I drew attention to this by way of written question. Policy HOU01 was case in point. Not all of the text under the policy headings in the plan is actually policy which would be used in the determination of planning applications. Some is more in the nature of an informative or an indication of intended administrative action. Where this occurs I will refer to it in the recommendations which follow.

Is the identification of settlement boundaries for Brereton Green and Brereton Heath in the BNP an undue restriction on future growth?

3.35 As stated in paragraph 3.12 above the settlement boundaries for Brereton Green and Brereton Heath are shown on the CBLP proposals map. At the present time, the CEC has not proposed any change to those boundaries through the CELPS although I am informed this will be done in a 'part 2' plan dealing with smaller site allocations. Sensible adjustments to the boundaries, particularly at Brereton Heath to take account of recent planning permissions, are proposed in the BNP as shown in key maps 20a and 20b in Appendix C. Policy HOU02 continues the CBLP approach to policy as it applies to the settlement boundaries and development within or outside those limits.

3.36 The arguments advanced that the limits are unrealistic and unduly restrictive because they do not allow for any significant expansion of the villages in the period

up to 2030 are closely allied to submissions about the overall level of housing allowed for under Policy HOU01. The answer is the same. There is no strategic requirement for significantly greater housing development in this rural area. The plan meets the basic conditions in this regard. The BPC have indicated a willingness to review the BNP should the context change upon adoption of the CELPS. As was mentioned at the hearing there is currently no guidance on how neighbourhood plans might be reviewed but, as they are part of the statutory development plan it might be expected that there would be a positive and on-going review to maintain consistency between the different tiers of the plan.

3.37 The BPC have not quantified the potential for further development within the revised settlement boundaries in the BNP but it appears to be very limited. The CEC have explained that the boundary will be reviewed in a second part of the local plan when more detailed site allocations are considered. At that point the strategic requirements for the rural areas will have been decided. That may necessitate a review of the BNP. The BNP also allows for some development, in specified circumstances, outside settlement boundaries and, consequently, cannot be regarded as being unduly restrictive.

Application of 'exceptions' Policy HOU03, self-build Policy HOU05, housing for local people Policy HOU10 and the definition of 'local connections' in Policy HOU12.

3.38 In view of the novelty of self-build housing as a policy area, not dealt with in either the CBLP or, for that matter, in the CELPS, I considered that the application of BNP policies HOU03, HOU05, HOU10 and HOU12 required special scrutiny and warranted a hearing so that the issue might be fully discussed in the light of concern expressed by Cheshire East Council that the BNP policies would permit isolated dwellings in the countryside contrary to paragraph 55 of the NPPF.

3.39 The BNP is undoubtedly forward looking in seeking to encourage self-build and custom-build housing as an element in meeting local need. Councils are now required to maintain registers of those wishing to acquire land for self-build²⁶ and further provisions are included in the Housing and Planning Bill. However, current Government planning policy, as expressed in paragraph 55 of the NPPF, refers to

²⁶ Self-Build and Custom House Building Act, 2015, section 1

self-build as one type of housing within an appropriate mix. It is not suggested that self-build housing should be treated as an exception to policies which restrict development in the open countryside, in other words away from recognised settlements. It is also possible, even likely, that some plots for self-build housing might become available within the Brereton settlement boundaries, in which case Policy HOU02 would apply and the question of a local needs connection would not arise, other than under Policy HOU09. The second sentence of Part 1 of Policy HOU05 suggests that self-build dwellings would only be for 'local people' but that could only be the case on 'exception sites'. As the sentence is more of an informative than policy it should be deleted for clarity.

3.40 The term 'rural exception site' has conventionally been applied only to sites for affordable housing. The term is used in that sense in paragraph 54 of the NPPF. That is the concept behind CBLP Policies H6(vi) and H14. In the emerging CELPS it is Policy SC6. In BNP Policy HOU03 part c) refers to affordable housing for local needs and applies the Local Plan criteria. If adopted in its present form CELPS Policy SC6 would provide for an element of market housing on such sites in certain circumstances, as mentioned in paragraph 54 of the NPPF. It is to be noted that the maximum of 10 affordable units on any one site is included in emerging local plan policy and, as that might possibly change before the CELP is adopted, it need not be repeated in the BNP.

3.41 I raised concern about part 2 of Policy HOU03. This applies the 'not exceed 10 dwellings' criterion to all 'exception' sites as listed in the first part of the policy, but without a clear evidential basis for so doing. Although the figure of 10 is a maximum the inclusion of such a figure might well encourage schemes for that number. In combination with policy HOU05 for self-build housing, bearing in mind that these would be outside settlement boundaries, the requirement in policy ENV06(2) for development to 'complement the existing pattern of ribbon development and avoiding the use of cul-de-sacs' could lead to a significant extension of ribbon development into the countryside. In itself, such a form of development would be unlikely to meet the requirement in part 2 of Policy HOU05 for it to minimise visual environmental impact. After discussion at the hearing it was agreed that there would be advantage in amending the wording of part 2 to that used

in CBLP Policy H14. This would be less prescriptive and provide greater flexibility for schemes to be judged on individual merit. Such wording is recommended to be included in Policy HOU03. For consistency, the last sentence in part 2 of Policy HOU05 should also be deleted. It is, in any event, not expressed as policy.

3.42 The Housing and Planning Bill currently before Parliament includes provisions for starter homes but it is unclear how that will relate to smaller rural affordable housing exception sites. Together with homes suitable for elderly people, these are part of the overall housing mix and although such categories might usefully be mentioned in Policy HOU09 I find no basis for including them as ‘exceptions’ under Policy HOU03.

3.43 At the hearing, the BPC accepted the CEC request that locational criteria be included in Policy HOU05 to prevent isolated development in the countryside and thus ensure that the plan conforms with Government policy in this regard and meets the basic conditions. These criteria are that self-build housing should only be permitted on sites adjacent to settlement boundaries or in the form of infill, defined as ‘the filling of a small gap in an otherwise substantially developed frontage’. A modification is recommended to that effect. Such restrictions would also be consistent with long-standing policies which permit dwellings to be built for agricultural workers or to provide necessary accommodation associated with rural businesses. These would often come within the self-build category but are only permitted provided viability and functionality tests are met and subject to occupancy tying conditions.

3.44 With the agreed inclusion of locational criteria for self-build, the BPC sought greater flexibility relating to the redevelopment of former farm complexes for a mix of housing to include self-build on the basis that services are already available. This would go beyond conversion of existing buildings and the development of previously-developed (brownfield) land under categories 1(a) and (b) of policy HOU03. Although paragraph 17 of the NPPF encourages the re-use of previously developed land and the re-use of redundant or disused buildings in rural areas is encouraged in paragraph 55 of that document, it is to be noted that definition of previously developed land in the NPPF document specifically excludes land that is, or has been, occupied by agricultural or forestry buildings.

3.45 The 're-use of land' is synonymous with 're-development'. The NPPF policy (and PPG/S 3 before it) has been used to justify the re-development of former hospital sites in the countryside and even in the green belt provided the open-ness of the area was not compromised. Category 1(a) of Policy HOU03 is a reflection of that in so far as it relates only to previously developed land, as is made clear in paragraph 3 of the justification for the policy on page 37 of the BNP. It does not follow that the introduction of locational criteria for self-build housing into the plan would be a basis for extending the concept of redevelopment in general to any 'farm complexes'. They could be quite extensive, including areas of hard standing or open barn structures which might not be suitable for 're-use' or conversion. A policy which simply allowed the redevelopment of former farm complexes would apply to some which are not only quite extensive but in relatively remote locations. That would not be sustainable development nor would it be consistent with the development plan and it is not clear what 'regard' it would have to national policy for rural areas.

3.46 Nevertheless, with the widening of permitted development rights and the generally supportive policy stance given to the re-use of redundant buildings in the countryside, it would be but a small step to allow for an element of self-build, as distinct from re-development, specifically to meet a local need as defined in Policy HOU12, provided that it was within the confines of the existing complex, and was not on land which had never been developed (greenfield land). It would, however, include hard-surfaced areas and land which is or has been occupied by agricultural buildings.

3.47 With the above limitations, provided that any new housing small-scale compared to what might otherwise be permitted development, I accept that the concept might be regarded as being broadly consistent with the thrust of government policy and thus represent sustainable development. New build should certainly not be a dominant element within any scheme for the re-use of farm complexes. Although, there is no specific reference in the plan as submitted to the development of self-build housing on farmyards, with the inclusion of other locational criteria modifications are required to make the policy intention clear.

3.48 'Policy' HOU12 is not phrased as a land-use policy in itself but includes the definition of the term 'local housing connection' as used in Policies HOU05 and

HOU10. Therefore, for clarity and to be consistent with PPG advice, it should be headed only as 'Definitions of the term 'Local (Housing) Connection' for the purpose of Policies HOU05 and HOU10'. All references in the plan to 'Policy HOU12' will need to be deleted and replaced by a reference to the definition of 'local housing connection'.

3.49 I drew attention in my questions for the hearing to the potentially wide scope for people to qualify under the local housing connection as defined in the submitted plan. However, the key service centre of Sandbach and the local service centre of Holmes Chapel, with sizeable populations, are both 'immediately adjoin parishes' meaning that the residents of those areas or the employees of businesses located there would, potentially, satisfy the local connection requirement. I consider that with such a wide definition the potential demand from those wishing to build their own houses, even with the suggested occupancy restriction using s106 obligations, might well be significant. It would not represent sustainable development.

3.50 This point was acknowledged at the hearing by the BPC. The intention is clearly to meet the local need for rural housing. Although a degree of flexibility was sought to meet the needs of adjoining rural parishes, to be consistent with development plan policies it was agreed that the definition of 'immediately adjoining parish' should not apply to either Holmes Chapel or Sandbach. I agree that a modification to that effect is needed to bring the policy in line with development plan policy.

3.51 The CEC have raised some detailed concerns on the terms of the s106 obligations which would be required to secure the occupancy of dwellings permitted as self-build under Policy HOU05. The reference in part 4 of the policy to a requirement to 'construct' the house within two years is ambiguous because it is unclear whether that applies to commencement or completion. BPC confirm this should be 'to commence construction'. I agree with the CEC that time limits under a s106 obligation should not be such as to act as a disincentive to self-build. The wording of part 4 assumes that an individual looking to develop a plot of land for a self-build house would need to purchase the land, which will not always be the case. Any time limit under s106 could only be to the grant of permission and not to 'purchase'. Subject to that, however, I accept that in the particular circumstances

under which this policy would be implemented it would not be unreasonable to expect construction to commence within two years of the grant of full planning permission, or that of the final reserved matters on an outline application. It would, however, be unreasonable to require construction works to be completed within a specified time period. Traffic flows and hours of work are matters which can be controlled by condition if justified to minimise disruption to residents.

3.52 The s106 obligation would also require an applicant to confirm 'their intention to live in the property once built'. People might well have good intentions which do not come about for one reason or another. CEC suggest, and the BPC accept, that for clarity this should require 'first occupation' by the applicant. The BPC have acknowledged that there is a risk that houses built to meet a local need might be sold within a relatively short time to others who do not have any local connection. That would require monitoring over time and the effectiveness of the policy reviewed.

3.53 In the light of paragraphs 203 and 204 of the NPPF and the guidance in the PPG²⁷ I have considered whether requiring all the matters in part 4 of Policy HOU05 to be subject to a s106 obligation meets the basic conditions. Where possible planning conditions should be used rather than a s106 obligation. The 'confirmation of their local connections' by the applicant(s) is something which might be expected to be included as part of a planning application. The LPA would then need to be satisfied on the evidence provided that the local connections definition in the BNP would be met. Whereas a planning condition might reasonably require occupancy by persons demonstrating a local needs connection such provision would be satisfied by persons other than the applicant(s), which would run counter to the concept of 'self-build'. The only effective way to ensure self- or custom-build is through a s106 undertaking. There is an error in the text of the justification for Policy HOU05 in paragraph 3. An agreement cannot be unilateral; 'obligation' is the correct generic term for either a unilateral undertaking or an agreement.

3.54 I agree that for consistency with the approach taken to the provision of affordable housing in the emerging CELP and for the ease of implementation the threshold in Policy HOU10 should be 10 dwellings rather than 9 and I recommend that. Other points for clarity relate to details of implementation. It would be helpful to

²⁷ Ref. ID 21a-011-20140306

clarify whether 10% would mean two dwellings on a site for 16 dwellings or more (rounding up) or would only be 'triggered' for each whole 10, i.e. 2 for 20+, 3 for 30+ etc. A further question raised by Barton Willmore in their representation is when the 9 month period under part 2 should apply; whether it includes 'off-plan'. I consider that such detail is a matter for the CEC to discuss with the developer pursuant to a s106 agreement or obligation.

3.55 Finally in this section, as I am recommending that the definitions of 'local housing connection' should not be treated as policy it would be logical if the plan were to be re-organised so that the Policies HOU03, HOU05 and HOU10 are brought together in succession followed immediately by the definitions of 'Policy HOU12'. The plan does not contravene any basic condition in this respect and so I make the point only as a suggestion for the benefit of the plan user.

Recommendations for Policies HOU03, HOU05, HOU10 and HOU12

4. Delete Part 2 of Policy HOU03 and replace by the following text:-

The development of an exception site shall comprise of a small scheme, which must be appropriate in scale, design and character to the locality.

In paragraph 2 of the justification and evidence for Policy HOU03 in Appendix A1 (page 37) delete the words 'not exceeding 10 dwellings on any site'.

5. Delete Part 1 of Policy HOU05. In paragraph 3 of the justification and evidence for the policy in Appendix A1, page 38, line 3, delete the words 'by local people' and insert the words 'On exception sites' at the beginning of line 4; replace 'A unilateral agreement' by 'A s106 obligation ...'

In Part 2 of Policy HOU05, after the words 'will be supported where' in the first sentence, insert:-

a) the location ... environmental impact; (*as in submitted plan*)

b) the site immediately adjoins a settlement boundary as shown on key maps C20a and C20b or the development would represent infilling*;

*defined as 'the filling of a small gap with one or two dwellings in an otherwise substantially built-up frontage'

c) the development would be on land within the confines of a farm complex which is no longer in use for agricultural purposes and in association with the re-use of existing buildings, on land which:-

- (i) is hard-surfaced, or**
- (ii) is occupied by agricultural buildings which are not capable of re-use without extensive re-building, or**
- (iii) has previously been occupied by agricultural buildings.**

Move the second and third sentences commencing 'Dwellings can..' to become a new part 3. Delete the fifth sentence commencing 'For example,'

Part 3 becomes Part 4 and Part 4 becomes Part 5

6. Modify Part 4 (new Part 5) of Policy HOU05 to read as follows:-

Planning applications for the erection of self-build dwellings on exception sites as defined in Policy HOU03 shall be accompanied by evidence of the local housing connection(s) of the applicant(s) with Brereton Parish as defined in this plan. Planning permission for self-build dwellings on exception sites will be granted only where such a connection has been demonstrated.

In addition, planning permission will be granted provided that an obligation is concluded under s106 of the Town and Country Planning Act 1990 in which the applicant(s) undertake(s) to commence construction of the dwelling within two years of the grant of a full permission or of the final approval of reserved matters submitted in accordance with an outline permission. The applicant(s) shall also undertake to occupy the dwelling upon completion.

7. Modify Policy HOU10 by the replacement of the figure '9' in the first line by '10'. Amend the justification and evidence section, paragraph 1 on

page 41, to reflect this and include a clarification on the application of the 10% requirement for larger sites.

- 8. Delete 'Policy' HOU12 as a policy but retain the section within the plan as a definition of the term 'local housing connection(s)' for the purpose of implementing Policies HOU05 and HOU10.**

In Parts 3 and 4 of 'Policy' HOU12 insert the word 'rural' before 'parish' in all references to 'immediately adjoining parish' and qualify the word 'rural' by a footnote stating that this excludes Sandbach and Holmes Chapel.

Housing mix Policy HOU09

3.56 This policy is closely associated with those discussed above, in particular in seeking to achieve a housing mix which assists in meeting local needs. However, the policy is very broadly worded and might prove difficult for the LPA to interpret in making decisions on any applications received for any larger schemes within the parish, in which the issue of mix might be an issue. As indicated in paragraph 3.42 above, self-build housing would normally be regarded as an element within any mix, as would starter homes and housing suitable for the elderly.

3.57 The policy is somewhat vague in its requirement that 'each new dwelling should contribute in some manner to improving the quality of local life' but the BPC have now suggested what I regard as useful criteria against which a planning application might be judged and, for clarity and to assist implementation, I recommend the addition of those criteria to the policy.

3.58 It is also not at all clear what giving priority to the provision of smaller units to meet local needs would mean in practice. Greater specification is required and the BPC have provided it.

3.59 Barton Willmore are correct to draw attention to the fact that many of the details required under this policy would not be normally be included in an outline application. However, if a particular mix or house type is to be required by the LPA that would have to be conditioned at outline stage, when that applies. It is otherwise

clear that the policy would only 'bite' when full or reserved matter applications were being considered.

Recommendation 9

Modify Policy HOU09 by the addition of the following text at the end of Part 2:-

This will be assessed against the following criteria:-

- (i) the degree to which the design reflects the local vernacular architecture;**
- (ii) whether the scheme is sufficiently flexible to cope with changes over the plan period;**
- (iii) the extent to which the proposal would meet local housing needs, such as those wishing to build their own homes, meeting the needs of elderly people, those with disabilities or single persons and**
- (iv) the inclusion of energy efficiency measures to meet the challenge of climate change.**

Replace Part 3 of Policy HOU09 by the following text:-

Any housing scheme of two or more units should include at least one smaller unit designed to meet locally arising needs, including from newly formed households, elderly households and for single persons.

Provision of Open Space in New Housing Development, Policy HOU06

3.60 As Barton Willmore state in their representation on behalf of Ashall Land, this policy does not specify at what scale of development it would apply. For it to be reasonable for the LPA to require such provision it would have to be related in scale to the proposed development, directly related and necessary to make the development acceptable. However, the policy specifically refers to the Cheshire East standards for such provision which would have to take national policy guidance on such matters into account. It would clearly need to be demonstrated that without additional provision there would be a shortfall against such standards. The policy adds little, if anything, to the development plan but nor does it contravene it, nor is it necessarily in conflict with national policy. I do not find it fails any basic condition.

Preservation of Existing Open Spaces, Policy HOU07

3.61 Part 1. This part of the policy gives blanket protection from development of all of the open spaces which are listed in supporting document SD/C21a. and shown, albeit at a rather small scale, as Key Map C21 on page 61 of the BNP. A study of the list in SD/C21a indicates that there is a wide variation in the types of area included with all public footpaths, bridleways and cycle routes shown on the plan. Clearly those have recreational value but they are not generally regarded as land uses because they are all public highways. Other 'open spaces' do not have public access and it is inappropriate to categorise SSSIs, including RAMSAR sites, as recreational resources even if there is limited educational use. They are protected by national and local policies as well as BNP policy ENV04. Including them under this policy is an unnecessary duplication which reduces the clarity of the plan.

3.62 The policy is criticised in representations on the basis that it seeks to protect all open space from development and is tantamount to the introduction of a 'Local Green Space' policy without demonstrating compliance with paragraphs 76 and 77 of the NPPF. Although the term 'Local Green Space' has not been used in the plan and it is not explicitly suggested that a green belt policy approach²⁸ should apply, it is difficult to reconcile the policy with NPPF guidance because it 'protects' all the identified areas of open space from development.

3.63 In response, the BPC have suggested that the policy should be qualified by cross-reference to paragraph 74 of the NPPF which sets out the circumstances under which open space might be considered for development, including when it is clearly shown to be 'surplus to requirements'. Yet, the context for that paragraph is the consideration of proposals relating to the redevelopment of playing fields and other recreational land and it would not be possible to apply the criteria to most of the areas listed in SD/C21a. as shown on key map C21.

3.64 This part of the policy also bears little, if any, relationship to the justification given on page 39 of the plan. It is not a landscape policy, as such, to which CBLP policy GR5 and CELP Policy SE4 apply. It also overlaps to a significant extent with Policy COM03 as well as ENV01, ENV04 and ENV07.

²⁸ As in paragraph 78 of the NPPF

3.65 My conclusion is that adequate regard has not been had to national policy in drawing up the first part of Policy HOU07 and it does not meet a basic condition in that regard. However, I accept the principle of including text from paragraph 74 of the NPPF²⁹ as a qualification relating only to land in recreational use, that is with a right of public access. Green space in private ownership should be tested against paragraphs 76 and 77 of the NPPF, which has not been done. It is not necessary to include footpaths. SSSIs and nature reserves should be included on a new plan to accompany policy ENV04 (see recommendation 14 below). The scope of policy HOU07 would thus be much reduced to avoid unnecessary overlap.

3.66 There are strong representations against the second part of Policy HOU07 in that it requires a buffer zone of between 20 metres and 50 metres between existing development and 'any new housing development'. In questioning, the BPC were not able to point to any specific evidence, including the Landscape Character Assessment³⁰ to justify the creation of a 'buffer' zone as wide as 50 metres. There has been no consideration given to the effect such a provision might have on the viability of development, especially as it would apply even to the development of a single dwelling. In so far as the intention is to soften the edges of new development and ensure that it fits in to the rural character of the area that may be achieved by a more generally worded policy without a degree of prescription which is unjustified.

3.67 At the hearing on this issue discussion centred on the minimum 20 metre gap. There is no reference in the policy, as there is in paragraph 5 on page 30, to the distance of 21.3 m. (70 ft.) being a minimum distance of dwellings facing one another. As I stated, that distance is one which is commonly used by local planning authorities to minimise direct window to window overlooking but actually derives from the distance required in Britain between east-west oriented two-storey terraces to avoid over-shadowing in December. It may very well be that the justification for applying it in Brereton is to reflect the spacing between dwellings in the linear form which, it is suggested, is characteristic of the area, but there is little evidence to support that.

²⁹ Not just a reference to paragraph 74 because that could result in 'built-in obsolescence' for the plan

³⁰ SC/C16

3.68 At my request, the BPC submitted a suggested revised wording after the hearing, which I have considered. It removes any reference for a buffer of up to 50 metres but retains reference to 21 metres, albeit with it not applying to infill or single house plots. It also sets out some of the purposes of the creation of landscape buffers around development which helps in clarification of the meaning of the policy. In my view, there remains inadequate justification even for the 21 m. distance. Without that element of prescription the policy revision would provide sufficient flexibility to be applied by the local planning authority on a case-by-case basis without undermining the objective to reflect the character of the area. It would be somewhat more precise than that put forward in a representation. The concept of 'outdoor space for active uses' is better included in the supporting text although I consider that a buffer is likely always to include landscaping. I recommend the revision, with some amendment for clarity, to ensure that the policy does not unduly constrain development where it would otherwise be acceptable; to ensure viability and to properly reflect national policy. The need for buffers along watercourses, as sought by the Environment Agency, is not specific to Brereton and is an issue better dealt with at local plan level.

3.69 The BPC have accepted that the wording in part 3 of policy HOU07 was unclear of meaning. Cheshire East Council have put forward an alternative to clarify the intentions behind the policy to ensure correct interpretation for the purpose of decision-making. I recommend a variation of the CEC wording.

Recommendation 10 – Policy HOU07

Delete part 1 and replace it by the following text:-

Areas of land in recreational use and open space to which there is a right of public access, as shown on key map C21, will be protected from development which would result in the loss of that amenity unless:-

- **an assessment has been undertaken which has clearly shown the open space, or land, to be surplus to requirements; or**
- **the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**

- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Modify key map C21 to exclude all land which does not conform with the re-worded Policy HOU07, that is excluding all land to which there is no public access, footpaths, bridleways etc., and the SSSIs.

Delete part 2 and replace by the following text:-

A buffer zone between existing development and any new housing development scheme (excluding infill or single house plots) will be identified in planning applications and be protected from development. The size and nature of the buffer zone will vary according to the characteristics of the site. The application shall safeguard and, where possible, enhance any existing natural features (such as field boundaries). The buffer created should be designed to make a positive contribution to the visual amenity of the area, including by landscaping and, where possible, provide an outdoor space for active uses.

Include additional explanation in the justification section (Appendix A1) to explain the concept of 'outdoor space for active uses'.

Delete part 3 and replace by the following text:-

Development proposals should respect their setting, including the effect they may have on the openness of the countryside and any important vistas which may be afforded across the site in its existing state.

Provision of Building Line in New Housing Development, Policy HOU08

3.70 Representations concern the limitations this policy would pose for undertaking future housing development and limiting sustainable development. I have questioned the justification for the inclusion of a figure of 10 metres. However, I accept that as the policy is dealing only with development fronting 'main'³¹ roads it would have only a limited effect on the total development capacity. On such roads, the safety of pedestrians and road users would be paramount and the further explanation from the BPC that 10 m. is sufficient to allow 2 cars to be parked behind

³¹ Defined in the supporting text as the A50, A54, A534 and A5022

one another off-road is adequate justification. There would also have to be adequate turning space. The desire to protect and enhance the local landscape is a secondary consideration. I am satisfied that the policy meets the basic conditions.

Section 6.2 Community Facilities, Policies COM01-05

3.71 Policies COM01 and 02 both relate to the provision of a new community hub for the parish, clearly something which is very much desired locally. A representation suggests that because COM01 does no more than set criteria for consideration in any proposal and does not give locational guidance it requires clarification. I do not criticise the criteria which are broadly in line with national and local policy aspirations, including public transport accessibility to boost sustainability although, as BPC acknowledge, in practice it may not be possible to give great weight to that criterion.

3.72 Policy COM02 does not stand alone. Parts 1 and 3 are an amplification of the types of facilities which might be accommodated in the hub and describe the nature of the use. They could be merged with COM01 but that is a matter of choice. Part 2 of COM02, however, goes beyond the scope of a statutory neighbourhood plan as it does not relate to land use. It is an aspiration and should be deleted.

3.73 A representation on behalf of Ashall Land states that Policy COM03 does not positively support development which would assist in the continued vitality and vibrancy of existing community facilities. Whereas I accept that the policy broadly reflects the national policy in paragraph 70 of the NPPF, part 2 refers to support given to the retention and improvement of existing facilities which could be read to mean support for (housing) development which might assist in that aim. An amendment to that effect would have a closer regard to policy 55 of the NPPF. The point about safeguarding community facilities from 'inappropriate development' is adequately covered by other parts of the same policy, including part 4, and is unnecessary for clarity of meaning.

3.74 Part 1 of Policy COM03 already includes a reference to key plan C22 and a further reference to it in part 3 would serve no useful purpose. However, the inclusion of the Bagmere RAMSAR site and the Dane Valley SSSI as 'community facilities' gives a totally wrong impression, especially as there is no public access to

Bagmere. The two sites should be omitted from key map C22 and, as for policy HOU07, included on a new key map showing wildlife sites to be read with policy ENV04 (Recommendation 14).

3.75 Part 5 is an informative rather than a policy and the identification of Assets of Community Value (ACV) is, as stated, subject to regulations which are outside of the Neighbourhood Plan process. As CEC suggest, and the BPC accept in principle, that section should be deleted and replaced by a wording which refers to the weight to be accorded in decision-making to the existence of an ACV. I recommend an amended wording.

Recommendation 11

Delete part 2 of Policy COM02

In Policy COM03, part 2, insert between ‘given to’ and ‘the retention’ insert the words ‘proposals which would assist in’ and delete all after ‘... existing facilities’. Delete part 5 and replace with new wording ‘The loss of any building or site identified as an Asset of Community Value will be given significant weight as a material consideration in the determination of any planning application affecting that asset.’

Remove reference to the Bagmere and Dane Valley SSSIs from key map C22.

Section 6.3 Business and Economic Activity, Policy BUS01

3.76 The generally based representation by Barton Willmore for Ashall Land raises an issue about the role housing can play in supporting the rural economy. However, this policy is about rural businesses, not housing. Furthermore, the overall quantum of development needed to maintain the vitality and vibrancy of rural areas is a matter to be resolved at local plan level in the first instance. It is a question of balance if the rural character of an area is not to be diluted over time, that is progressively sub-urbanised. The vision of this plan is to avoid that and it is compliant with the development plan.

3.77 The overall aims of this policy are reasonably clear. They are closely aligned to paragraph 28 of the NPPF. However, the use of words such as ‘support’ and ‘encourage’, even ‘seek to encourage’ in a policy leads to questions as to exactly

how that is to be achieved. The policies in a neighbourhood plan should address the development and use of land providing a basis for decisions by the LPA on planning applications, they should be clear and unambiguous. Other actions might be taken beyond that framework to achieve wider aspirations but should be clearly distinguishable from land use policy³².

3.78 This policy is something of a hybrid. It is not clear from the first part what would be 'inappropriate' development and the CEC have suggested adding 'that does not support their operation.' I recommend reversing the wording to make it clear that development will not be permitted which would cause serious detriment. The BPC acknowledge that part 2 is aspirational. In part 3 I consider that b) and e) are aspirational with no clear land-use basis. These statements should be moved to the supporting text in Annex A. Otherwise the policy should be re-worded to relate more clearly to the making of planning decisions.

Recommendation 12

Delete part 1 of Policy BUS01 and replace by the following text:-

Planning permission will not be granted for development which would be seriously detrimental to the continued operation of any local businesses, including visitor attractions and countryside facilities.

Move the aspirational and non land-use elements in part 2 and 3 b) and e) to the supporting text in Annex A. In part 3, replace the sentence 'This will achieved in the following ways:' by 'Planning permission will be granted for:'

The list of actions thereunder to be re-worded as follows:-

- a) schemes of agricultural diversification which would increase local employment opportunities;**
- b) the development of rural tourism particularly those businesses which would complement existing tourism related uses;**
- c) the re-use (as in d.)**
- d) social and community-led ... (as in f.)**

³² NPPF, paragraph 183 and PPG, ref. ID 41-004-20140306

Section 6.4 Protect the Rural Environment, Policies ENV01-11

3.79 It is understood that the countryside in Brereton parish is regarded as an important asset. From representations, including those in support, it is evident that the opportunities available for enjoyment of the countryside are seen as central to the health and wellbeing of residents. However, Policy ENV01 places a blanket protection on all existing countryside uses, especially should the term 'other rural uses' be intended to mean equine and agricultural uses as suggested by the BPC. Also as Barton Willmore remark in their representation 'landscape' is not a use of land.

3.80 Land in recreational use or open land with public access is covered by Policy HOU07, as recommended to be modified, as well as by Policy ENV07. Nature Conservation sites are protected by Policies ENV04 and 05. There are also several other general landscape protection policies in this section of the plan. It is, therefore, difficult to see what this policy adds to the plan. The blanket approach to the protection of the countryside is not consistent with national policy guidelines and I consider that the policy might be deleted without fundamentally altering the thrust of the plan.

Recommendation 13

Delete policy ENV01

3.81 The first part of Policy ENV04 refers to all sites of nature conservation value at European (RAMSAR), national (SSSI) and 'Cheshire East wide' levels. The meaning of the latter category is not immediately apparent to the plan user although more detail is given in paragraph 2c) in the justification section, page 49 of the plan. As mentioned elsewhere in this report, I consider that sites which are primarily intended to conserve and protect nature conservation interests, unless there is general public access as at Brereton Heath Local Nature Reserve, should not be treated as such and should not be shown on key maps C21 and C22.

3.82 In response to a representation by Natural England with regard to the identification of sites of 'Cheshire wide level', BPC propose that a new key map be included in the plan showing all sites of nature conservation interest. I shall refer to

that as key map C26 as that would be the next in sequence. The new key map should be referenced in policy ENV04 for ease of reference.

3.83 BPC have explained that the mitigation clause relating to development the affecting the Bagmere SSSI (RAMSAR site), which was included in policy HOU02 following earlier representation by Natural England, only applies to development within the settlement boundaries. Policy ENV04 applies to any development proposal outside those boundaries, including exception sites. I consider that part 2 should be clarified to state that a Biological Impact Assessment will be required for any development proposal adjacent to or in the proximity of any of the listed sites of nature conservation interest. It may be that a Habitats Regulations Assessment might also be required.

3.84 Bagmere, as a European site, should be accorded the highest level of protection. Very similar mitigation measures are likely to be required whether a site lies within or outside the Brereton Heath settlement boundary. Indeed, any proposals on the western side would be even nearer to the former mere than the village itself. As CEC point out, connection to a mains sewer is only one criterion for protecting the site from harm. However, the plan has to be read as a whole. Even should the criteria for protection of a nature conservation interest be met, other policies may preclude development. I recommend a restructuring of the policy.

Recommendation 14

In part 1 of Policy ENV04, at the end of the first sentence, add '(as shown on key map C26)'

Revise part 2 to read 'A Biological Impact Assessment shall be submitted with any planning application for development adjacent to or within the proximity of any site of high nature conservation value'.

Development adjacent to or within the proximity of the Bagmere SSSI (Midlands Meres and Mosses Phase 1 Ramsar) will not be permitted unless it is demonstrated by the submitted assessment that the potential hydrological impacts of the proposal in terms of water quality and supply can be avoided or adequately mitigated, with any foul water and effluent discharges made to a main sewer.

Include a new key map (C26) in the plan to show all wildlife sites in Brereton with a key to distinguish their differing status (Ramsar, SSSI, Local Nature Reserve etc.)

3.85 The Cheshire Gardens Trust have made representation that reference should be made to historic landscapes in the plan, specifically to Davenport Hall. They have submitted much information about the history of that house and the surrounding estate. The plan properly reflects the existing status of Brereton Hall and recognises the statutory listings. It refers to parks and gardens in policy ENV10. In that respect it has had regard to national policy. It meets the basic conditions. There are other procedures available to achieve the recognition of Davenport Hall which the Gardens Trust wish to see.

3.86 No other representations have been made on the Environment (ENV) policies. However, I draw attention to the overlap between the first part of Policy ENV07 and that of HOU07 which I recommend be modified to include criteria from the NPPF. This would be an equally valid consideration in the implementation of Policy ENV07 and should be recognised in the plan. Key Map C21 (as amended) is also relevant to this policy.

Recommendation 15

Include reference in Policy ENV07 to the NPPF criteria under modified Policy HOU07. (as in Recommendation 10)

Section 6.5 Transport and Infrastructure, Policies TRA01-04

3.87 It is not surprising that the policies in the section are somewhat generally worded as many of the decisions on highway spending priorities are matters for the Highway Authority. In particular, Policy TRA03 relating to road safety is not clearly related to land use nor does it provide a guide to any action by the local planning authority. It should be moved to an appendix.

Recommendation 16

Delete Policy TRA03 and move it to an appendix of the plan.

3.88 Barton Willmore make representation on Policy TRA04 but mainly to question the capacity of the CIL levy to fund the schemes listed if more housing development

does not take place. I have dealt with the general issue about the level of housing development, taking account of the outstanding commitments in the parish. Although the policy is largely aspirational I do not consider it infringes any basic condition.

3.89 United Utilities seek inclusion of a reference to the protection of underground utilities. In so far as this is a matter not subject to powers and controls outside of planning legislation it is a general issue, not specific to Brereton, and for that reason is best dealt with at local plan level.

Correction of errors

3.90 The writers of the plan are to be commended on the very few errors which have come to my attention during my examination of this plan. I list within the recommendation below those corrections which I consider need to be made.

Recommendation 17

Correct the page headers and all references to the title of the plan to the 'Brereton Neighbourhood Plan' (omit the word 'parish').

Amend the wording of Policy ENV02 to refer to only one Area of High Landscape Value. On key map C23 change the colouring of the M6 so that it appears differently to the Dane valley.

In paragraph 6 on page 47 in the justification section for Policy BUS01, first sentence, for 'policy EC2' substitute 'policy EG2'.

On the settlement boundary key map for Brereton Heath, C20a., delete the categories 'boundary changes due to approved planning proposals' and 'Congleton Borough Local Plan First Review 2005 Infill Boundary' from the legend. Delete the pink area, outside Brereton, shown as the 'Somerford Parish Retained Infill Boundary'.

FORMAL CONCLUSION, RECOMMENDATIONS AND CONSIDERATION OF REFERENDUM AREA

Conclusion

4.01 I conclude that the draft plan, subject to the modifications recommended in this report, meets the basic conditions as set out in Schedule 4B to the Town and Country Act 1990 (as amended), does not breach and is otherwise compatible with EU obligations and is compatible with Convention Rights.

Overall Recommendation 1.

I recommend that the modifications specified in section 3 of this report be made to the draft Brereton Neighbourhood Plan and that the draft plan as modified be submitted to a referendum.

4.02 As I have recommended that the draft plan as modified be submitted to a referendum I am also required under s10(5)(a) of Schedule 4B to the Town and Country Planning Act 1990 to recommend as to whether the area for the referendum should extend beyond the neighbourhood area.

4.03 There have been no representations seeking an extension of the referendum area. As the plan is specifically concerned with the future development of the settlements within Brereton parish, I find there to be no need to extend the referendum area beyond the designated neighbourhood area.

Overall Recommendation 2.

The area for the referendum should not extend beyond the neighbourhood area to which the plan relates.

Signed:

John R Mattocks

JOHN R MATTOCKS BSc DipTP MRTPI FRGS

1 December 2015

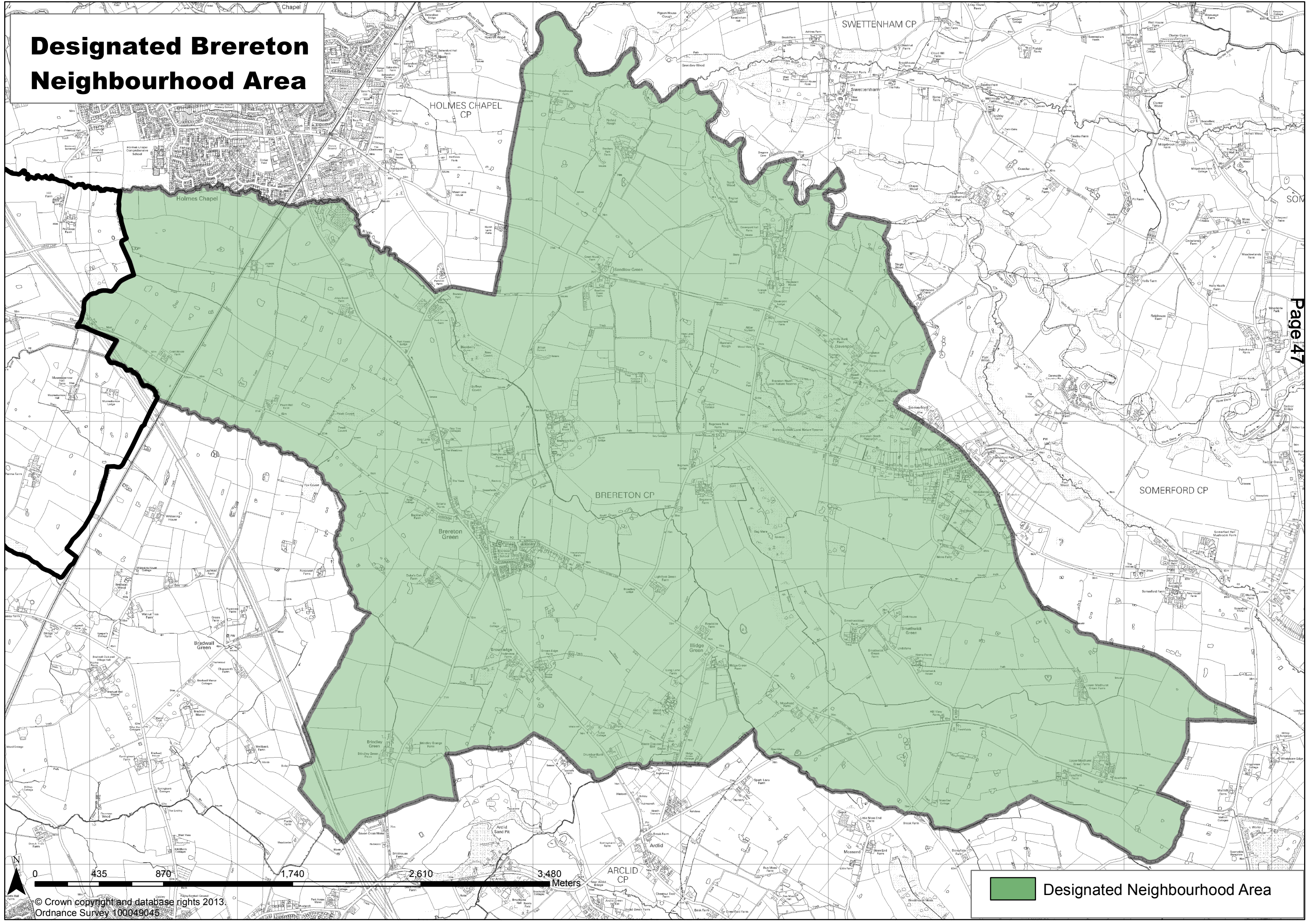
APPENDIX 1.

Abbreviations used in this report.

BNP	Brereton Neighbourhood Plan ('the Plan')
BPC	Brereton Parish Council
CBLP	Congleton Borough Local Plan First Review 2005
CEC	Cheshire East Council
CELPS	The Cheshire East Local Plan Strategy
CIL	Community Infrastructure Levy
EU	European Union
HRA	Habitats Regulation Assessment
LP	Local Plan
LPA	Local Planning Authority (Cheshire East Council)
NP	Neighbourhood Plan (generic term)
NPPF ('the Framework')	The National Planning Policy Framework
OAHN	Objectively Assessed Housing Need
PPG	Planning Policy Guidance
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
SHMA	Strategic Housing Market (Area) Assessment
SSSI	Site of Special Scientific Interest

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Designated Brereton Neighbourhood Area



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Brereton Neighbourhood Plan

Submission
July 2015

Brereton Neighbourhood Plan

“What you hear from the people of the parish and what you can see with your own eyes is how fortunate we are to live here. With our surrounding local towns expanding by the day we have a responsibility to preserve the best of what we have whilst meeting the needs of current and future generations.”

John Charlesworth, Brereton resident and Neighbourhood Plan team member.



About This Document

Brereton Parish Neighbourhood Plan

Submission

This document is the Submission version of the Brereton Parish Neighbourhood Plan (the Plan). Regulation 15 of The Neighbourhood Planning (General) Regulations 2012, directs that the Submission of the Neighbourhood Plan is used to submit to Cheshire East Council for formal consideration and wider consultation.

In January 2013 Brereton Parish Council began to develop the Neighbourhood Plan with the aim of shaping the vision for Brereton Parish until 2030. In consultations over the last two years the whole community has helped to develop the Plan. You have told us what changes you would like to see within the Parish and how we can enhance and preserve the things you value most. This Plan and its proposed policies reflects these community aspirations and views, and will significantly influence future planning decisions for new developments within the Parish.

Reference to Supporting Documents is widely used throughout the Plan. These references, for example (ref. SD/B01), relate to the table of Supporting Documents listed in Appendix B.

The Plan has been prepared by Brereton Parish Council, the qualifying body responsible for creating the Neighbourhood Plan.

The Plan period is from 10th April 2015 until 9th April 2030.

Contacting Brereton Parish Council

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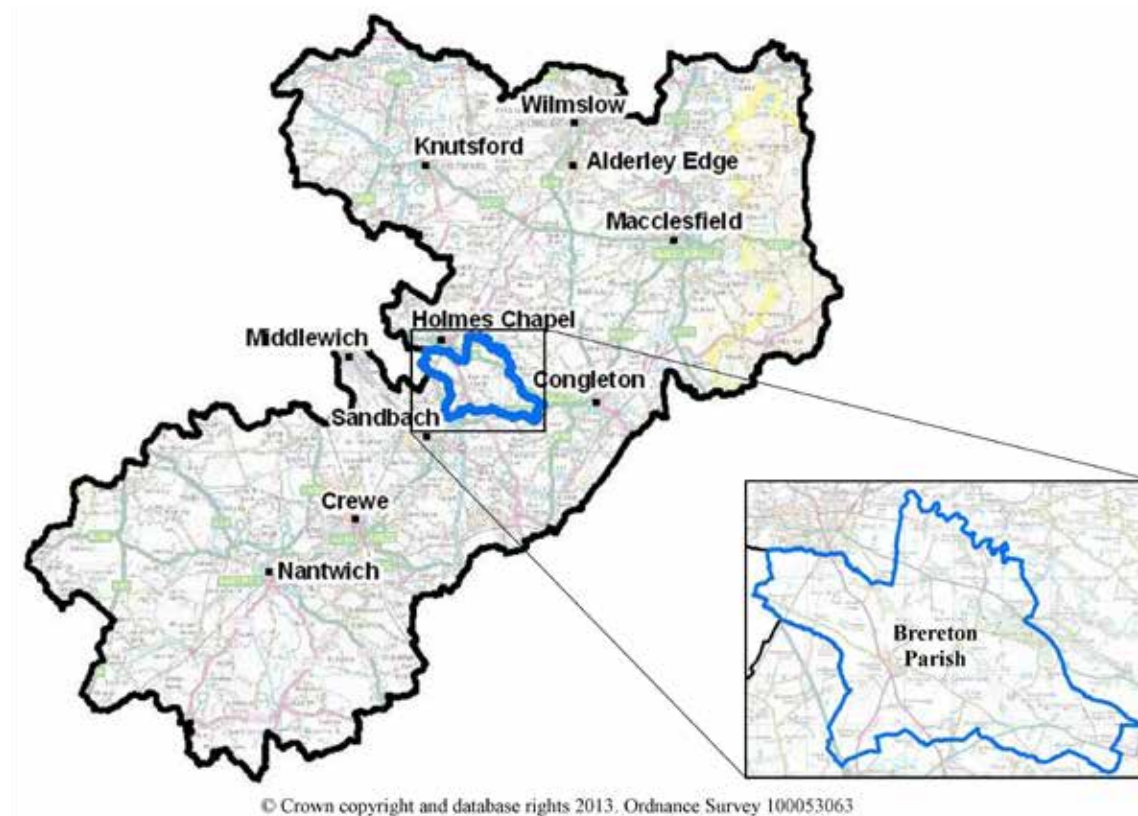
Appendix

- A. Policy Evidence
- B. Supporting Documents
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I Introduction



Places are either growing or declining, nothing stays the same but a good Neighbourhood Plan will let you manage growth on your terms.



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SDC55: Brereton Parish is located in the central belt of Cheshire East.

What is the Brereton Parish Neighbourhood Plan?

A Neighbourhood Plan is a new way that people can engage with each other to create a vision of the community as it could evolve over the next fifteen years, and to create a plan about how this can be realised. This is of particular importance for Brereton given the scale of growth and development proposed in Congleton, Sandbach and Holmes Chapel by Cheshire East Council in the Submission version of the Local Plan. The Brereton Parish Neighbourhood Plan is a community-led framework for guiding the future development and conservation of our rural parish over the next 15 years until 2030. It draws upon the views of the stakeholders in the community to create a vision for improving the area. It contains objectives and policies designed to bring that vision about over the plan period.

The National Planning Policy Framework (ref. SD/A06) provides a structure within which local people and their accountable councils produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities. A core principle is that development is genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Upon successful completion of the planning process, the policies of our Neighbourhood Plan will have full legal status, forming an integral part of the statutory development process for Cheshire East Council. At that stage, future planning applications will be determined in accordance with these policies.

The Role of Brereton Parish Council

Brereton Parish Council is the 'qualifying body' for producing the Neighbourhood Plan. That is to say, it has the powers to initiate the process and produce the Pre-Submission Plan for consultation with stakeholders before Submission to the local planning authority, Cheshire East Council.

Brereton is a rural, mainly agricultural area comprising largely of open countryside and a number of dispersed settlements. The Parish Council believes that a relatively small and appropriate amount of development will enhance and improve the future sustainability of the parish. The Parish Council believes that without strong planning policies any future developments run the risk of being unsuitable, unsustainable and potentially damaging to the parish over the long term. The Parish Council strongly believes that a Neighbourhood Plan will address concerns surrounding future development. This Neighbourhood Plan supplements Cheshire East Council's planning policies, and sets out our community's vision on development and use of land in the parish. This includes setting specific policies which will direct development within Brereton.

I Introduction

The Process

After determining the desire within the parish to embark upon a plan for the future, the Parish Council established a Project Team with terms of reference to develop the Neighbourhood Plan. The Project Team comprises a Governance Board with membership from 3 Parish Councillors and 1 co-opted resident, assisted by a workgroup of residents who volunteered to help in developing the Plan. Settlements from across the parish were represented within the Project Team with 3 members from Brereton Heath, 2 from Brereton Green, 2 from Sandlow Green, 1 from Brereton Park, 1 from Hazelshawe, and 1 from Illidge Green. Guest members from neighbouring parishes were invited to attend from time to time. The Project Team consulted with residents and businesses at various stages throughout the project to seek their views and to keep them fully informed. Where planning technical expertise has been necessary the Project Team utilised planning consultants to advise on specific issues to ensure a robust evidence base for the proposed policies and compliance with the National and Local Planning Policy context.

Key milestones achieved during the development of the Neighbourhood Plan are:

• Residents surveyed to check on desire to develop a Neighbourhood Plan	October 2012
• Parish Council agrees to establish a Neighbourhood Plan Project Team	January 2013
• Project Team meet to commence communication on Neighbourhood Plan	January 2013
• Residents/business surveyed to capture opinions and issues	March/April 2013
• Cheshire East Council designate Brereton Neighbourhood Area	July 2013
• Resident feedback captured on our Vision and Objectives	July 2013
• Residents surveyed on Rural Housing Needs	August 2013
• Residents consulted on draft Objectives and Policy Proposals	February 2014
• Landscape Character Assessment completed	November 2014
• Housing Needs Advice Report completed	December 2014
• Housing Needs Supply Evidence Report completed	February 2015
• Regulation 14 Pre-Submission Consultation completed	May 2015



2 Our Neighbourhood Area

“We must not lose the character of this lovely area.”

Resident feedback during ‘Have Your Say’, March 2013 (ref. SD/C04)

Brereton Parish lies at the eastern edge of the Cheshire Plain, at the centre of Cheshire East. It is a relatively large rural parish with a population of 1190 and with 470 dwellings (ref SD/C14) of which over half are detached houses. The rural nature of the parish is emphasised as it lies between the adjacent urban areas of Congleton, Sandbach and Holmes Chapel. It enjoys excellent transport links beyond the parish being close to the M6, A50, A54, A34, West Coast Main Line and Manchester Airport.

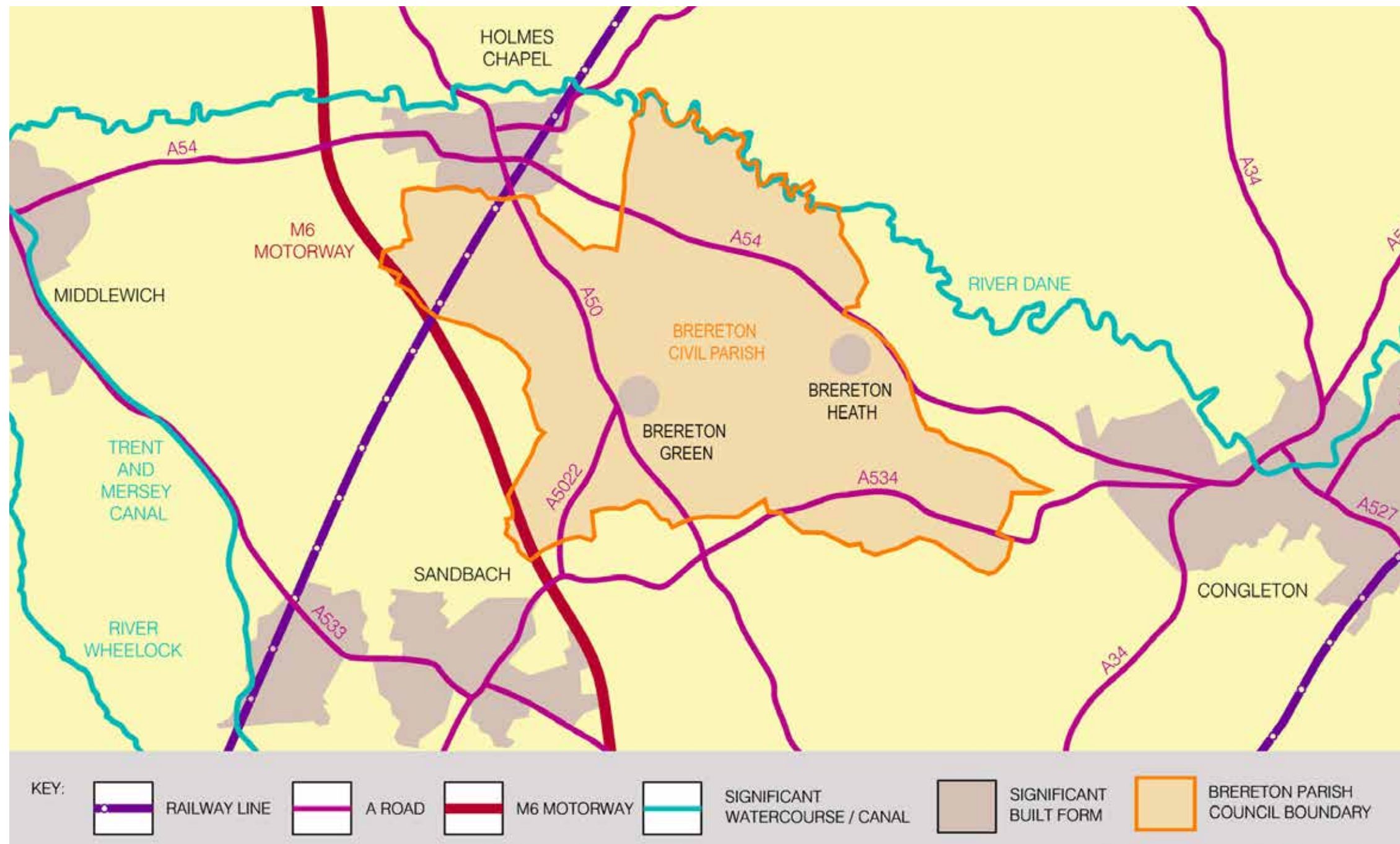
The landscape of the parish has changed little over time remaining a patchwork of green fields and hedges with a scattering of farms and small settlements. There are numerous small woods and coverts and the River Croco meanders through the centre of the area and the SSSI of the Dane Valley borders it to the north. The principal settlements are Brereton Green and Brereton Heath. Brereton Green is the traditional hub of the parish with St. Oswald’s Church, Primary School and The Bears Head inn. The smaller parish settlements which include Bagmere, Brereton Park, Brindley Green, Browndedge, Davenport, Dunkirk, Hazelshawe, Illidge Green, Mill Lane, Medhurst Green, Moss End, Sandlow Green and Smethwick Green are dispersed in nature and retain an individual character. There has been recent development activity in the Brereton Heath area with the construction of several small estates of executive homes.

The principal economic activity within the parish remains agricultural, primarily dairy farming; however the majority of the inhabitants are no longer so employed. With the consolidation of farms into fewer larger units many redundant agricultural buildings have been converted to housing or other business use. A small but significant area is now used for equine use. Of the 639 economically active residents (ref. SD/C14) most work outside the parish. The community has a higher percentage of professional and managerial occupations than other areas of Cheshire East. There is a slightly higher percentage of retired residents.

The attractive countryside throughout the parish provides good opportunities to participate in outdoor leisure pursuits, such as horse riding, cycling, walking, orienteering, canoeing, and fishing to name a few. These are enjoyed by local residents as well as by visitors from a wider catchment area. Important conservation sites at Bagmere and Brereton Heath Local Nature Reserve not only provide a wealth of local interest, but they are also of interest at a European, National, and Regional level. The eastern backdrop of the Peak District offers attractive views throughout the parish. Brereton has an important history and heritage which is recognised in the variety and type of Listed Buildings throughout the parish. The Grade I listed Brereton Hall and adjacent St. Oswald’s Church are buildings of historical significance.

The defining characteristics of the parish identified and valued by the residents during the ‘Have Your Say’ consultation, March 2013 (ref. SD/C03) are the sense of space and peace and it is this that they value most.

2 Our Neighbourhood Area



SDC57: Brereton in the context of its neighbouring Service Centres.

3 National And Local Planning Context

“Sustainable development is about enabling growth to cater for the needs of current generations, but ensuring that growth doesn’t mean worse lives for future generations”

National Planning Policy Framework (NPPF)

The Neighbourhood Plan must meet each of the basic conditions as set out in the Town and Country Planning Act 1990 (ref. SD/A02) and applied to neighbourhood plans by more recent legislation and guidance. These conditions say that the Neighbourhood Plan must:

- not breach and must be compatible with EU obligations
- have regard to UK national policies and advice issued by the Secretary of State. This includes the National Planning Policy Framework (ref. SD/A06) and National Planning Practice Guidance (ref. SD/A07)
- be in general conformity with the strategic policies contained in the development plan for the area i.e. local planning policy
- contribute to the achievement of sustainable development.

Throughout the preparation of the Neighbourhood Plan these basic conditions have been kept firmly in mind.

National Planning Policy

The NPPF sets out guidance for development planning. Key considerations are the presumption in favour of sustainable development in paragraph 14 and the section on Neighbourhood Plans in paragraphs 183 to 185. The National Planning Practice Guidance Internet based resource has a section on Neighbourhood Planning which gives advice and guidance on the key stages, content and process of Neighbourhood Planning.

The Taylor report (ref. SD/A08) was commissioned by Government and reported in 2008 regarding the planning and related issues facing rural areas. The report sought a more flexible approach for planning including for example that all forms of business can be appropriate in the countryside. The Taylor report also recommended the removal of planning rules and practices that encourage small businesses to move out of the countryside into urban areas as soon as they start to grow. Many of the recommendations have informed national planning guidance for the countryside over recent years.

Local Planning Policy

The Cheshire East Local Plan (ref. SD/B01) which will be the new Development Plan for Cheshire East and which will be the basis for determining planning applications is currently being prepared and will guide development up to 2030.

Prior to the adoption of the new Local Plan, the Saved Policies from Congleton Borough Local Plan First Review (ref. SD/B07), Cheshire Waste Plan (SD/B16) and Cheshire Minerals Plan (ref. SD/B17) will continue to be used for the Brereton area. Where appropriate, the Neighbourhood Plan refers to relevant Saved Policies proposed to be retained.

Cheshire East Council submitted its Local Plan Strategy to the Secretary of State for Communities and Local Government on 20th May 2014 and it is currently undergoing independent examination. The examination is currently suspended as the Borough Council undertakes further work following the first round of examination hearings held in Autumn 2014 and the Planning Inspector’s written comments (ref. SD/B14) arising from those hearings. The Local Plan Strategy (ref. SD/B01) sets out the Cheshire East Council’s case for sustainable economic growth and is the strategy that the Cheshire East Council wants to adopt to manage development in Cheshire East up to 2030.

The new Local Plan will cover a range of matters including the number of new homes that are needed and where they should be located; the amount and location of new employment land; the protection and improvement of important open areas and provision of new ones; the provision of new infrastructure and improvement of town centres and community facilities in Cheshire East.

Given the requirement for the Neighbourhood Plan to be in general conformity with the Local Plan and not to promote less development than the Local Plan or undermine its strategic policies, it is prudent to have regard to the emerging Local Plan in respect of the amount of housing and the status of Brereton Parish in the housing hierarchy.

However, until examination of the Local Plan has been completed and it has been adopted, it is possible that these elements of the Local Plan could change and this has been taken into account in this Neighbourhood Plan.

3 National And Local Planning Context

Neighbourhood Plan Policies

The policies in the Neighbourhood Plan have been prepared to reflect the needs, aspirations and requirements of the Brereton community and its visitors.

An initial gap analysis was undertaken between existing planning policies for the Brereton area and community aspirations for the future development of the parish to 2030. This analysis took into account:

- The National Planning Policy Framework (ref. SD/A06) and emerging National Planning Practice Guidance (ref. SD/A07)
- The existing Saved Policies from the Congleton Borough Local Plan First Review (ref. SD/B07)
- Cheshire East Local Plan (ref. SD/B01) emerging policy and evidence base
- Aspects of current Supplementary Planning Guidance (ref. SD/B25) which required some form of local interpretation
- Newly emerging areas of local concern to the community of Brereton in its engagement with the neighbourhood planning process
- Discussion about policy issues in the Neighbourhood Plan group which included an independent Chartered Town Planner.

It was apparent that a number of neighbourhood specific development policies would be required. Consultation and further analysis was undertaken, including external planning consultancy, to confirm which policy areas needed to be covered and had the requisite supporting evidence base to justify their inclusion in the Plan and bring a local Brereton dimension. If a national planning policy, saved or emerging Local Plan policy was considered adequate and relevant it was not duplicated.

Some policy areas such as housing, local environment and landscape, required evidence gathering. A number of reports were prepared, some by external sources, to support the policy development work and to justify the approach taken.

Publication of the Submission version of the Cheshire East Local Plan in May 2014 required a major review of the Brereton emerging policies. A further gap analysis was undertaken to assess the impact of this, more advanced, emerging Local Plan. The timing for the Neighbourhood Plan was fortuitous; not only did the Local Plan now have a full list of proposed policies with supporting evidence, but it also provided final details of the proposed Saved Policies from the Congleton Borough Local Plan First Review which could be taken into account in the neighbourhood planning policies. Final drafting was then commenced including consultation with Cheshire East Council on the more strategic components of emerging policy areas.

Development of the Neighbourhood Plan policies has been an iterative process. Policies are justified by a combination of gap analysis, evidence-base-work, local consultation and consultation with the Local Planning Authority and other stakeholders including adjoining parish and town councils. The reason for the inclusion of policies is detailed in the Appendix A - Policy Evidence with justification and evidence for each policy including the sources from which they were drawn. It is considered that these policies are consistent with national planning and environmental policies, with the Saved Policies of the Congleton Borough Local Plan First Review and with the Submission version of the Cheshire East Local Plan. The Neighbourhood Plan policies aim to provide a local dimension to decision making in Brereton with the provision of appropriate guidance being provided to ensure the character and environment of this rural area are taken into account. In this way, it is envisaged the area can continue to be a thriving, working and living community.

Proposed changes to Cheshire East Local Plan by Cheshire East Council, July 2015 (ref. SD/B27)

Cheshire East Council is considering its response to the Planning Inspectors Interim views on the Local Plan Strategy. Proposed modifications and additional supporting evidence have been published on 13th July 2015. A Cheshire East Council Cabinet Meeting on 21st July 2015 will consider the proposed changes, which are scheduled to be submitted to the Inspector by the end of July with the request that the examination into the Local Plan should re-convene in Autumn 2015.

The Parish Council commissioned a Chartered Town Planner to review the changes proposed to the Local Plan policies as they may affect the Submission version of the Brereton Neighbourhood Plan. The Proposed Changes to the Local Plan Strategy: Brereton NP Submission Impact Statement report (ref. SD/74) concludes that no changes are required to the policies of the Plan.

4 Community Engagement

Effective community engagement and a robust evidence base are the pillars on which a good Neighbourhood Plan will be built.

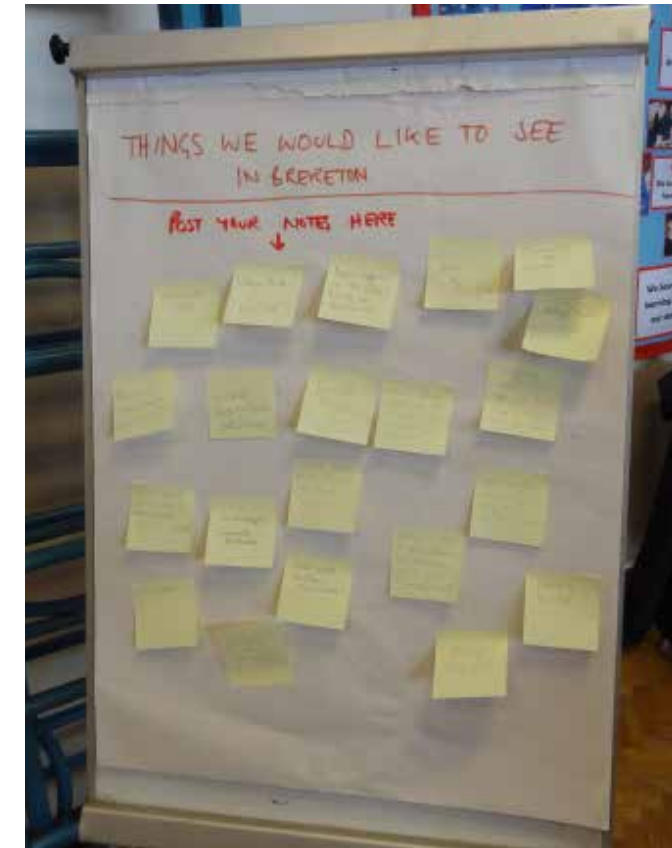


The Neighbourhood Plan has been developed on behalf of the Parish Council by a Project Team comprising a Governance Board with membership from Parish Councillors and a co-opted resident, assisted by a workgroup of residents who volunteered to help in the process. The Project Team has engaged with the community, residents, businesses and neighbouring parishes at various stages throughout the project to seek their views and keep them fully informed. Surveys, public meetings, booths at Brereton Rose Queen Garden Parties and Local Nature Reserve, as well as business breakfast briefings, were used to inform the local community and gather opinions and data. Regular progress updates were provided through the Community Newsletter which is delivered to every household in the parish as well as some immediately adjoining neighbouring parish households. The newsletters and a project blog were available on the Parish Council website pages at www.MyBrereton.com. The local press, Sandbach Chronicle and Congleton Chronicle, was used to publicise events and progress.

A proactive approach to consultation with the local community has been a cornerstone of our planning process.

Community Support to Develop a Neighbourhood Plan

In October 2012 all households in Brereton Parish were surveyed to ascertain support for a Neighbourhood Plan. The survey results (ref. SD/C02) determined that 31% of households, representing 36% of residents responded to the survey. 71% were in favour of having a neighbourhood plan and 72% wanted Brereton to remain rural. As a result, in January 2013 the Parish Council passed resolutions to proceed with the project, and approved the documents to initiate Brereton's Neighbourhood Area designation request to Cheshire East Council.



'Have Your Say' - What Are the Key Issues?

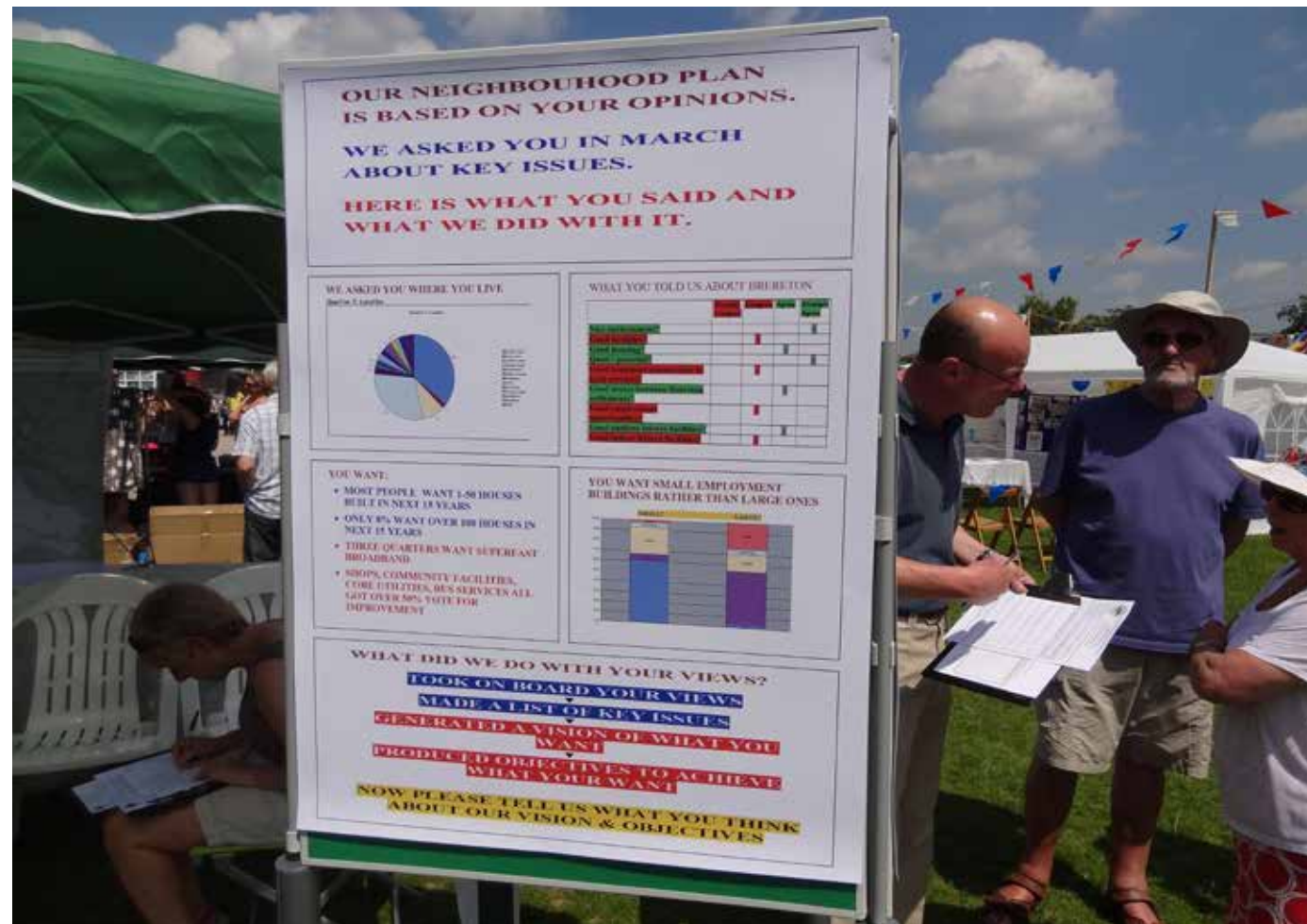
In March 2013 a consultation event was held to find out what Brereton residents and local businesses felt about living and working in the parish and what they saw as future needs. Information was made freely available, attendees were offered a survey questionnaire for completion and invited to make freehand comments on post-it notes.

Over 100 people attended the event of which 92 completed the survey. A business orientated questionnaire was posted to local businesses (99 in total) with a pre-paid envelope for return of completed forms. Questionnaires were issued to all parents of children attending the Primary School and Playgroup. Leaders of the local Youth Forum created an innovative game to capture input from young people of the parish. Visitors to the Local Nature Reserve on one Sunday in April 2013 were invited to respond to questionnaires. Using the resulting data report (ref. SD/C06) from the survey (116 returns in total) and freehand comments the Project Team was able to produce a vision statement and identify and prioritise six key objectives for the Neighbourhood Plan.

4 Community Engagement

Feedback on Vision & Objectives

In July 2013 the Visions and Objectives statement (ref. SD/C08) was displayed at the Brereton Rose Queen Garden Party, attended by many residents, families, friends and other visitors. Members of the project team were available to explain the project and how we had arrived at the statement. People were invited to complete feedback forms. There were 60 respondents, all of whom agreed with the statement.



Capturing Rural Housing Needs

In August 2013 a Rural Housing Needs Survey (ref. SD/C09) was sent out to all residential households in Brereton Parish, to assess the affordable housing needs within the parish over the next five years. 486 surveys were sent out and 189 returned, giving an overall response rate of 39%. Results from the survey indicated an affordable housing need of 12 households over the next five years.

Feedback on Proposed Policy Areas

The Project Team reviewed the six objectives from the Vision and Objectives statement, together with all available information, including results from previous consultations. It was agreed to combine the objective about cycle ways and footpaths with the objective about protecting green space.

The objectives were then prioritised into order to reflect their degree of importance. These five revised Objectives then formed the heart of the plan and from them the Neighbourhood Plan proposed policy areas were drafted.

A survey was developed (ref. SD/C11) and hand delivered to all parish households during February 2014 with a request for comments on the proposals. In addition, a 'drop-in' event was held where members of the Project Team were available to inform and answer questions. Maps and other relevant information were available at the venue. 25% of households completed the consultation and data was compiled into a report (ref. SD/C12). The proposals received very strong support across all 5 Objectives with 83% of responses in the 'agree' to 'strongly agree' range. A number of proposals, although of importance to the community, had been identified as being outside the scope of the neighbourhood plan and these were indicated as such in the survey material.



P57: Publicity for the Proposed Options consultation.

4 Community Engagement

Regulation 14 Consultation

The Pre-Submission consultation started on 10th April 2015 and closed on 22nd May after the statutory 6-week period. The full report of the consultation is documented in detail in the Consultation Statement (SD/C71). In summary, notification of the consultation was given via email to an extensive group of statutory consultees (368) and other potentially interested parties, including the Cheshire East Housing Market Partnership, as advised by Cheshire East Council. In addition, local residents and local businesses were advised by hand delivery to every household and business of an 8 page summary of the Plan and notification and representation forms. An active publicity campaign was implemented that included local newspaper articles, public notices in the local press, local newsletters, posters, banners, and through social media on Facebook and Twitter. Printed copies of the Plan, the Notification and Response forms, were accessible at 3 nearby public libraries, Cheshire East Council HQ and at 4 selected locations within the Parish. Two public drop-in events were hosted by the project team at the local Primary School to allow the public to review the Plan and to ask questions.

At the close of the consultation period, 82 valid representations had been received, with a total of 417 comments expressed. Of the 417 recorded comments, 300 were from local Brereton residents, of which 289 expressed support for the plan and its policies. There were no objections received from Brereton residents. Statutory Councils, including Cheshire East, expressed support for the plan. Of the 417 comments, only 13 expressed objection to part of the plan or its policies.

After a detailed analysis of all comments received, 20 comments were found to provide constructive positive suggestions aimed at improving the quality and integrity of the Plan. The resulting changes from these comments were approved by the Parish Council and incorporated into the Submission version.



5 Vision & Objectives

“In 15 years Brereton will be a vibrant, predominantly rural community encouraging prosperity for residents and local businesses alike. Local agriculture will remain a valued feature of local life. It will support high-quality development to meet local needs in keeping with the character of the area. It will provide outdoor recreation and open space to benefit people in our own and neighbouring areas. It will be a Green Gap, separating and balancing the continuing development of surrounding towns and villages. It will be a place where local people can live, work, play, and enjoy a high quality of life.”



Vision

The Vision is an aspirational statement, providing a foundation for all other content of the Neighbourhood Plan. It declares a view of and direction for the area, to guide the Plan's development and implementation.

Objectives

The Objectives are specific targets to be achieved during the implementation of the Plan.

The Objectives for our Neighbourhood Plan are to:

1. Deliver a sensitive housing strategy tailored to Brereton's needs, protecting the landscape and in keeping with the distinctive character of the area
2. Provide and improve local facilities to meet local demand
3. Strengthen and support local economic activity
4. Protect green space, the environment and the landscape, support nature conservation and encourage responsible rural recreation, rural tourism and sustainable modes of transport
5. Seek ongoing improvements to transport, digital connectivity and utility services

6 Planning Policies

Our neighbourhood planning process identified five key policy areas for the Plan to address. Each area of Policy is defined to implement one of the five Objectives and to take into account the community responses received to the policy proposals during consultation. These are:

Housing Development (HOU)



Community Facilities (COM)



Business and Economic Activity (BUS)



Protect the Rural Environment (ENV)



Transport and Infrastructure (TRA)



Each of these policy areas has been given a three letter policy code to readily identify each policy area within the Plan.

The detailed justification and evidence underlying the policies can be found in Appendix A.

In consideration of the Planning Policies account has been taken of the need to contribute to all three dimensions of sustainable development: social, economic and environmental.

The Neighbourhood Plan promotes change that will be of long term benefit for the whole community.



6.1 Housing Development



Objective

Deliver a sensitive housing strategy tailored to Brereton's needs, protecting the landscape and in keeping with the distinctive character of the area.

There is a need for housing development in Brereton Parish to meet the needs of population growth; the reduction in average household size; the housing needs of all of the people of Brereton including the young, the elderly and those on low incomes and the demand from people who want to live in a rural area such as ours but work in urban areas nearby.

However, there is the right of the people who live in Brereton Parish to continue to enjoy the distinctive local surroundings and the valuable rural aspects of our area. There are also the rights of the people from surrounding areas who visit Brereton Parish for its recreational resources and to enjoy the intrinsic beauty of the Brereton countryside. In addition Brereton Parish is a significant producer of food for the nation, especially dairy products.

The policies on housing development seek to balance the aspects of social, economic and environmental dimensions of sustainable development in order to have the necessary housing development and to keep the parish vibrant and economically successful. At the same time the policies seek to retain the rural nature of the area, its intrinsic beauty and distinctive character, its recreational resources and its food production.



6.1 Housing Development

POLICY HOU01 AMOUNT OF NEW HOUSING DEVELOPMENT

1. To accommodate locally arising housing needs, proposals totalling up to 50 houses will be allowed within Brereton Parish by the end of Plan period in 2030. This takes into account evidence and assumptions about housing requirements forecast to arise within the Local Plan period, and is derived from the range 42 to 58 dwellings.
2. The settlement boundary of Brereton Heath lies less than 700m from Bagmere SSSI (Midlands Meres and Mosses Phase I Ramsar) and that settlement is within the water catchment for the site. Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the NPPF applies the same protection measures as those in place for European sites. Any development proposals in Brereton Heath will require adequate hydrological surveys and any necessary avoidance or mitigation measures as these areas are particularly sensitive to hydrological changes.

POLICY HOU02 SETTLEMENT BOUNDARY

1. Brereton Heath and Brereton Green are identified as settlements lying within the open countryside and are identified by a settlement boundary on the inset maps within Appendix C of the Plan (key map C20a and key map C20b).
2. Within the settlement boundary of the settlements so defined, new housing development may be permitted where it is appropriate to the character of the area and accords with other policies of the Plan and the Cheshire East Local Plan.
3. In all other areas of the Parish not defined as lying within these settlement boundaries, no development will be permitted other than in accordance with the policies in this Plan and the Cheshire East Local Plan.
4. The settlement boundary of Brereton Heath lies less than 700m from Bagmere SSSI (Midlands Meres and Mosses Phase I Ramsar) and that settlement is within the water catchment for the site. Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the NPPF applies the same protection measures as those in place for European sites. Any development proposals in Brereton Heath will require adequate hydrological surveys and any necessary avoidance or mitigation measures as these areas are particularly sensitive to hydrological changes.

POLICY HOU03 EXCEPTIONS TO NEW HOUSING DEVELOPMENT

1. Beyond the settlement boundaries identified in this Plan, the following types of housing development may be considered acceptable as exceptions to Policy HOU02:
 - a) The redevelopment of previously developed land and buildings (subject to appropriate environmental safeguards and mitigation)
 - b) Conversion of existing buildings (subject to the preservation of the surrounding countryside)
 - c) Affordable housing schemes for local needs which meet the criteria for Local Plan rural exception sites
 - d) Self-Build Schemes according to Policy HOU05.
2. Any exception site shall not exceed 10 dwellings.

POLICY HOU04 REPLACEMENT OF EXISTING DWELLING

1. Proposals to rebuild or replace an existing dwelling will be allowed providing the following criteria are satisfied:
 - a) The new dwelling would be sited within the existing curtilage and its design would create a visual enhancement of the site
 - b) The new dwelling by virtue of its siting, design, external appearance and any access arrangements would respect the traditional character and openness of the surrounding countryside
 - c) Existing landscape features are retained and appropriate additional landscaping carried out which reflects the character and appearance of the surrounding countryside
 - d) Any additional freestanding buildings should not have an adverse impact upon the character and appearance of the surrounding countryside
 - e) The new dwellings should respect the privacy and other existing amenities of any adjacent dwellings.



6.1 Housing Development

POLICY HOU05 SELF-BUILD SCHEMES

1. The Plan will encourage more self-build dwellings constructed by local people on appropriate sites. The criteria for establishing a local need are set out in policy H12.
2. Applications for self-build or custom-built schemes within Brereton Parish will be supported where the location and proposed nature of the scheme are both sympathetic to the character of the open countryside and would have minimal visual and environmental impact. Dwellings can only be built by those acting on behalf of individuals or a community group of individuals. No single individual or group will be granted planning permission for more than one dwelling in any one scheme. For example, a single planning permission for 10 dwellings would require to be owned and occupied by 10 distinct households.
3. New houses will need to conform to the quality standards set out in this plan and wider planning guidance.
4. Individuals wishing to purchase a self-build plot should complete a unilateral undertaking under Section 106 of the Town and Country Planning Act (1990) to accompany any planning application. This should include confirmation of their local connections with Brereton Parish, their intention to construct the house within two years of purchase and their intention to live in the property once it is built.

POLICY HOU06 PROVISION OF OPEN SPACE IN NEW HOUSING DEVELOPMENT

1. In new housing development, provision shall be made for both informal and formal play an amenity open space that is safe, conveniently located and safeguards existing residential amenities of adjacent properties.
2. The extent, quality, design and location of such provision should be in accordance with the relevant standards of Cheshire East Council as may be set from time to time.

POLICY HOU07 PRESERVATION OF EXISTING OPEN SPACES

1. Areas of Existing Recreation and Open Space (ref. SD/C21) will be protected from development.
2. In addition, a buffer zone of between 20 to 50 metres in depth between existing development and any new housing development will be identified, protected from development and enhanced as appropriate.
3. Existing areas of openness in whatever use adjacent to new housing development should be assessed for their contribution to retaining the openness of the countryside including important vistas.
4. The Landscape Character Assessment for Brereton (ref. SD/C16) will be used to assess development schemes coming forward.

POLICY HOU08 PROVISION OF BUILDING LINE IN NEW HOUSING DEVELOPMENT

1. Any proposals to build new houses adjacent to the main roads in the parish will provide for a minimum 10 metre gap alongside the road carriageway. This gap should protect the openness of the countryside and promote travel by walking and cycling along the roadside either adjacent to the carriageway or adjacent to any hedge or wall.

POLICY HOU09 HOUSING MIX

1. Housing development should provide a mix of dwellings to meet locally generated needs of Brereton Parish, particularly those arising from persons who live locally or have a strong connection to Brereton.
2. Dwelling size, type of dwelling, affordability, tenure, density, special needs, appearance, garden space and size are factors which should all be addressed in planning applications. New housing should be designed to take account of this housing mix and for each new dwelling to contribute in some manner to improving the quality of local life.
3. The provision of smaller units to meet local needs should be given priority subject to compliance with other housing policies.

POLICY HOU10 HOUSING FOR LOCAL PEOPLE

1. For any housing developments resulting in a net increase of 9 or more dwellings units, 10% of all units shall be restricted to sale for those with a local connection to Brereton Parish. This requirement will be included in a legal agreement with Cheshire East Council under Section 106 of the Town and Country Planning Act (1990).
2. This requirement can be waived by Cheshire East Council if there is a lack of local need, which is demonstrated if the property remains unsold after a period of at least 9 months.
3. The criteria for a local connection are set out in Policy HOU12.



6.1 Housing Development

POLICY HOU11 THE LAYOUT AND DESIGN OF NEW HOUSING

1. Any new housing development should achieve a high standard of design. The new development should be compatible with the rural nature of Brereton Parish. The Landscape Character Assessment for Brereton (ref. SD/C16) will be used to assess development schemes coming forward.
2. The layout and design of new housing in Brereton should satisfy the following local design principles:
 - a) Reflect local rural character of the area
 - b) Respect the form, layout, materials, siting, height, scale and design of the adjoining and surrounding buildings, the setting and countryside
 - c) Be sympathetic to the character of the local environment, the rural street scene, the linear and street frontage layout of development
 - d) Enhance the local character and environment at an appropriate scale
 - e) Achieve high environmental and energy standards
 - f) Retain and enhance existing landscape features
 - g) Be designed to comply with Building for Life principles.

POLICY HOU12 LOCAL HOUSING CONNECTIONS

1. Local housing connections are defined for prospective self-build and open-market housing schemes in accordance with policies HOU5 and HOU10 above.
2. For the purposes of this Neighbourhood Plan, a local housing connection is classed as being either of a residency or employment nature.
3. Residency qualification is defined as any individual who satisfies any of the following criteria:
 - a) Has been resident in Brereton or an immediately adjoining parish for a continuous period of 12 months at the time of application, or
 - b) Has been resident in Brereton or an immediately adjoining parish for 3 out of the previous 5 years at the time of application, or
 - c) Has close family (defined as mother, father, sister, brother, adult children or grandparent who have been resident in Brereton or an immediately adjoining parish for a continuous period of 5 years and continue to be so resident at the time of application.
4. Employment qualification is defined as any individual, or his/her partner, who is in employment locally, and satisfies all the following criteria:
 - a) The office or business establishment at which a person is based or from where their work is managed lies within Brereton or an immediately adjoining parish, and
 - b) Is in paid employment, and
 - c) Works a minimum average of 16 hours per week on a regular basis, and
 - d) Has been employed for a minimum of 12 continuous months at the time of their application and is currently in employment, and
 - e) Has a permanent or fixed-term contract or is self-employed.



6.2 Community Facilities



Objective

Provide and improve local facilities to meet local demand.

Future development needs to strengthen the community and contribute to the additional facilities and services the community requires.

The policies on Community Facilities seek to meet the social needs for better community facilities while allowing uses of these facilities which aim to boost the local economy where possible and while protecting the rural character and environment of the parish.



6.2 Community Facilities

POLICY COM01 NEW COMMUNITY HUB SITE PLANNING

1. A new community building is proposed as a hub to meet local community needs for Brereton Parish. Any application for a new community centre should comply with the following:
 - a) The scale and location should be well-related to the catchment area of the parish in order to satisfy the needs of the local population
 - b) The proposed building should be in keeping with the open rural character of Brereton
 - c) The development should not cause harm to the character or amenity of adjacent uses and properties
 - d) The development should if possible be located where it is accessible by public transport, on foot and by cycle. Car parking should be provided in accordance with the appropriate Cheshire East Council standards
 - e) The development will not adversely affect either directly or indirectly areas of nature conservation, geological or landscape interest
 - f) The development accords with policies of the Neighbourhood Plan and Local Plan.

POLICY COM02 NEW COMMUNITY HUB POSSIBLE USES

1. Uses to be accommodated within the community hub include those which aim to boost the local economy of this rural area by the provision of local workspace, community services and local facilities.
2. Facilities would be available for use by local residents, groups and businesses.
3. Appropriate facilities could include: reception facilities, IT suites and services, business facilities, meeting and consultation rooms, flexible spaces for community events and local activities and car parking.

POLICY COM03 EXISTING COMMUNITY FACILITIES

1. The Existing Community Facilities (ref. SD/C22) within Brereton Parish are identified in Key Map C22. These are important resources for the local community and should be retained for the benefit of those groups, organisations and the wider community which use them.
2. Support will be given to the retention and improvement of existing facilities and to safeguarding them from potential inappropriate development.
3. Planning applications for land or buildings adjacent to community facilities will be expected to respect the continued retention of the community use and to integrate, support and/or strengthen the existing community resource base of the parish.
4. Proposals involving the loss of a community facility will be resisted unless each is to be replaced by a new and improved facility in a location approved by the local community.

5. An Asset of Community Value is a building or piece of land, either publically or privately owned, which Brereton Parish Council considers should be listed by Cheshire East Council under The Assets of Community Value (England) 2012 regulations (SD/A16). If the current owner decides to sell such an asset then the Parish Council would be notified and given time to raise funds to buy the asset, if it felt able to raise the funds and chose to so do. Within the parish, the following facilities are being considered as Assets of Community Value:

- a) Brereton Community Space.

POLICY COM04 PROVISION OF NEW COMMUNITY FACILITIES

1. Planning permission can normally be granted for new community facilities which meet the needs of the local community provided that:
 - a) The application is accompanied by evidence of the local need for the facility
 - b) No problems with regard to matters of highway safety are identified
 - c) The scale and location should be well related to the catchment area of the parish in order to satisfy the needs of the local population
 - d) The proposed building should be in keeping with the open rural character of Brereton
 - e) The development should not cause harm to the character or amenity of adjacent uses and properties
 - f) The development should if possible be located where it is accessible by public transport, on foot and by cycle. Car parking should be provided on site in accordance with the appropriate Cheshire East Council standards
 - g) The development will not unacceptably affect either directly or indirectly areas of nature conservation, geological or landscape interest
 - h) The development accords with policies of the Neighbourhood Plan and Local Plan.

POLICY COM05 PROVISION OF ALLOTMENTS & ADDITIONAL CAR PARKING

1. Support will be given for the provision of allotments to serve local needs, and car parking to serve local visitor attraction and countryside facilities.
2. Areas of search for additional facilities will be identified in consultation with local partners and landowners. Any site-specific proposals will be expected to comply with the criteria set out for other new community facilities in Policy COM04.



6.3 Business and Economic Activity

Objective

Strengthen and support local economic activity.

Changes in the agricultural industry are reducing employment opportunities for the people of Brereton Parish. Young people are forced to seek employment outside the parish and to move away. The majority of people in employment travel out of the parish to work.

Economic activity and employment in Brereton Parish needs to be encouraged so as to increase the number of people who live and work in the parish, particularly young people.

The policy on business and economic activity seeks to meet the needs of the local economy whilst protecting local facilities from inappropriate development and supporting social and community-led enterprises with a social and/or environmental purpose.



POLICY BUS01 RURAL ECONOMY

1. Local business, visitor attraction and countryside facilities in Brereton will be protected from inappropriate development.
2. Development which seeks to encourage investment in the rural economy will be supported.
3. This plan seeks to help local businesses stay viable and encourages those which foster the retention of local employment opportunities. This will be achieved in the following ways:
 - a) Supporting a more diverse agricultural economy which provides more local employment opportunities
 - b) Supporting existing local businesses within the area
 - c) Encouraging a wider range of rural tourism particularly those businesses which complement existing tourism related ones
 - d) Encouraging the re-use and sympathetic extension of redundant agricultural or other buildings for business or visitor attraction purposes
 - e) Encouraging businesses which offer local products and services (including food and drink) linked to their mid-Cheshire and rural provenance
 - f) Supporting social and community-led enterprises with a social and/or environmental purpose which involves the local community.
4. Development proposals would require to satisfy the criteria for development in the Open Countryside PG5 as set out in the Cheshire East Local Plan (ref. SD/B01).

6.4 Protect the Rural Environment



Objective

Protect green space, the environment and the landscape; support nature conservation and encourage responsible rural recreation, rural tourism and sustainable modes of transport.

The existing rural environment is the most valued aspect for those living and visiting the parish. The active and productive use of the farmland is of value to the wider community. The demand to access the parish's rural tranquillity will increase in an urbanising world.

Nationally, environmental biodiversity is under extreme pressure. Areas which retain a rich variety of flora and fauna and provide good access for the wider population will be increasingly valued. Future development must not detract from the rural character of the parish and must assist in providing improved access.

The policies on protecting the rural environment seek to protect the valuable landscape, views, biodiversity, geodiversity, nature conservation features, recreational facilities and heritage of Brereton that are so valued by both those who live in Brereton and those who come into the parish to use its facilities. It is recognised that change must continue to take place but it must be managed so as to keep the area vibrant but to also protect these valued aspects of the rural environment.



P46: Pencil Sketch of Brereton Hall, a Grade I Listed Elizabethan House that is in private ownership and not open to the public.



6.4 Protect the Rural Environment

POLICY ENV01 LAND USES IN THE COUNTRYSIDE

1. The countryside in Brereton performs many functions for the local and wider community which cannot be provided within the adjacent towns and villages. Land in use for recreation, landscape and amenity, nature conservation and other rural uses will be protected from inappropriate development which would threaten the integrity of one or more of those uses.

POLICY ENV02 THE LANDSCAPE VISION AND DEVELOPMENT

1. Areas of High Landscape Value are defined on Key Map C23. Within these areas, development which would damage the open or other landscape character or features so defined will not be permitted. The key attributes of these are set out in the Landscape Character Assessment for Brereton (ref. SD/C16).

POLICY ENV03 OPEN LANDSCAPE VIEWS

1. The Brereton area affords many views across the Cheshire Plain towards the Peak District lying within Cheshire and Staffordshire Peak ridgeline. Open views across the landscape should be protected and enhanced.
2. All development should respect the character and open appearance of the countryside, and in particular the views in an easterly direction towards the Peak District National Park.
3. The impact of development on the openness of the countryside should be assessed against the Landscape Character Assessment for Brereton (ref. SD/C16).

POLICY ENV04 NATURE CONSERVATION

1. Some areas of the parish are recognised as being of high nature conservation value at European, National and Cheshire East wide level. Development which would damage the biodiversity or nature conservation features so defined will not be permitted. The key attributes of these are set out in the Landscape Character Assessment for Brereton (ref. SD/C16)
2. Development may be permitted provided a satisfactory Biodiversity Impact Assessment and a satisfactory assessment to address the potential hydrological impacts of the proposal, both in terms of water quality and water supply to Bagmere SSSI (Midlands Meres and Mosses Phase I Ramsar) are submitted with any planning application.
3. For any type of development adjacent to or within proximity of the Bagmere SSSI, development will not normally be permitted if the site is not connected to a mains sewer as foul water and effluent discharges would particularly be damaging to this site.

POLICY ENV05 BIODIVERSITY & GEODIVERSITY

1. The conservation, management and enhancement of local features of interest for their biodiversity and geodiversity will be supported and encouraged. These include:
 - a) Retention of hedgerow field boundary treatments and restoration, where these are fragmented, to improve their landscape condition and contribution
 - b) Retention of existing trees around and within existing and future development and the encouragement of additional planting where appropriate
 - c) Promotion of the nature conservation and ecological value of the Dane Valley and respect for its enclosed nature
 - d) Retention of historic field patterns wherever possible including any areas of new development
 - e) Retention and enhancement of the character of estate parkland at Brereton Hall and Davenport Hall, which forms a distinctive existing feature of the Cheshire Plain at this point
 - f) Management of woodland tracts to prevent deterioration
 - g) Incorporation and maintenance of hedgerows and lowland grassland margins
 - h) Incorporation of new woodland and tree cover within the wider landscape whilst ensuring existing open views are not obscured
 - i) Promotion of geodiversity and biodiversity interests for the former sand extraction sites such as Brereton Heath Local Nature Reserve
 - j) Creation of Wildlife Corridors between existing sites of biodiversity such as Croco Valley, Bagmere and Brereton Heath Local Nature Reserve to enhance their individual status
 - k) Support for other initiatives which assist in linking biodiversity sites such as land management
 - l) Protection and enhancement of surface and ground water quality to comply with the Water Framework Directive (SD/A15) in ensuring that development does not cause deterioration in the status of inland waters
 - m) The potential impacts on any protected species of any development proposal should be taken into account in developer formulation of proposals and advice sought from Natural England and Cheshire East Council.



6.4 Protect the Rural Environment

POLICY ENV06 DEVELOPMENT & LANDSCAPE

1. Development should respect the vernacular architecture of the Cheshire Plain through the use of appropriate materials (such as Cheshire red brick and Cheshire style black and white metal estate railings for boundary and frontage treatments).
2. Development should reflect the distinctive local settlement pattern of the Parish by complementing the existing pattern of ribbon development at Brereton Green and Brereton Heath and avoiding the use of cul-de-sacs.
3. Development should provide high-quality design solutions which reflect the range of local building materials and details characteristic of the rural locality. Design should provide for some variation yet create improvements which respect the character of the area.
4. Development should respect the existing rural open views across the Cheshire Plain which contribute significantly to the local character. These open views should also be protected from unsympathetic development.
5. Development should enable sympathetic alterations to existing buildings to facilitate proposed changes of use so as to allow future occupiers the benefit of rural views across the landscape, whilst protecting privacy of any adjacent properties.

POLICY ENV07 RECREATIONAL FACILITIES

1. Existing recreational facilities within the parish will be retained and enhanced for the visual and functional value they provide for local residents and the wider community.
2. Improvements to the existing provision for recreational walking, cycling and appreciation of nature will be sought. New provision should complement existing provision and if possible also link communities with local facilities and services.
3. Continued improvements to the educational resources at Brereton Heath Local Nature Reserve will be supported.

POLICY ENV08 LISTED BUILDINGS IMPROVEMENTS AND ENHANCEMENTS

1. Listed Buildings within Brereton are an important part of the area's heritage and are shown in Key Map C24.
2. Appropriate repair and enhancement of these buildings will be supported and encouraged.
3. Any development which would adversely affect a Listed Building or its setting will not normally be supported.
4. Consent for the demolition of any Listed Building will not normally be supported.

POLICY ENV09 LISTED BUILDINGS CHANGE OF USE

1. Change of use to existing Listed Buildings to retain them in active use may be supported provided the building would be preserved. The essential character of the building should be preserved in any change of use and the change should not adversely affect or detract from the local setting of the building.

POLICY ENV10 HERITAGE ASSETS AND THEIR SETTING

1. Any development should conserve and enhance the heritage assets of the Parish and their setting. This includes the separation between heritage assets and the settlements and small clusters of existing development. Heritage assets are defined as the current list of nationally listed buildings and parks and gardens of historic interest and any further national or local listings to be added during the period of the Plan by Historic England or the Local Planning Authority.
2. The Historic England national list comprises a number of assets within Brereton emphasising the importance and value of its heritage:
 - a) Grade I = 1
 - b) Grade II* = 3
 - c) Grade II = 17
3. These are identified on Key Map C24, and detailed in extracts from Historic England registers in SD/C24a in Supporting Documents.
4. If a proposed development has potential to affect the contribution of a heritage asset's setting to its significance or an appreciation of its significance, an assessment of its impact shall be made in accordance with the guidance on the setting of heritage assets from Historic England shall be made and in consultation with Cheshire East Council as the Local Planning Authority.

POLICY ENV11 CONSERVATION AND SUSTAINABLE MANAGEMENT OF SOILS

1. Proposals for land use change in the rural environment shall take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide. The permanency of the impact on soils shall be an important consideration. Planning decisions should take into account the need to:
 - a) Safeguard the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future
 - b) Avoid development that would disturb or damage other soils of high environmental value (eg wetland and other specific soils contributing to ecological connectivity, carbon stores such as eatlands etc) and, where development is proposed
 - c) Ensure soil resources are conserved and managed in a sustainable way.



6.5 Transport and Infrastructure



Objective

Seek ongoing improvements to transport, digital connectivity and utility services.

Brereton Parish has poor access between its settlements. Increased traffic volume, size and unacceptable high speed in the narrow lanes and settlements are of major concern. The lanes and verges are poorly maintained. Connections between the settlements of Brereton Parish need to be improved and measures encouraged to improve traffic safety for all road users with lower speed limits, traffic calming, improvement and maintenance of verges.

The policies on transport and infrastructure seek to promote the use of sustainable forms of transport which will benefit the environment and the health of the community. They also seek to increase the safety of all road users.

Initiatives to address digital connectivity in Brereton are already well advanced through the Connecting Cheshire programme, and no policies are proposed in this Plan.

No specific policies are being proposed in this Plan to address utility services.



6.5 Transport and Infrastructure

POLICY TRA01 TRANSPORT IMPLICATIONS OF NEW DEVELOPMENT

1. Where any proposed development would give rise to the need for transport measures, facilities or improvements, accessibility to the site should be assessed and measures taken to improve access to the site by all modes of transport including public transport, walking and cycling.
2. Proposed improvements within Brereton should aim to improve and encourage the use of cycle ways, footpaths and bridleways for access between settlements, to local facilities and for leisure purposes.

POLICY TRA02 IMPROVEMENTS TO LOCAL SUSTAINABLE FORMS OF TRANSPORT

1. Improvements to the existing network of cycle ways, bridleways and footpaths will be sought to encourage their use.
2. Measures to improve the accessibility of existing developments in Brereton by public transport, walking and cycling and by the provision of additional car parking, will be sought.
3. The priorities for improvements should include links between the parish and the local service centres between the dispersed settlements of Brereton Parish and the development of new cycle ways to and from local facilities such as Holmes Chapel via the A50 and the A54. Opportunities will be taken to fund such improvements through planning applications and provision for off-site sustainable options for travel.



POLICY TRA03 IMPROVEMENTS TO ROAD SAFETY ON LOCAL ROADS

1. A range of road safety improvements will be sought over the plan period.
2. Priority will be given to road safety situations where pedestrians, cyclists, horse riders and other slow moving vehicles in this rural area have to use and cross busy and/or fast moving roads and where traffic speeds are high.
3. Priority will be given to the following areas which are a cause of concern for safety to all road users:
 - a) Junctions from local roads to/from the A50 and A54
 - b) Junctions to/from roads serving the local community facilities such as Brereton Primary School.

POLICY TRA04 COMMUNITY INFRASTRUCTURE

1. The Neighbourhood Plan priorities for spending any monies derived from Planning Agreements (Section 106) and Community Infrastructure Levy (CIL) from development within Brereton will be as follows:
 - a) New community hub (Policy COM01)
 - b) Additional car parking (Policy COM05)
 - c) Provision of allotments (Policy COM05)
 - d) Sustainable forms of transport (Policy TRA02)
 - e) Local road safety measures (Policy TRA03).



7 Implementation

“People of Brereton value the rural, agricultural economy and environment that they have now and want to keep it that way. They do not want to become a crowded dormitory area for the nearby towns and cities.”

Stuart Yarwood, Chairman, Brereton Parish Council

Brereton Parish Council is committed to developing and strengthening the contacts and groups that have evolved as a result of the Neighbourhood Planning process. It believes that by working together to implement the Plan it will make Brereton an even better place to live, work, play and enjoy a high quality of life.

The Neighbourhood Plan will be delivered and implemented over a 15-year period to 2030. Different stakeholders and partners will be involved. It is not a rigid ‘blue-print’ and provides instead a ‘direction for change’ through its vision, objectives and policies. Flexibility will also be needed as new challenges and opportunities arise over the plan period. In this respect, implementation, monitoring and review will be crucial.

Brereton Parish Council will be the responsible body to manage and oversee the implementation of the Neighbourhood Plan.

There will be three key strands of activity which will direct delivery and each is important in shaping Brereton Parish in the months and years ahead. These comprise:

a) The statutory planning process will direct and control private developer and investor interest in the parish in the context of the Neighbourhood Plan and the Local Planning Authority and the NPPF. The Parish Council (in its role as statutory consultee to planning applications) and the Local Planning Authority will use the Neighbourhood Plan to assess the appropriateness and suitability of applications. This assessment will help inform the Parish Council’s response to the application (e.g. written representations in support of, or in objection to the proposals) and will inform the Local Planning Authority’s final decision. In summary, planning applications that are broadly in accordance with both the Cheshire East Local Plan, and with the Neighbourhood Plan should be supported while those that are not, should be refused.

b) Investment in, and management of, public services, assets and other measures to improve local services and vitality and viability for the parish. In the context of the prevailing economic climate and public funding there is a recognition that public investment in the parish will be challenging to secure. The Community Infrastructure Levy (CIL), once introduced by Cheshire East Council, will contribute a small amount through new development. In the meantime, Section 106 of the Town and Country Planning Act 1990 allows for agreements between developers and Cheshire East Council, with financial contributions towards necessary services and infrastructure improvements. Such contributions resulting from developments within the Neighbourhood Plan designated area should be allocated towards improvement or addition of local services to benefit Brereton Parish residents and community.

c) The voluntary and community sector will have a strong role to play particularly in terms of local community infrastructure, events and Parish life. This sector is likely to play an important role in the future, and includes, but not limited to, Brereton Community Interest Group, St. Oswald’s Church, Davenport Chapel, Brereton WI, Brereton Wives Group, 2nd Brereton Scout Group, and Brereton Youth Forum.

The key areas of action (over leaf) summarises the Parish Council’s approach to delivery and implementation of the Neighbourhood Plan.



7 Implementation



Housing Development

The Parish Council will work with local landowners, developers and Cheshire East Council to deliver modest incremental growth in appropriate housing over the Plan period to meet the local needs



Community Facilities

The Parish Council will work with local organisations and Cheshire East Council to improve facilities and services for local people. An important aspect of this will be to facilitate the development of a community hub to serve as an integral component of parish activity.



Business and Economic Activity

The Parish Council will encourage businesses to improve local employment opportunities for local people. The Parish Council will work with landowners and stakeholders to bring brownfield sites, such as under-used or dis-used agricultural buildings, forward for redevelopment or conversion into economic use.



Protect the Rural Environment

The Parish Council will work with Cheshire East Council, English Heritage, Natural England and The Environment Agency, together with landowners and stakeholders, to ensure the rural environment will be protected from inappropriate development.



Transport and Infrastructure

The Parish Council will work with Cheshire East Council to find ways to improve road safety, address speed and parking issues, and to provide pedestrian and cycle access to key areas throughout the parish.

7 Implementation

Monitoring and Review

The Brereton Parish Neighbourhood Plan is a ‘living’ document and as such will become an integral component of the stewardship of the Parish Council.

- a) The Parish Council monthly meeting will include a regular agenda item to monitor and action activities to progress the implementation of the Neighbourhood Plan.
- b) The Parish Annual Meeting will report on annual progress achieved, and set out the programme aims and key activities for the subsequent year ahead.
- c) The Parish Council will undertake a strategic review of the Neighbourhood Plan every 3 years. The focus of the strategic review will be to ensure that the policies made are effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Plan. Any resulting proposals to correct and improve policies to meet the vision and objectives will require to be undertaken in full collaboration with Cheshire East Council.

Next Steps

The following sets out the remaining planned key milestones of the neighbourhood planning process:

July	2015	Neighbourhood Plan Submission to Cheshire East Council
September	2015	Cheshire East Council Public Consultation on Submission version of Neighbourhood Plan ends
October	2015	Independent Examination report due
December	2015	Brereton Parish Referendum of Residents to Support the Plan
February	2016	Cheshire East Council confirm our Neighbourhood Plan is ‘made’
March	2016	Implementation of ‘made’ Neighbourhood Plan starts

Appendix

Appendix

- A Policy Evidence
- B Supporting Documents
- C Key Maps
- D Glossary
- E Acknowledgements

Appendix A - Policy Evidence

APPENDIX A - POLICY EVIDENCE

Section 6 details the Policies that define the Neighbourhood Plan.

This Appendix provides the Justification and Evidence that informs and supports these policies. By its nature this is a technical description which will mainly be of interest and benefit to statutory consultees, planners and developers.

Supporting Documents used in Evidence References are listed in Appendix B.

A-1 Housing



Appendix A1 - Policy Evidence

Housing

POLICY HOU01 AMOUNT OF NEW HOUSING DEVELOPMENT

Justification & Evidence

1. This policy is justified by the parish location within the Cheshire countryside which is protected from development by long standing planning policies stemming from national planning objectives and policy aimed at preventing larger urban areas from coalescing. It is also informed by the need to plan positively for some new housing arising from locally generated needs, especially for affordable housing.
2. Brereton Parish lies within the Open Countryside as defined by the Submission version of the Cheshire East Local Plan Strategy May 2014 (ref. SD/B01). This designation reflects previous planning policies for the area as reflected in the Cheshire County Structure Plan (ref. SD/B15) and adopted by Congleton Borough Local Plan First Review (ref. SD/B07). The Local Plan provides for a Settlement Hierarchy of Principal Towns, Key Service Centres, Local Service Centres and Other Settlements and Rural Areas. Brereton Parish lies within the latter category where the strategy is that development, growth and investment should be confined to small scale infill and change of use or conversion of existing buildings in order to sustain local services and facilities. Furthermore, the local strategy also provides that the preservation of the countryside for its scenic, recreational, aesthetic and productive qualities is a key objective of planning policy. All of these qualities are reflected in the use of the countryside within the Brereton area.
3. The community of Brereton wishes to plan positively for the identified needs of the local area which may arise during the plan period. The policy seeks to find an appropriate planning balance between preserving the countryside for its landscape, ecological and recreational value and protecting the best and most versatile agricultural land on one hand and meeting locally arising needs from within the local community on the other.
4. The villages of central Cheshire have grown incrementally over the centuries in response to changes in patterns of living, working and relaxing. In this way, the essential rural character of Brereton has been maintained although it lies within good access to the regional and national road motorway network and the facilities and amenities of the three adjacent settlements of Sandbach, Congleton and Holmes Chapel each of which is identified within the Local Plan as a service centre. This proximity and facilities make the parish attractive to live in for both existing and prospective residents. The Neighbourhood Plan seeks to provide for locally generated housing needs rather than meeting wider housing requirements. The Local Plan provides that such wider generated needs should be accommodated closer to, within or adjacent to those adjacent towns which have a wider range of services than Brereton and are more likely to meet the principles of sustainable development as required by the NPPF.
5. The Local Plan states that the smaller settlements of Cheshire East and the rural areas are expected to accommodate around 5 hectares of employment and 2000 new homes. Following the receipt of the Planning Inspector's comments on the amount of new housing development in the Submission version of the Local Plan, discussions with Cheshire East Council indicated that the rural figure could increase as could other housing figures in order to provide an overall increase in housing numbers of up to 50% (to around 3000 houses). Accordingly, the fair share allocation of the Local Plan rural housing figure for Brereton Parish was also adjusted in the Housing Needs Advice for Brereton report (December 2014) from 28 to 42, thus providing a range of 42 (fair share growth) to 58 (unconstrained growth) dwellings.
6. The settlements within Brereton Parish make up a very small proportion of the countryside and rural areas within Cheshire East which, set alongside the other positive uses already existing and the constraints on sustainable development in such areas, have confirmed the policy figure requirement.
7. Given the strategic policies of restraining development in the countryside, the Neighbourhood Plan seeks to provide a limited amount of development which reflects both the Settlement Hierarchy and Spatial Distribution of Development policies of the Local Plan. Also at a parish level, the community sought to identify the potential for some new housing based on an assessment from a variety of sources alongside an assessment of environmental, landscape and other constraints.
8. A total of 50 new houses will be permitted by the end of the Local Plan period in 2030 based upon the need to provide for a variety of different types of housing coming forward. This is in response to likely demographic and socio-economic changes, proposed infrastructure improvements in the adjacent towns and the need to secure some continuity in provision of key community, education and other services. It includes an element of affordable housing. The Rural Housing Needs analysis prepared for the parish by Cheshire East Council showed a local need of 12 houses over 5 years.
9. Local support through the community surveys (ref. SD/C06) of the Plan showed that almost 50% or respondents considered that up to 50 new homes in Brereton would be an appropriate scale of growth by 2030.



Appendix A1 - Policy Evidence

POLICY HOU01 AMOUNT OF NEW HOUSING DEVELOPMENT (continued)

10. During Pre-Submission consultation comments on the Plan were received from Natural England. Natural England acknowledge and also confirm the international and national status of some sites within the Parish in terms of their significance for interests of nature conservation. Natural England advise that the special features of the Midland Meres and Mosses Phase 1 Ramsar Sites are particularly sensitive to hydrological changes. They advise that there is potential for adverse impacts to arise from new housing as a result of policies HOU01 and HOU02 from:
- a) the further modification of the hydrological function of the catchments supporting the sites particularly loss and/or change in the character of water input (chemistry and flow) to the site
 - b) the potential changes in the water supplying the habitats of the site, the further risk of pollution of the sensitive wetland, by activities during construction and from domestic activities post-construction
 - c) the potential for hindrance of the conservation/restoration measures necessary, both within the site and its surrounding catchment, to achieve the sites' conservation objectives.
11. Natural England notes that the settlement boundary of Brereton Heath lies less than 700m from Bagmere SSSI (Midlands Meres and Mosses Phase 1 Ramsar) and the settlement is within the water catchment for the site. They would be concerned if development came forward in Brereton Heath without adequate hydrological surveys and any necessary avoidance or mitigation measures. Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the NPPF applies the same protection measures as those in place for European sites.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B06, SD/B07, SD/B13, SD/B14
Neighbourhood Documents	SD/C06, SD/C10, SD/C15, SD/C16, SD/C17, SD/C18



Appendix A1 - Policy Evidence

POLICY HOU02 SETTLEMENT BOUNDARY

Justification & Evidence

1. In order to plan where the housing need of around 50 dwellings could be accommodated, two assessments were undertaken. Based on evidence supplied by Cheshire East Council, a review took place of the status of completions and outstanding planning consents within the Parish since 31st March 2011, the baseline date used to determine the housing need. This revealed that as at 31st January 2015, 16 completions had been recorded, and there were planning permissions granted but had not yet commenced construction which could create a further 62 dwellings in Brereton Parish. The second assessment was a review of the latest Strategic Housing Land Availability Assessment (SHLAA) of Cheshire East Council of all sites included in whole or in part within the Parish of Brereton. This assessment included some large sites, particularly on the fringes of the three service centres adjoining Brereton: Holmes Chapel, Congleton and Sandbach. The assessment work concluded that there were sufficient permissions in total to accommodate the forecast housing needs within the plan period, without the need to promote any further additional sites from the SHLAA. There is, in addition, evidence from the last 10 years to indicate that numbers of small sites do come forward on a regular basis. However, in terms of accommodating locally generated needs, policies in the Neighbourhood Plan needed to provide some guidance as to the types of development which might be acceptable beyond the policy figure in Policy HOU01 and therefore these can be considered as exceptions under Policy HOU03.
2. There are therefore sufficient sites available to provide the level of housing and to have some degree of flexibility (5%). This evidence has been collated through the Cheshire East SHLAA, consultation with officers of Cheshire East Council, Housing Needs Advice for Brereton report and Housing Supply Evidence for Brereton report. In this context and based on the current local and national policies at the time of plan preparation, this Neighbourhood Plan makes no specific site allocations for housing development.
3. It is acknowledged that further work on the Cheshire East Local Plan may require the Brereton community to meet further and/or additional needs, as noted in the evidence for Policy HOU01. The preferred approach of this Neighbourhood Plan in response to this situation is as follows:
 - a) It is to confirm that the location of any new further housing development beyond the local requirement of around 50 units should be located within the parts of the parish which are defined as Brereton Green and Brereton Heath. The settlement boundaries of these areas are shown in Key Map C20a and Key Map C20b.
 - b) The Plan sets out in Policy HOU03 a number of exceptions beyond the policy figure of 50 units which indicates the additional circumstances in which new housing development may be permitted beyond the Settlement Boundaries.
4. A ribbon form of development is the predominant form of current development in Brereton as confirmed by the Landscape Character Assessment for Brereton. All new housing development should reflect this distinct local settlement pattern.
5. The Congleton Borough Local Plan sets out at policies PS5 and PS6 a settlement boundary for Brereton Green and Brereton Heath. Both policies are proposed to be retained as Saved policies in the submitted version of the Cheshire East Borough Local Plan (Appendix B Saved Policies refers) so still form an important part of the Development Plan. However, the 2005 Plan was itself a replacement of the original Congleton Borough Local Plan adopted in 1998. It has also been recognised that since those settlement boundaries were last defined (more than 10 years ago) some development has occurred which requires existing boundaries to be redefined to recognise the de-facto boundary of the settlement as now exists on the ground. The Congleton Borough Local Plan also provides settlement boundary definition maps for all settlements including the rural areas which includes both Brereton Green and Brereton Heath.
6. The submitted version of the Cheshire East Local Plan does not specifically identify a settlement boundary policy, although some policies do refer to settlement boundaries such as policy PG 5. Previous policies related to settlement boundaries/settlement zone lines (including those in the Congleton Borough Local Plan 2005) are proposed to be saved until superseded by the Site Allocations and Development Policies, and Waste Development Plan Documents.
7. It is the intention of this Plan to propose a slightly amended boundary to recognise those limited changes on the ground or in course of build. This will serve a dual purpose as follows:
 - a) to update the settlement boundary through the Neighbourhood Plan so it could be utilised for planning decisions to be based on policies in the Plan
 - b) to inform any Development Plan Documents which Cheshire East Council may subsequently produce following the adoption of the Local Plan Core Strategy in due course.
8. The preparation of the Neighbourhood Plan provided an opportunity to bring these objectives together. Accordingly, guidance was sought from Cheshire East Council as to the appropriate criteria to be used for defining settlement boundaries in the light of current national and emerging Cheshire East planning policies so as to ensure that the Neighbourhood Plan was compliant with these wider planning issues which is a basic condition any neighbourhood plan should satisfy.
9. The basic settlement boundary criteria used for defining the Brereton boundaries were as follows:
 - a) The boundaries should follow clearly defined features and physical boundaries that can be identified on the ground: walls, fences, hedgerows, roads, rail, bridleways, footpaths, groups of trees and watercourses
 - b) The boundaries should enable the delivery of any identified quantum of land for housing and/or employment.



Appendix A1 - Policy Evidence

POLICY HOU02 SETTLEMENT BOUNDARY (continued)

10. Areas which were included within the settlement boundaries included as appropriate built and extant planning permissions for:

- residential/employment use for areas that are physically or functionally part of the settlement
- community facilities and buildings that are physically or functionally part of the settlement
- site allocations identified in the Development Plan that are physically or functionally part of the settlement.

11. The relevant planning permissions included in the ammended settlement boundary are as follows:

NP Settlement	Location	LPA Ref.	Status	Complete	Outstanding
Brereton Heath	Ivanhoe	12/0763C	Full	11	-
Brereton Heath	Moss Lane	14/0648C	Outline		6
Brereton Heath	Ivy House	13/4415C	Full		2
Brereton Heath	Lyndale	13/0791C	Outline		4
Brereton Heath	Rose Cottages	13/3807C	Full		25
Brereton Heath	Ivanhoe	13/0784C	Full		2
Brereton Heath	Orchard	14/1907C	Proposal		8

12. Areas which were excluded from the settlement boundary included as appropriate

- Curtilages of properties which have the capacity to extend the built form of the settlement. This includes large residential gardens
- Recreational or amenity space at the edge of settlements which primarily relate to the countryside (in form or nature)
- Isolated development which is physically or visually detached from the settlement (including farm buildings or agricultural buildings, renewable energy installations)
- Farm buildings adjacent to the settlement boundary where the predominant land and building use was still agricultural.

13. Other considerations were taken into account when deciding what to include/exclude which included the evidence base for the Neighbourhood Plan and local knowledge of the Parish Council, local residents involved in plan making and its advisers. Where appropriate, site inspections were made to confirm boundaries. These included:

- Landscape value – gateways, setting of settlement etc
- Land that affords views into/out of the settlement to the countryside and fulfils some kind of amenity purpose
- Land of unallocated recreation and amenity value
- Wildlife/natural conservation interests including the important international and national s sites in Brereton
- Historic landscape and assets and their settings
- Ribbon development along existing roads outside the settlement boundaries
- Isolated or peripheral development - Development that has occurred which is physically separate to the existing boundary but is functionally part of the settlement
- Agricultural buildings at edge of settlement
- Adjacent land which might be designated as Previously Developed Land (PDL) within the terms of the definition given in the National Planning Policy Framework.
- Local knowledge and experience of the Brereton community in reviewing the boundaries for their two settlements.

14. Note: The settlement boundary for Brereton Heath in this policy excludes an area that is beyond the Brereton Neighbourhood Plan Designated Area. The area in question is within the boundaries of Somerford Parish. This area is clearly marked on Key Map C20a. This area was included within the Infill Boundary of Brereton Heath as defined within the Settlement Boundary policy of the Congleton Borough Local Plan 2005. This area must remain part of the Infill Boundary of the Congleton Borough Council Local Plan of Brereton Heath for development planning purposes until as such times that Somerford Parish Council, or Cheshire East Council redefine its status.



Appendix A I - Policy Evidence

POLICY HOU02 SETTLEMENT BOUNDARY (continued)

15. During Pre-Submission consultation comments on the Plan were received from Natural England. Natural England acknowledge and also confirm the international and national status of some sites within the Parish in terms of their significance for interests of nature conservation. Natural England advise that the special features of the Midland Meres and Mosses Phase I Ramsar Sites are particularly sensitive to hydrological changes. They advise that there is potential for adverse impacts to arise from new housing as a result of policies HOU01 and HOU02 from:
- a) the further modification of the hydrological function of the catchments supporting the sites particularly loss and/or change in the character of water input (chemistry and flow) to the site
 - b) the potential changes in the water supplying the habitats of the site, the further risk of pollution of the sensitive wetland, by activities during construction and from domestic activities post-construction
 - c) the potential for hindrance of the conservation/restoration measures necessary, both within the site and its surrounding catchment, to achieve the sites’ conservation objectives.
16. Natural England notes that the settlement boundary of Brereton Heath lies less than 700m from Bagmere SSSI (Midlands Meres and Mosses Phase I Ramsar) and the settlement is within the water catchment for the site. They would be concerned if development came forward in Brereton Heath without adequate hydrological surveys and any necessary avoidance or mitigation measures. Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the NPPF applies the same protection measures as those in place for European sites.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B07, SD/B13
Neighbourhood Documents	SD/C10, SD/C15, SD/C16, SD/C17, SD/C18, SD/C20

Appendix A1 - Policy Evidence

POLICY HOU03 EXCEPTIONS TO NEW HOUSING DEVELOPMENT

Justification & Evidence

1. The Neighbourhood Plan seeks to ensure that sustainable forms of development which meet wider national and local planning guidelines are acknowledged and planned for, even if their development would exceed the anticipated locally assessed and evidenced housing need for this rural area. It is therefore appropriate to identify certain categories of development which can meet such a wider need on a case by case basis which this Neighbourhood Plan defines as 'exceptions'.
2. Exceptions of limited sustainable development not exceeding 10 dwellings on any site may be considered beyond the settlement boundaries identified in this Plan.
3. Previously developed land continues to be treated as having the benefits of certain on-site services and facilities as well as having in Brereton's case some visual impact, by reason of the previous or current development, on the character and appearance of the open countryside. For the purposes of this policy, 'previously developed land' has the meaning set out in the Glossary section of the NPPF.
4. Similarly, existing buildings in the rural countryside of Brereton have some potential for re-use and re-vitalisation which would provide some continuity in the local area, help support the response to a changing climate, would reduce the requirement for new buildings and comply with wider national and local policies.
5. The Neighbourhood Plan and other studies have confirmed an identifiable need for affordable housing within Brereton. A greenfield development of 18 affordable units was approved by Cheshire East Council in 2012 at Dunkirk Farm in the north of the parish adjoining Holmes Chapel for a local Registered Housing Landlord. Permission was granted as an exception to the normal presumption to improve the supply of affordable housing locally and to enable newly forming households in the local area to continue to live locally. Further sites may be required to meet such needs within Brereton, but these are to be treated as exceptions to policy in accordance with the adopted Congleton Borough Local Plan First Review and the emerging Cheshire East Local Plan. Further guidance may be given in a Cheshire East Council Supplementary Planning Document on Affordable Housing.
6. The Neighbourhood Plan acknowledges the benefits that some limited self-build housing could bring to the local area.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B07
Neighbourhood Documents	SD/C10, SD/C15, SD/C17

POLICY HOU04 REPLACEMENT OF EXISTING DWELLING

Justification & Evidence

1. The NPPF accepts that some development of high quality can be permitted within the countryside and sets out criteria to meet these quality tests. Both the Congleton Borough Local Plan First Review and Submission version the Cheshire East Local Plan make some provision for the replacement of existing dwellings in the countryside.
2. This Neighbourhood Plan seeks to provide for the rebuilding or replacement of existing dwellings in order to support the continued stewardship and enhancement of dwellings and land within the countryside through investment and maintenance. In this way, the future stewardship of dwellings and land can be secured for the longer term. The existing character, appearance and openness of the countryside however need to be safeguarded in the event that planning permission is granted. Proposals should lead to an enhancement in the appearance and quality of the local environment.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C16



Appendix A1 - Policy Evidence

POLICY HOU05 SELF-BUILD SCHEMES

Justification & Evidence

1. There is a duty under the NPPF for local planning authorities to assess the local demand for self-build homes and to cater for them through the planning process. Self-build is when people create a new home to their bespoke design either by building it themselves or more often by working with an architect, builder or developer. Custom build is the term by which groups of people are able to build their own homes on a single site. This country builds a lower proportion of self-build units than other Western countries.
2. The Neighbourhood Plan acknowledges the benefits that some limited self-build housing could bring to the local area. Firstly, they represent an opportunity for local people to continue to live locally in a house designed to be sympathetic to a countryside location. Secondly, it provides a different type of housing mix to that offered by house builders constructing similar designs in small groups or estates. Thirdly, there is some evidence that due to its location and other factors, a small number of such houses have already been constructed in Brereton in recent years, often through the demolition and replacement of existing houses.
3. Given the wider policy constraints, it is not considered appropriate to identify the number of self build units or a specific site for this type of housing within the Parish. This policy is included as the Plan wishes to encourage more self-build dwellings by local people on appropriate sites. A unilateral agreement is required to ensure it is constructed by or on behalf of persons with a local connection and some continuity of occupation by local persons is secured following their completion of building works.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B07
Neighbourhood Documents	SD/C10, SD/C15, SD/C17

POLICY HOU06 PROVISION OF OPEN SPACE IN NEW HOUSING DEVELOPMENT

Justification & Evidence

1. Accessible and safe amenity play spaces and play areas, beyond the curtilage of each property, are essential when new housing is built, to meet the needs of residents and visitors.

1. Cont. These serve a dual function; providing open space and play space for its own sake for recreation, play and contributing to a healthy lifestyle, but also visually in terms of the openness such areas can bring to help retain the open character of the countryside of the Brereton area.
2. Planning policies at national and local level require an appropriate provision to be made in new housing development. The adopted Saved Policy GR22 of the Congleton Borough Local Plan First Review requires developers to make provision for open space (including for children) in relation to all new housing developments (or to make a commuted payment in lieu of provision if considered appropriate). This policy is proposed to be retained as a Saved Policy in the Submission version of the Cheshire East Local Plan. However, it is understood that the provision of open space is likely to be a key component of the Site Allocations and Development Management part of the Cheshire East Local Plan upon which work is to start soon. The policy has been worded in such a manner as to reflect any potential change of planning policy at Cheshire East Council level should that occur and to ensure some continuity of provision of open and play space within any new housing development during any transitional period. The importance of the need for such a Neighbourhood Plan policy has been recognised in strong local support through the community surveys of the Plan.
3. The Landscape Character Assessment undertaken for this Neighbourhood Plan has confirmed the strong rural character of the Brereton area in spite of its close proximity to the three adjacent settlements of Sandbach, Congleton and Holmes Chapel. The community in accepting that some local housing needs have to be accommodated within the parish also expect that if possible the immediate amenity and recreational needs are met alongside the houses to be built.
4. The Neighbourhood Plan does not attempt to set any open space standards but provides that open space should be provided locally within the development rather than off-site. Any off-site provision particularly if beyond the Parish and out of short walking distance would not meet the local need. Given the rural nature of the area, such provision would be of no benefit or use to future occupiers of new properties nor would it assist in mitigating any visual impact arising from the housing development upon the open countryside.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6 SD/B07: GR22
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C16



Appendix A1 - Policy Evidence

POLICY HOU07 PRESERVATION OF EXISTING OPEN SPACES

Justification & Evidence

1. The parish lies within the Cheshire countryside and the Landscape Assessment Study for this Neighbourhood Plan has confirmed the important role of the countryside in creating the essential characteristics of the Brereton area. This policy seeks to ensure that any new development is respectful of the existing open landscape character which is acknowledged is formed from a variety of different land uses.
2. Existing Saved Policy GR5 of the Congleton Borough Local Plan First Review requires development to respect or enhance the landscape character of the former Congleton Borough which includes Brereton. That policy is proposed to be deleted as a Saved Policy by the Local Plan Strategy. The Strategy states that GR5 will be superseded by Policy SE 4 of the Local Plan which sets out the Council's approach to landscape protection. However, this policy is a strategic one intended to apply to the whole of the Cheshire East Council area. It does set out some general principles against which any development can be assessed in terms of its impact on the landscape. The Neighbourhood Plan proposes a more detailed and appropriate policy response in the light of the substantial landscape evidence which is now available.
3. This Policy is considered to be consistent with SE 4 of the Cheshire East Local Plan, particularly in complying with the criteria set out in item 2 of SE 4 as to what the expectations are of new development in terms of the landscape. The policy seeks to promote the preservation and promotion of local distinctiveness and diversity. That distinctiveness and diversity has been confirmed in the Landscape Character Assessment for Brereton commissioned for this Neighbourhood Plan. The Assessment has identified important existing vistas and provides the evidence for establishing any buffer zones to protect visual amenity.
4. The policy is also intended to inform development management decision making within Cheshire East. The Landscape Character Assessment for Brereton report will be a material planning consideration in its own right in the determination of planning applications having been recently prepared, at a local level and by a professional and independent consultancy practice.
5. In all new housing developments in the former Congleton Borough, minimum distances were set out for the distances between dwellings facing each other. An absolute minimum of 21.3metres (70 ft) has been used and has been used in many other Cheshire towns over a long period in an effort to create sufficient private open space between and within new residential development areas. Supplementary Planning Guidance Note 2: Provision of Private Open Space in New Residential Developments (November 1993) was updated and incorporated into the Appendix A10 of the Congleton Borough Local Plan First Review. This minimum standard is therefore a continuation of an existing approved planning policy for the Brereton area. In terms of the upper guidelines figure of 50 metres, this has been based on the Landscape Character Assessment for Brereton and an application of its principles to the character and appearance of the open countryside within Brereton.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SE 4 SD/B07: GR5, A10
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B10, SD/B11, SD/B12, SD/B13
Neighbourhood Documents	SD/C16



Appendix A1 - Policy Evidence

POLICY HOU08 PROVISION OF BUILDING LINE IN NEW HOUSING DEVELOPMENT

Justification & Evidence

1. The Landscape Character Assessment for Brereton identifies ribbon development along the main roads as the predominant existing nature of housing development. This policy seeks to emphasise the need to respect the open character of the countryside in the construction of any housing development along the main roads. In addition, the provision of an open frontage between new houses and the adjacent main road will improve the opportunities for more sustainable forms of transport to be accommodated alongside the highway. This policy would facilitate improvements to road safety for all users which has been identified through engagement with local community and is also reflected in policies in the Transport policy section of this Neighbourhood Plan.
2. The main roads through the Plan area, the A50, A54, A534 and A5022, provide open and straight vistas for drivers which in turn creates opportunities for faster journey times and overtaking. However, this in turn threatens the safety of slower moving vehicles and other road users travelling through the settlements.
3. Furthermore, this is combined with the existing limited opportunities for safe travel for slower moving traffic adjacent to, and separate from, but alongside the highway via a dedicated route and separated by a verge. Slower moving traffic includes tractors, horses, bicycles, pedestrians, and vehicles in close proximity to the local primary school.
4. The provision of such a gap therefore has a number of aims. The safety of all those using these roads is the primary aim in the first instance. In the longer term, by retaining a building line, opportunities for incremental improvements in safety measures to separate the traffic through the creation of routes for local rather than through traffic. This would include provision for more sustainable forms of transport adjacent to the highways. Another important aim of this policy is to support other policies aimed at retaining the openness of the character of the Cheshire Plain at this point as confirmed in the Landscape Character Assessment for Brereton.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 2, PG 5, PG 6, SC 4, SD 1, SD 2
UK Documents	SD/A06, SD/A07
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B09, SD/B10, SD/B11, SD/B12, SD/B13
Neighbourhood Documents	SD/C12, SD/C16

POLICY HOU09 HOUSING MIX

Justification & Evidence

1. The Parish Council undertook a Rural Affordable Housing Needs Survey in conjunction with the Housing service of Cheshire East Council to help inform the policies of this Plan. Cheshire East Council analysed the data for the survey. The provision of smaller housing units to meet local needs was a particular requirement which needs to be reflected in the design and tenure of new development. This survey is consistent with a Housing Needs Survey undertaken by Congleton Borough Council in 2004.
2. There are Saved Policies in the Congleton Borough Local Plan First Review which are relevant. Saved Policy H13 addresses the provision of Affordable Housing while policy H14 deals with rural exception housing to meet local needs. The Cheshire East Local Plan seeks to delete those policies upon adoption of the new Local Plan. The Submission version of the Local Plan would replace those two policies with new policy SC5 concerning Affordable Housing and new policy SC6 dealing with Rural Exceptions Housing for Local Needs.
3. The Neighbourhood Plan has been prepared in consultation with the Housing and Planning officers of Cheshire East Council. This Policy seeks to conform with both the existing Congleton Borough Local Plan First Review and Saved Policies and the Submission version of the Cheshire East Local Plan. This Policy will enable small scale schemes to come forward which may be of mixed tenure designed to meet a variety of local needs and supported by a viability study.
4. Community support for a balanced provision of new housing to address local needs has been consistently supported throughout the stages of the Neighbourhood Plan. The policy provides for priority to be given to those with previous local connections, but also acknowledges that there may be other local needs such as key workers who may require local accommodation through their employment. Self-build schemes of an appropriate small scale property to meet future local needs may also meet this policy.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 5, SC 6, SD 1, SD 2, SD/B07: H13
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B06, SD/B07, SD/B13
Neighbourhood Documents	SD/C06, SD/C10, SD/C16, SD/C17



Appendix A1 - Policy Evidence

POLICY HOU10 HOUSING FOR LOCAL PEOPLE

Justification & Evidence

1. Policy SC 6 of the submitted Cheshire East Local Plan is concerned with rural exceptions housing for local needs. One of the criteria to be satisfied if a rural exceptions Affordable Housing scheme is to be permitted concerns a limit on the number of dwellings to be built in any one scheme which is set at a maximum of 10 units. By applying the principle of a maximum of 9 units for all new developments, this Policy provides that any sites with 9 or more units in any category of housing, 10% of all new units should have a local connection. The evidence for this policy derives from the housing studies undertaken for the Neighbourhood Plan by Cheshire East Council and the Parish Council. These have confirmed the local consultation about the Neighbourhood Plan that people want to continue to live in the Brereton area when their personal or family circumstances change. The policy provides an opportunity for one local family to occupy a property within any larger schemes in the Parish, thereby also helping to improve social cohesion as well as giving some priority to local owner occupiers.
2. A period of 9 months is considered a reasonable one in which to allow a local need to be identified and the necessary documentation and legal completion to be achieved. A shorter period may create difficulties for prospective local purchasers to make the arrangements required. A longer period would result in a newly habitable dwelling being unoccupied when there is a national requirement for more houses to come forward for families. This figure has been informed by the URS Housing Needs Advice for Brereton (SD/C17) and local knowledge and experience of the local housing market in Brereton.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B07, SD/B13
Neighbourhood Documents	SD/C10, SD/C15, SD/C16, SD/C17



Appendix A1 - Policy Evidence

POLICY HOU11 THE LAYOUT AND DESIGN OF NEW HOUSING

Justification & Evidence

1. Paragraphs 55-56 of the NPPF set out the general policy to be applied to design, in particular that all developments should achieve a high standard of design. The need for this policy derives on the one hand from the local character of the Brereton area which comprises an open landscape typical of the Cheshire Plain with distance views beyond. It also derives from the need to identify the particular design characteristics of the local area and to provide a local planning framework for future designs. This Policy seeks to ensure that these characteristics are not just retained in any new development, but actually enhance its appearance and specific qualities for future generations.
2. The key features of the existing settlement pattern are identified in the Landscape Character Assessment for Brereton undertaken for this Neighbourhood Plan. Brereton Green and Brereton Heath are the only residential areas recognised in the relevant local planning policies set out in the Congleton Borough Local Plan First Review. Elsewhere a dispersed settlement pattern can be seen within a predominantly agricultural landscape. These attributes, together with previous landscape assessments at a wider spatial scale, should not only be respected in any further development of the parish, but also be reflected in the layout and design of new housing, whether that is ancillary buildings for domestic use, extensions to existing houses, conversion of existing buildings to residential use or the erection of new dwellings.
3. The submitted Cheshire East Local Plan policy SE 1 sets out the policy criteria for all development proposals to satisfy in order to ensure they make a positive contribution to their surroundings. As Cheshire East has a unique character, Brereton not only lies at the centre of the Cheshire Plain but is also particularly typical of the Cheshire landscape and countryside with its dispersed building pattern.
4. The criteria against which the layout and design of new housing will be assessed are based on the emerging and existing adopted Local Plan policies and national guidance which puts design quality at the centre of the decision making process for planning permissions. Cheshire East Council is also intending to produce a Supplementary Planning Document on Design which would provide further guidance at a Cheshire East level.
5. This policy seeks to ensure that new development is not only sympathetic to the rural character of the area, but at the same time complements existing development and achieves high standards appropriate for an attractive and high quality environment. Housing schemes of any size should be of a high quality which respect and reflect the local stock of building styles. In recognition of its importance and relevance, the Landscape Character Assessment for Brereton report will be a key component in the assessment of the layout and design of schemes.

6. There has been substantial community support for local design guidance for those developments which comply with the other policies at national, Cheshire East and Parish scale. It is a community aspiration that design standards should be set high to reflect the quality of the local environment. It is considered that this policy is consistent with the NPPF and with existing and emerging Development Plan policy as well as previous local guidance.
7. The former Congleton Borough Council adopted a Supplementary Design Guidance for Sustainable Development in 2009. It retains some status in making planning decisions for the former Congleton Borough area. It was however a Borough-wide document with generic guidance and advice for prospective applicants for planning permission and their advisors. Its status will be reviewed in due time by Cheshire East Council as the successor Local Planning Authority.
8. Design guidance is provided by both the NPPF and NPPG. The Saved Policy GR2 from the Congleton Borough Local Plan First Review concerns design and is the current most specific local guidance on design matters. The Cheshire East Local Plan document proposes to delete this policy and replace it instead with a group of other design policies. Policy SE1 sets out a comprehensive approach to design and additional policies at SE 2-4, and SE 6-9 deal with matters of energy efficiency, the historic environment and environmental protection. In particular, there are some matters covered within policies SE 1 and SE 9 which are particularly relevant to and of interest to the community of Brereton. However, the link between the local community support to achieve high environmental standards for new development, the strategic Cheshire East wide policies set out in the Strategy and the Brereton Landscape Assessment Study have all led the community to include a more bespoke and detailed design policy for new housing to be included in the Neighbourhood Local Plan.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SD 1, SD 2, SE 1, SE 8, SD/B07: GR2
UK Documents	SD/A06, SD/A07,
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B08, SD/B13
Neighbourhood Documents	SD/C17



Appendix A1 - Policy Evidence

POLICY HOU12 LOCAL HOUSING CONNECTIONS

Justification & Evidence

1. Brereton lies in the centre of Cheshire East, has very good transport links by rail and road both locally and regionally and is a popular choice for housing by a wide range of groups of occupiers. Through this policy, the Neighbourhood Plan seeks to ensure that at least some priority in the local housing market, in both affordable and open market housing is given to local families and residents. Such a policy complies with the aspirations of national and local planning guidance in terms of sustainable development and community cohesion. It is accepted that local needs can arise by reason of housing or employment within the Parish of Brereton.
2. The Taylor review of local economies and housing demonstrated the interrelationship between and the vision of a living, working and sustainable countryside. The criteria for a residency and employment qualification are based on a series of factors including residency, personal and family relationships and nature of the employment situation. It is evident from the Housing Needs Advice for Brereton report that those in employment in the area are highly likely to work from home or to have a long daily commute or to have a combination of these on different days of the week or other work patterns. Such is the nature of employment in a small community in the middle of the Cheshire East countryside which is accessible to the local conurbations of Merseyside, Greater Manchester and the West Midlands for a daily commute. It is our aspiration through these criteria that Brereton continues to develop and grow at a modest rate, yet acknowledging those who have already made it their home or place of employment.
3. Policy HOU12 only applies to self-build and certain open market schemes as set out in policies HOU5 and HOU10 of this plan. These should not be confused with the current policies for affordable housing which are set out in national guidance and the relevant policies for affordable and low rent housing set out in the Congleton Borough Local Plan 2005 (Policies H13 and H14). Cheshire East Council's proposed policies for affordable housing are set out in the emerging Cheshire East Local Plan Strategy at policy SC 5 and SC 6. Once adopted in their current or amended form following public examination, it is the Borough Council's intention to provide more guidance on affordable housing in a Supplementary Planning Document.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, PG 6, SC 4, SC 5, SC 6, SD 1, SD 2 SD/B07: H13, H14
UK Documents	SD/A06, SD/A07, SD/A08, SD/A09
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B04, SD/B05, SD/B07, SD/B13
Neighbourhood Documents	SD/C10, SD/C15, SD/C16, SD/C17

Note: Gypsies and Travellers and Travelling Showpeople within the Cheshire East area

1. National planning policy for traveller sites is set out in the document "Planning Policy for Traveller Sites" published in March 2012 (SD/A13) at the same time as the NPPF. The aim of this national policy is to require all local planning authorities (in this case Cheshire East Council) to make their own assessments of the need for traveller sites which both facilitate the way of life of travellers and yet respects the interests of existing settled communities. The policy clearly sets out what actions authorities have to take in respect of traveller sites and these include:
 - a) Making their own assessment of the need for sites
 - b) Working with other local authorities to develop strategies to meet the need through the identification of sites
2. Cheshire East Council has responded in a number of ways to these requirements:
 - a) A gypsy and traveller accommodation assessment was prepared and published in January 2014 on behalf of the four unitary boroughs lying within the former county area of Cheshire which set out the proposed provision over 5 year periods until 2018
 - b) A strategic planning policy for accommodating gypsies and travelling show people has been included in the submitted version of the Cheshire East Local Plan Strategy which sets out how the Council will consider meeting their needs (policy SC 7 of the submitted Plan refers)
 - c) Sites for gypsies and travellers are proposed to be allocated in the Site Allocations and Development Policies Development Plan Document which will be prepared and subject to consultation and examination following the approval of the Local Plan Strategy.
3. Existing development plan policy for gypsy caravan sites within Brereton is set out at policy H8 of the Congleton Borough Local Plan First review (2005). That policy is proposed to be deleted in the submitted version of the Cheshire East Local Plan and would be superseded by proposed new policy SC 7.
4. National policy guidance has therefore placed full responsibility on Cheshire East Council through these various planning tools to actively plan for traveller accommodation. Cheshire East Council has provided clear evidence that it takes these responsibilities very seriously and is progressing in consultation with adjoining local authorities how to meet the arising need across the whole Borough. The introduction of a neighbourhood plan policy would therefore be inappropriate and potentially prejudicial to that work. Furthermore, Cheshire East Council has been consulted throughout the preparation of the Plan and has not requested that the Plan seeks to address any traveller needs. Opportunities for the traveller community to contribute to the plan making process are available through the Local Plan Strategy examination and later on through the Site Allocations and Development Policies document. Planning for travellers at a neighbourhood level would be inappropriate as it is clear that such planning would be contrary to national and Borough planning policies which require a more strategic approach in respect of locating such development in proximity to appropriate facilities and services and in respect of the potential impact on the character and appearance of the countryside.



Appendix A2 - Policy Evidence

Community Facilities

POLICY COM01 NEW COMMUNITY HUB: SITE PLANNING

Justification & Evidence

1. Brereton Parish does not have a dedicated community building or centre for use by members of the community as well as guests. The community engagement for the Plan has identified evidence of support for a bespoke community centre to serve the wide variety of local groups and organisations currently using other facilities within or beyond the parish. It is considered that a community hub, similar to those in other parishes within Cheshire in recent years, would also increase community cohesion and a sense of local identity. There are no specific sites identified in this Plan as the notion of a dedicated community building is a relatively new proposal. The means by which it might be delivered will be considered in the Implementation Plan for the Neighbourhood Plan. Rather, this policy sets out the appropriate planning criteria against which any new proposed community centre would need to be considered whatever the sources of funding, land and other resources needed to bring it forward over the plan period to 2030.
2. The Stronger Communities section in the Submission version of the Local Plan confirms that Cheshire East Council will work with providers to ensure that appropriate infrastructure is provided across a range of community services and facilities. As a small rural parish, Brereton only provides a limited number of these within the local area. The buildings which serve these uses have been primarily designed to meet specific needs such as education, faith or other local group with an absence of any building to meet whole community needs. The Parish Council is aware of similar facilities being developed in Cheshire as village halls in partnership with other organisations and wishes to encourage such provision within the parish.
3. The majority of policies in the Recreation and Community Facilities chapter of the Congleton Borough Local Plan First Review are proposed to be saved within the Submission version of the Cheshire East Local Plan. Saved Policy RC1 is significant in terms of seeking to retain and enhance local community facilities and ensuring they continue to contribute to local life. Saved Policy RC1 currently provides a criteria-based policy by which any new application might be assessed. This policy would no longer be saved if the Cheshire East Local Plan is adopted as submitted. It will be replaced by Policy SC1 Leisure and Recreation which does not have the same level of detail. This policy conforms generally with Policy SC1 and indeed complements it at the local level of this Neighbourhood Plan.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SC 1, SC 2, SD 1, SD 2, SD/B07: RC1
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B18
Neighbourhood Documents	SD/C16

POLICY COM02 NEW COMMUNITY HUB POSSIBLE USES

Justification & Evidence

1. In order to support the bringing forward of a community centre, some consideration has been given in the preparation of the Neighbourhood Plan as to the range of possible uses which such a building might need to accommodate. The possible uses set out in this policy have been derived from community engagement and local knowledge about the variety and range of Existing Community Facilities (ref. SD/C22). The aspiration is to create uses which have a community benefit in terms of providing space for existing services to be delivered locally and also have the potential for new services to be made available so that residents would be able to access them without having to travel into adjoining towns and settlements as happens at present. Such a facility would also afford opportunities for local organisations and clubs to meet on a regular basis closer to where people live. The selection of uses is intended to be indicative at the Plan making stage as more detailed feasibility work would be required before a specific brief for uses is prepared. Experience elsewhere suggests that uses of rural community halls and centres can and do change in any event once a local community centre has been built. The delivery of such a facility would require the strong support of the local community including the Parish Council.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SC 1, SC 3, SD 1, SD 2
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B18
Neighbourhood Documents	SD/C02, SD/C16



Appendix A2 - Policy Evidence

POLICY COM03 EXISTING COMMUNITY FACILITIES

Justification & Evidence

1. The community engagement for the Plan has identified evidence of support from the local community to retain those community buildings which serve the variety of local groups and organisations currently within the parish.
2. The Stronger Communities section in the Submission version of the Local Plan confirms that Cheshire East Council will work with providers to ensure that appropriate infrastructure is provided across a range of community services and facilities. As a small rural parish, Brereton only provides a limited number of these within the local area, listed in Existing Community Facilities (ref. SD/C22). The buildings which serve these uses have been primarily designed to meet specific needs such as education, faith or other local group. This policy seeks to allow for the continued provision and expansion of these facilities.
3. The majority of policies in the Recreation and Community Facilities chapter of the Congleton Borough Local Plan First Review are proposed to be saved within the Submission version of the Local Plan. Saved Policy RCI is significant in terms of seeking to retain and enhance local community facilities and ensuring they continue to contribute to local life. Saved Policy RCI currently provides a criteria-based policy by which any new application might be assessed. This policy would no longer be saved if the Cheshire East Local Plan is adopted as submitted. It will be replaced by Policy SC I Leisure and Recreation which does not have the same level of detail. This policy conforms generally with Policy SC I and indeed complements it at the local level of this Neighbourhood Plan.
4. The Parish Council may nominate a building or a piece of land the use of which furthers the cultural, social or leisure interests of the local community. If the nomination is accepted by Cheshire East Council, and the current owner decides to sell the asset, then the Parish Council would be notified and given time to raise funds to buy the asset if they chose to do so. Cheshire East Council would make any decision as to the listing in accordance with The Assets of Community Value (England) Regulations 2012 (SD/A13), and would also consult with the owner.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SC I, SC 3, SD I, SD 2, SD/B07: RCI
UK Documents	SD/A06, SD/A07, SD/A08, SD/A13
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B18
Neighbourhood Documents	SD/C02, SD/C16

POLICY COM04 PROVISION OF NEW COMMUNITY FACILITIES

Justification & Evidence

1. The community engagement for the Plan has identified evidence of support from the local community for further community buildings to serve the variety of local groups and organisations currently within the parish.
2. The Stronger Communities section of the submitted Cheshire East Local Plan confirms that Cheshire East Council will work with providers to ensure that appropriate infrastructure is provided across a range of community services and facilities. As a small rural parish, Brereton only provides a limited number of these within the local area. The buildings which serve these uses have been primarily designed to meet specific needs such as education, faith or other local group. This policy seeks to allow for the development of new facilities subject to appropriate environmental safeguards.
3. The majority of policies in the Recreation and Community Facilities chapter of the Congleton Borough Local Plan First Review are proposed to be saved within the Submission version of the Local Plan. Saved Policy RCI is significant in terms of seeking to retain and enhance local community facilities and ensuring they continue to contribute to local life. Saved Policy RCI currently provides a criteria-based policy by which any new application might be assessed. This policy would no longer be saved if the Cheshire East Local Plan is adopted as submitted. It will be replaced by Policy SC I Leisure and Recreation which does not have the same level of detail. This policy conforms generally with Policy SC I and indeed complements it at the local level of this Neighbourhood Plan.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SC I, SC 3, SD I, SD 2, SD/B07: RCI
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B18
Neighbourhood Documents	SD/C02, SD/C16



Appendix A2 - Policy Evidence

POLICY COM05 PROVISION OF ALLOTMENTS & ADDITIONAL CAR PARKING

Justification & Evidence

- 1. The community engagement for the Plan has identified evidence of support from the local community for both these facilities, one to serve a local need, the other to serve a wider need arising from the popularity of local countryside attractions to car-borne visitors from the wider region.
- 2. The Stronger Communities section of the submitted Cheshire East Local Plan confirms that Cheshire East Council will work with providers to ensure that appropriate infrastructure is provided across a range of community services and facilities. This policy seeks to allow for the development of two specific new facilities subject to appropriate environmental safeguards.
- 3. The majority of policies in the Recreation and Community Facilities chapter of the Congleton Borough Local Plan First Review are proposed to be saved within the Submission version of the Local Plan. Saved Policy RCI of the Congleton Borough Local Plan First Review is significant in terms of seeking to retain and enhance local community facilities and ensuring they continue to contribute to local life. Saved Policy RCI currently provides a criteria-based policy by which any new application might be assessed. This policy would no longer be saved if the Cheshire East Local Plan is adopted as submitted. It will be replaced by Policy SCI Leisure and Recreation which does not have the same level of detail. This policy conforms generally with Policy SCI and indeed complements it at the local level of this Neighbourhood Plan.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SC 1, SC 3, SD 1, SD 2 SD/B07: RCI
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B18
Neighbourhood Documents	SD/C02, SD/C16



Appendix A3 - Policy Evidence

Business and Economic Activity

POLICY BUS01 RURAL ECONOMY

Justification & Evidence

1. The NPPF urges a positive approach towards sustainable new development in rural areas. Towards this aim, consultation on the Neighbourhood Plan has sought to engage with the local business community. Local companies are in a very good position to identify how previous and existing planning policies, mainly of restraint on development in rural areas, may have constrained their business development and other opportunities. The Taylor Report and more recent national planning and other advice and guidance have all emphasized the need for a more flexible approach to the needs of business than has been in evidence in previous planning for rural Cheshire. This Plan seeks to encourage a more enabling role for business development, whilst set within the general context that growth and development can sustain the working and living rural area which the community of Brereton wishes to see. The rural economy needs to offer a range of skill and employment opportunities which meet the needs of existing and future residents.
2. The community engagement for the Plan has identified evidence of support from the local community for local business activities as well as those supporting tourism and countryside uses in the Brereton area. Brereton is a popular area for day visitors due to the variety of its countryside-led local visitor and tourist attractions and the easy and convenient motorway access to the local area. The Plan seeks to acknowledge the potential of these existing facilities in meeting the objectives of positive planning.
3. The NPPF provides that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive attitude towards sustainable new development. This policy reflects the NPPF.
4. Policies E5 and E6 of the adopted Congleton Borough Local Plan First Review set out the assessment criteria for employment development in the villages listed (including Brereton Green) and the Open Countryside in which the majority of the plan area is located. Those policies pre-date the NPPF and are both proposed to be deleted from the Saved Policies of the Congleton Borough Local Plan First Review Plan in the Submission version of the Local Plan.
5. The Submission version of the Local Plan states that new policies PG6, PG5 and EG2 are intended to set out the spatial distribution of development across Cheshire East and also address the matter of planning policy to apply for the open countryside and the rural economy.
6. New Local Plan policy EC 2 provides support for appropriate development to support the rural economy where it meets selected criteria. New Policy EG 4 concerns Tourism and it also seeks to comply with the NPPF. Sustainable rural tourism and leisure development are also supported in the NPPF if they benefit tourism in rural areas, rural communities and visitors and which respects the character of the countryside.

7. Policy BUS01 is considered to comply with the NPPF and the relevant policies in the Local Plan proposed as replacements for the Saved Policies of the Congleton Borough Local Plan First Review.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	EG 2, EG 4, PG 5, PG 6, SD 1, SD 2, SD/B07: E5, E6
UK Documents	SD/A06, SD/A07, SD/A08, SD/A10
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B19, SD/B20
Neighbourhood Documents	SD/C02, SD/C16



Appendix A4 - Policy Evidence

Protect the Rural Environment

POLICY ENV01 LAND USES IN THE COUNTRYSIDE

Justification & Evidence

1. The countryside of Brereton contains many active uses which perform different functions. Positive management, maintenance and stewardship of the countryside is important in securing the long term well-being of this rural area. Rural uses require space to develop and grow to serve the variety of different community needs, such as access to the countryside, recreation, agriculture, nature conservation and other uses, which are located in the rural area, either by their nature and use or by the need to serve the rural community. The diversification of the rural economy has been an objective of national and local planning policies for many years, but the proportion of people employed in agriculture within Cheshire East in areas such as Brereton remains above the national average. This policy is designed to give priority to those uses which need to be located in the countryside, partly because of the nature of their use, but also because they simply cannot and could not be located within any of the adjoining settlements or towns.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	EG 2, SE 4, SE 5
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C16

POLICY ENV02 THE LANDSCAPE VISION AND DEVELOPMENT

Justification & Evidence

1. The NPPF states that the conservation of the intrinsic character and beauty of the countryside is acknowledged as a core planning principle. Previous planning policies at both County and Borough level have identified the important features of the Cheshire landscape and have sought to achieve an appropriate balance between the protection and management of the rural landscape, including its key features, and enabling development which supports and enhances the landscape. The open character of the Brereton area is its principal characteristic although there are variations within it. There have been landscape designations in other plans, but in preparing this Plan the community wishes to acknowledge and identify the particular local characteristics of the landscape and the many ways that landscape is valued by the community and visitors alike.

2. Towards this end, a Landscape Character Assessment for Brereton was commissioned. Its purpose was to assist and support a neighbourhood-level designation of landscape value. This designation is not at the same level in the hierarchy of protection as the 'Local Landscape Designations' set out in policy SE 4 of the submitted Cheshire East Local Plan.
3. This policy is intended to complement the strategic policy in the emerging Local Plan, but also to supersede at a local level the relevant Saved Policies in Congleton Borough Local Plan First Review which will be deleted by the Local Plan. Saved Policies PS8 Open Countryside and PS9 Areas of Special County Value (ASCV) would provide protection of the open countryside and the Dane Valley ASCV from inappropriate development. Saved Policy PS8 may be replaced in due course by a policy in Part 2 of the Cheshire East Local Plan for Site Allocations and Development Management policies. It is likely that Policy SE 4 of the submitted Cheshire East Local Plan will continue to control development in the open countryside. The Neighbourhood Plan has sought to identify those specific areas of local value that have been identified through the technical evidence set out in the Landscape Character Assessment for Brereton, and how developments might be assessed in these areas. Policy PS9 which is relevant in relation to the Dane Valley ASCV will be replaced by provisions in Policy SE 4 The Landscape which relate to Local Landscape Designations. This special area will therefore continue to be protected.
4. The community engagement for the Plan has identified evidence of local community support for landscape conservation and identifies the erosion of existing vistas and green spaces by unsympathetic development as a key issue which threatens the rural natural environment.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SE 4, SE 5
UK Documents	SD/A06, SD/A07, SD/A08, SD/A10
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C02, SD/C16



Appendix A4 - Policy Evidence

POLICY ENV03 OPEN LANDSCAPE VIEWS

Justification & Evidence

1. The conservation of the intrinsic character and beauty of the countryside is a main planning objective of the NPPF. The characteristics of local landscapes are recognised as important features of each area and the Cheshire Plain is recognised as a distinctive character-area of low lying gently rolling countryside. More than that however, the part of the Cheshire Plain lying within the Parish of Brereton affords open views towards another distinctive Cheshire landscape form, that of the Peak District fringe area to the east of Macclesfield town.
2. The policies in both the Submission version of the Cheshire East Local Plan and Saved Policies of the Congleton Borough Local Plan First Review both acknowledge the distinctive character of the Cheshire landscape at this point, including setting general requirements for landscape impact and compliance for any development.
3. The landscape character of the Brereton area has previously been assessed at a number of spatial scales. The Parish Council commissioned the report to enable specific policies and principles to be developed for the area which would form the basis of a Neighbourhood Plan area-wide landscape strategy. The report provides a robust evidence base upon which the landscape components of the Plan have been prepared.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, SE 4
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C16

POLICY ENV04 NATURE CONSERVATION

Justification & Evidence

1. Both the NPPF and the Natural Environment White Paper 'The Natural Choice: Securing the Value of Nature' confirm that spatial planning should contribute to and enhance the natural and local environment in various ways. Cheshire has many areas of high nature conservation value and this is reflected in both existing plans and locally within the Brereton area. Policy SE 3 of the submitted Cheshire East Local Plan sets out the strategic policy for areas of high biodiversity and geodiversity value and how they are proposed to be considered in relation to development proposals coming forward.
2. The relative significance of nature conservation sites is based on a hierarchy as follows:

- a) Sites of European interest: The site at Bagmere is a component Site of Special Scientific Interest (SSSI) in the Midland Meres and Mosses Phase I Ramsar.
 - b) Sites of national interest known as SSSI's are strictly protected from development by legislation and Natural England. Sites at the Dane Valley and Bagmere are within Brereton. The site at Bagmere is a component SSSI in the Midland Meres and Mosses Phase I Ramsar site which further enhances its status.
 - c) Sites of regional, Cheshire East or local importance: these include sites of biological importance, Local Nature Reserves and designations of local value including wildlife corridors. Brereton sites include the Croco Valley, Bagmere and Brereton Heath Local Nature Reserve.
3. The boundaries for all sites protected for their nature conservation interest are shown on the Proposals Map and various settlement inset maps for the Congleton Borough Local Plan First Review and its Saved Policies NR1 to NR4. The Submission version of the Local Plan states that Saved Policies NR1, NR2 and NR4 are proposed to be deleted as they would be superseded by policy SE 3. However, Policy SE 3 of the Submission version of the Local Plan is a Borough-wide policy for biodiversity and geodiversity. Policy ENV04 of this Neighbourhood Plan is specific to the Brereton area, and is based on evidence in the report from Landscape Character Assessment for Brereton. It is considered these matters are in general conformity with the NPPF and existing and emerging Local Plan policies.
 4. During Pre-Submission consultation comments on the Plan were received from Natural England. Natural England acknowledge and also confirm the international and national status of some sites within the Parish in terms of their significance for interests of nature conservation. Natural England strongly recommended that Policy ENV04 Nature Conservation of the Plan is not limited to development within designated sites and should extend protection to development adjacent to, and within proximity to, designated sites that may damage the features for which the site is designated. With this extension of protection Natural England would be satisfied that, in so far as their strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed Plan. Natural England would be consulted by Cheshire East Council as the Local Planning Authority on any development adjacent to or within proximity of the Bagmere SSSI. Their views would be taken into account in the consideration of any planning application for built development proposals.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SE 4, SE 5, SD/B07: NR1, NR2, NR4
UK Documents	SD/A06, SD/A07, SD/A08, SD/A11
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B21
Neighbourhood Documents	SD/C16



Appendix A4 - Policy Evidence

POLICY ENV05 BIODIVERSITY & GEODIVERSITY

Justification & Evidence

1. The proposed Cheshire East Local Plan Policy SE 3 provides protection for areas of high biodiversity value, which will cover the Ramsar site, Local Nature Reserve and Site of Biological Importance, Area of Ancient woodland and Site of Special Scientific Interest. The policy also states that 'development proposals that are likely to have a significant impact on a non-designated asset or site valued by the local community identified in a Neighbourhood Plan or the Site Allocations and Development Management Policies documents will only be permitted where suitable mitigation and/or compensation is provided.' This provides an umbrella policy for identification of a site in the Neighbourhood Plan. Proposed Policy SE 5 Trees, Hedgerows and Woodland in Cheshire East Local Plan provides protection for woodland areas, Policy SE 6 Green Infrastructure provides protection for 'green infrastructure' which includes all of these elements.
2. These policies will replace the following Saved Policies in the Congleton Borough Local Plan First Review: NR1 Trees and Woodlands, Wildlife and Nature Conservation policies NR2 Statutory Sites, and NR4. Policies NR3 and NR5 are to be retained for the time being although it is possible these may be replaced in due course by other policies in Part 2 of the Cheshire East Local Plan.
3. There is strong support within the local community for a policy which seeks to recognise the diversity of local sites of nature conservation at whatever scale they are recognised as being important.
4. During Pre-Submission consultation comments on the Plan were received from Natural England. Natural England acknowledge and also confirm the international and national status of some sites within the Parish in terms of their significance for interests of nature conservation. Natural England broadly support the positive emphasis of this section of the Plan, particularly the support for conservation, management and enhancement of local biodiversity and geodiversity in policy ENV05. Additional criterion in ENV05 is included regarding the protection and enhancement of surface and ground water quality to comply with the Water Framework Directive (SD/A15) in ensuring that development adjacent to, and within proximity to, designated sites does not cause deterioration in the status of inland waters.
5. Natural England provide standing advice for developers and other interested parties concerning many types of protected species. Potential developers are encouraged to refer to this standing advice to make sure they stay within the law when considering any development proposal which may affect protected species. Further information and advice on these matters is available from Natural England the Cheshire East Council.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SE 3, SE 4 SD/B07: NR1, NR2, NR3, NR4, NR5
UK Documents	SD/A06, SD/A07, SD/A08, SD/A11, SD/A15
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B21, SD/B22
Neighbourhood Documents	SD/C02, SD/C16

POLICY ENV06 DEVELOPMENT & LANDSCAPE

Justification & Evidence

1. As part of the evidence base for the Neighbourhood Plan, the Parish Council commissioned a Landscape Character Assessment for Brereton. The report published in November 2014 contained a detailed analysis of the landscape character of the parish using the existing levels of analysis undertaken at a wider spatial scale and their own assessment of eight distinct Landscape Description Units (LDUs). Many recommendations were made based on the assessment of these units. The assessment now provides an appropriate evidence base against which all planning applications for the Brereton area, which are likely to have any impact on the landscape can be considered. Planning decisions can be made in their proper context of landscape quality and value. This policy summarises the recommendations from the Landscape Character Assessment for Brereton report for the assessment of development proposals against the landscape vision for the area.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, SE 4
UK Documents	SD/A06, SD/A07, SD/A08
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C16



Appendix A4 - Policy Evidence

POLICY ENV07 RECREATIONAL FACILITIES

Justification & Evidence

- 1. Outdoor sport and recreation facilities are an important aspect of life in Brereton for both residents and visitors alike. The parish has a wide range of formal and informal, public and private facilities which benefit from the countryside location and access to adjoining towns and settlements. The Plan seeks to achieve two objectives in respect of outdoor recreation: to protect existing facilities from inappropriate development which would threaten the existing facility and to support enhancement and improvement to existing facilities.
- 2. Within the Congleton Borough Local Plan First Review, there are a range of policies concerning recreation and community facilities. Whilst some of these are to be retained as Saved Policies in the submitted version of the Cheshire East Local Plan, one of the main policies concerned with the provision of new facilities, Saved Policy RCI, is proposed to be deleted. Instead, Cheshire East Council refers to a range of emerging policies as potential replacement-policy guidance. It is considered that these proposed new policies are at strategic level and that policy ENV07 of the Neighbourhood Plan is required to provide some continuity in securing the retention of existing outdoor recreational facilities within the Brereton area.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SC 1, SC 3, SD 2, SE 3, PG 5, SD/B07: RCI
UK Documents	SD/A06, SD/A07, SD/A08, SD/A11
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B21, SD/B22
Neighbourhood Documents	SD/C16

POLICY ENV08 LISTED BUILDINGS IMPROVEMENTS AND ENHANCEMENTS

Justification & Evidence

- 1. Brereton has an important history and heritage which is recognised in the variety and type of Listed Buildings within a relatively small rural Parish area. The Saved Policies of the Congleton Borough Plan First Review provide a comprehensive range of policies concerning the heritage assets at Cheshire East Council level and the majority of these are proposed to be saved in the Submission version of the Local Plan. The approach of the Neighbourhood Plan is to recognise and support this intent, but also to recognise that national guidance concerning the heritage now postdates the publication of the Congleton Local Plan in 2005. Furthermore, there is no guarantee at the time of preparing this Plan that the Submission version of the Local Plan will be adopted quickly. Given the significance of the heritage of Listed Buildings for the Brereton area, there may be a possible local policy gap in the protection and enhancement of the Listed Buildings within the parish. This would not be in the interests of the local community who value their historic environment, or of building owners or prospective purchasers wishing to make investment decisions. The need to provide clear local guidance is therefore included in the Plan.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SE 7
UK Documents	SD/A06, SD/A07, SD/A08, SD/A11
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13, SD/B21, SD/B22
Neighbourhood Documents	SD/C16, SD/C24

POLICY ENV09 LISTED BUILDINGS CHANGES OF USE

Justification & Evidence

- 1. Refer to Policy ENV08 for all details.



Appendix A4 - Policy Evidence Continued

POLICY ENV10 HERITAGE ASSETS AND THEIR SETTING

Justification and Evidence

1. There are significant heritage assets within the Parish which are reflected in existing and emerging planning policies at a national and Borough level. The NPPF provides the context for heritage planning at Borough and Neighbourhood level. The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. In the case of Brereton, many of the listed buildings have to be seen in their landscape and wider context.
2. In responding to consultation on the Plan, Historic England have recommended that the Plan might include a specific policy to protect and enhance important aspects of the setting of the listed buildings and park and gardens as local heritage assets. Any proposed development likely to affect the setting of the heritage assets should therefore be considered in terms of the historic landscape and a views analysis. To provide guidance to all parties, Historic England has recently published its latest practice advice to ensure some consistency in assessing the setting of listed building as a part of the formal consideration of development proposals. That document is "Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets" published in March 2015 (SD/A14). The inclusion of policy ENV10 therefore reflects:
 - a) current and recent advice from Historic England in terms of compliance with the National Planning Policy Framework
 - b) Historic England's response to consultation on the Plan
 - c) detailed guidance to applicants for development which may have some effect on the setting of listed buildings and the park and garden within the Parish.
3. In terms of other policies for heritage, there are 12 policies (BH1, BH2, BH3, BH4, BH5, BH7, BH8, BH9, BH10, BH11, BH13, BH15) in the Congleton Borough Local Plan concerning the Built Environment and Heritage. The Cheshire East Local Plan Strategy seeks to retain all bar one of these and to replace that with a new policy of its own (SE 7). The proposed deleted policy concerns opportunities for local listing of buildings. The submitted Local Plan policy SE 7 is appropriate and does not need to be duplicated in the Neighbourhood Plan. There are no buildings in Brereton on the Cheshire East List of Local Listed Buildings. It is considered that the introduction of new policy ENV10 combined with the NPPF, saved policies of the Congleton Borough Local Plan, new policy SE 7 of the submitted Cheshire East Local Plan and other policies and evidence supporting this Plan are proportionate to the significance of heritage assets within Brereton.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	SE 7 SD/B07: BH1, BH2, BH3, BH4, BH5, BH7, BH8, BH9, BH10, BH11, BH13, BH15
UK Documents	SD/A14
Cheshire East Documents	
Neighbourhood Documents	

POLICY ENV11 CONSERVATION AND SUSTAINABLE MANAGEMENT OF SOILS

Justification and Evidence

1. Brereton is a predominantly rural area in which farming and other uses of the land are a major determinant of land usage within the Parish. The conservation and sustainable management of soils is reflected in the NPPF particularly in paragraphs 109 and 112. When decisions are to be made concerning land use change, particular care over planned changes to the most potentially productive soil is needed. This is needed for the ecosystem services it supports including its role in agriculture and food production. This new policy has been introduced into the Plan to reflect both the national policy (as set out in the NPPF) and in response to the consultation response from Natural England who have recommended policies given the importance of understanding agricultural land quality within the plan area and to safeguard 'best and most versatile' agricultural land in line with paragraph 112 of the NPPF.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	PG 1, PG 2, PG 5, SE 4
UK Documents	SD/A06, SD/A07, SD/A08, SD/A15
Cheshire East Documents	SD/B01, SD/B02, SD/B03, SD/B07, SD/B13
Neighbourhood Documents	SD/C16



Appendix A5 - Policy Evidence

Transport and Infrastructure

POLICY TRA01 TRANSPORT IMPLICATIONS OF NEW DEVELOPMENT

Justification & Evidence

1. At a national level, the NPPF notes the importance of transport in delivering sustainable development as well as contributing to wider sustainability and health objectives. Brereton is connected by the local major roads which allow good access to national and regional strategic highway network. This accessibility aids long distance commuting patterns allowing convenient travel to wider business destinations for those working from home. However, national policy seeks to reduce car use and adopt more sustainable travel habits.
2. The policies within the Connectivity chapter of the submitted version of the Cheshire East Local Plan seek to redress any existing shortfalls in infrastructure and improvements in connectivity in order to support economic growth, whilst at the same time changing the need for travel and the way people travel through promotion of new and sustainable options. It is towards the latter objectives that this Neighbourhood Plan policy addresses.
3. A number of Saved Policies from Congleton Borough Local Plan First Review are relevant including: GR11 Development involving New Roads and other Transportation Projects, Policy GR14 cycling measures, GR15 pedestrian measures GR16 Footpath, Bridleway and Cycleway networks and GR19 Traffic Generation.
4. There is strong support in local community surveys for improvements to existing local transport options. If residents and visitors are to be offered a genuine alternative to the private car, opportunities need to be taken as development applications arise throughout the parish to improve those local choices. This should lead to improvement in traffic safety and in the longer term to an improvement in healthier choices of travel.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	CO 1, SD/B07: GR11, GR14, GR15, GR16, GR19
UK Documents	SD/A06, SD/A07
Cheshire East Documents	SD/B01, SD/B07, SD/B22, SD/B23
Neighbourhood Documents	SD/C02

POLICY TRA02 IMPROVEMENTS TO LOCAL SUSTAINABLE FORMS OF TRANSPORT

Justification & Evidence

1. The NPPF looks for our transport infrastructure to be more balanced towards sustainable modes of transport (together with public transport). The benefits will include improvements in sustainability, reductions in carbon emissions and health benefits. The relevant submitted Cheshire East Local Plan policies for Connectivity, particularly CO 1, endorse and support this national guidance at a Cheshire East level.
2. The relevant Saved Policies of the Congleton Borough Local Plan First Review are: GR9 Accessibility, Servicing and Parking Provision, GR13 Public Transport Measures, GR14 Cycling Measures, GR15 Pedestrian Measures and GR16 Footpath, Bridleway and Cycleway Networks. These policies provide for access and connectivity to new residential developments. These policies will all remain in place until such time as the Cheshire East Local Plan Part 2 is adopted. Similar policies are likely to be included in the Part 2 Local Plan. The Neighbourhood Plan policy aims to make transport and travel within and around the Brereton area more sustainable.
3. Improved access and connectivity have been strongly supported in the community surveys with high proportions of respondents agreeing or strongly agreeing that adequate infrastructure including suitable access to local facilities via footpaths and cycleways should be a requirement before planning permission is granted.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	CO 1, SD/B07: GR9, GR13, GR14, GR15, GR16
UK Documents	SD/A06, SD/A07
Cheshire East Documents	SD/B01, SD/B07, SD/B22, SD/B23
Neighbourhood Documents	SD/C02



Appendix A5 - Policy Evidence

POLICY TRA03 IMPROVEMENTS TO ROAD SAFETY ON LOCAL ROADS

Justification & Evidence

1. Brereton Parish experiences road safety issues arising from the rural nature of the area combined with the speed of vehicles along the principle roads within the area. These roads also provide access to local facilities and more residential parts of the local area. There is local concern for all road users, not only for those moving at slow speed but also those moving at a more leisurely speed by whatever means because they live locally or are visiting some of the many facilities within the parish. It is acknowledged that more specific evidence may be required to justify and then implement measures to mitigate the speed and flow of through traffic. This policy is intended to provide some priority to investigating the scope for any road safety measures which may then be pursued on an individual scheme basis.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	CO 1
UK Documents	SD/A06, SD/A07
Cheshire East Documents	SD/B01, SD/B07, SD/B22, SD/B23
Neighbourhood Documents	SD/C02

POLICY TRA04 COMMUNITY INFRASTRUCTURE

Justification & Evidence

1. The Community Infrastructure Levy (CIL) is a national scheme which allows local planning authorities to set local charges for new development to fund the provision of infrastructure. In the Submission version of the Local Plan, the section on infrastructure sets out the intentions to develop a Charging Schedule for CIL following the approval of the Local Plan. In addition, policies IN 1 and IN 2 establish a framework for the delivery of infrastructure within which developer contributions would be applied. An Infrastructure Delivery Plan has also been prepared to demonstrate what strategic infrastructure is required to support the development proposed in the Local Plan. Money raised by CIL can be used to support development by funding infrastructure that the council, local community and neighbourhoods want. The proceeds would be paid directly to parish and town councils and can be used to back the community's priorities. Within Neighbourhood Plan areas which secure the consent of local people in the referendum, 25 per cent of the revenues from the Community Infrastructure Levy arising from the development that they choose to accept would be made available. This policy sets out the priorities for spending CIL within Brereton Parish.
2. Planning agreements under section 106 of the Planning Act are intended to mitigate the impact of development on local communities. For all development schemes with a local impact, Cheshire East Council would normally negotiate with the developer a package of measures to limit the impacts on the local environment and residents. This policy provides Cheshire East with guidance as to the priorities for funding within the parish of Brereton of such monies as may arise.

Supporting Evidence References

Cheshire East Local Plan Strategy Policies	IN 1, IN 2
UK Documents	SD/A12
Cheshire East Documents	SD/B26
Neighbourhood Documents	SD/C22



Appendix B - Supporting Documents

This section lists key information sources used to evidence, support and inform the Neighbourhood Plan. The term ‘information’ includes but is not restricted to UK and EU legislation and regulations, Local Development Frameworks, Local Plans, data, maps, policies, plans, guides, and consultation documents.

Evidence entries are categorised by source as follows:

Reference	Category	Included Sources
SD/Axx	UK	UK Government, National, and European Union
SD/Bxx	CE	Cheshire East, Local Planning Authority, and Regional
SD/Cxx	NA	Neighbourhood Area
SD/Dxx	OT	Other

PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/A01	UK	SEA Directive 2001/42/EC	2001	Web page	European Commission	http://ec.europa.eu/environment/eia/sea-legalcontext.htm
SD/A02	UK	Town and Country Planning Act 1990, as applied to neighbourhood plans by more recent legislation and guidance	1990	Web page	UK Legislation HMSO	http://www.legislation.gov.uk/ukpga/1990/8/contents
SD/A03	UK	Localism Act	2011	Web page	UK Legislation HMSO	http://www.legislation.gov.uk/ukpga/2011/20/contents
SD/A04	UK	A Plain Guide to the Localism Act	Nov. 2011	PDF	DCLG	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf
SD/A05	UK	The Neighbourhood Planning (General) Regulations 2012, and its amendments	2012	Web page	UK Legislation HMSO	http://www.legislation.gov.uk/uksi/2012/637/contents/made
SD/A06	UK	National Planning Policy Framework	Mar. 2013	PDF	DCLG	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf
SD/A07	UK	Technical Guidance to the National Planning Practice	Mar. 2013	PDF	DCLG	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6000/2115548.pdf

PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/A09	UK	McDonald, N and Williams, P. (2014) Planning for Housing in England, RTPI	2014	PDF	RTPI	http://www.rtpi.org.uk/media/819060/rtpi_research_report_-_planning_for_housing_in_england_-_january_2014.pdf
SD/A10	UK	The Government Policy and Tourism Planning Guidance	2011	Web page	Visit England	http://www.visitengland.org/england-tourism-industry/gov_tourism_policy/Govt-tourism-policy.aspx
SD/A11	UK	Natural Environment White Paper “The Natural Choice: Securing the Value of Nature”	2011	Web page	DEFRA	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228842/8082.pdf
SD/A12	UK	The Community Infrastructure Levy Regulations	2010	PDF	UK Legislation HMSO	http://www.legislation.gov.uk/uksi/2010/948/pdfs/uksi_20100948_en.pdf
SD/A13	UK	Planning Policy for Traveller Sites	2012		DCLG	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6078/2113371.pdf
SD/A14	UK	Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets	Mar. 2015		Historic England	https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/gpa3.pdf/
SD/A15	UK	The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003	Dec. 2003	PDF	UK Legislation HMSO	http://www.legislation.gov.uk/uksi/2003/3242/pdfs/uksi_20033242_en.pdf
SD/A16	UK	The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003	Jun. 2012	PDF	UK Legislation HMSO	http://www.legislation.gov.uk/uksi/2012/9780111525791/pdfs/uksi_9780111525791_en.pdf
SD/B01	CE	Cheshire East Local Plan Strategy CEC Ref=SD001 Submission version and supporting documents	Mar. 2014	Web page and PDF	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library

Appendix B - Supporting Documents

PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/B02	CE	Cheshire East Local Plan Strategy Policies: IN 1 Infrastructure IN 2 Developer Contributions PG 1 Overall Development Strategy PG 2 Settlement Hierarchy PG 5 Open Countryside PG 6 Spatial Distribution of Development SC 1 Leisure and Recreation SC 3 Health and Wellbeing SC 4 Residential mix SC 5 Affordable Homes SC 6 Rural Exceptions Housing for Rural Needs SC7 Gypsies and Travellers and Travelling show people SD 1 Sustainable Development in Cheshire East SD 2 Sustainable Development Principles SD1 Sustainable Development in Cheshire East SD2 Sustainable Development Principles SE 1 Design SE 4 The Landscape SE 8 Renewable and Low Carbon Energy	Mar. 2014		Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B03	CE	Cheshire East Council Local Plan Annual Monitoring Reports	Various	Web page and PDF	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B04	CE	Cheshire East Council Strategic Housing Market Assessment CEC Ref=BE001 CEC Ref=BE002	2013 2010	Web page and PDF	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B05	CE	Cheshire East Council Strategic Housing Land Availability Assessment Report and area maps for adjoining towns CEC Ref=BE005	Feb. 2013	Web page and PDF	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B06	CE	Cheshire East Council Internal Migration Statistics – Origin and Destination Statistics CEC Ref=PS B018	Aug. 2014	Web page and PDF	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B07	CE	Congleton Borough Local Plan First Review (2005), including Saved Policies	2005	Web page	Cheshire East Council Spatial Planning Saved and Other Policies	http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/congleton_local_plan.aspx
SD/B08	CE	SPG Sustainable Development (2005)	2005	Web page	Cheshire East Council Spatial Planning Supplementary	http://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/sustainable_development.aspx

PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/B09	CE	Landscape Assessment of Congleton Borough (1999) Appendix A7 of the Congleton Borough Council Local Plan – First Review 2005	1999	Web page	Cheshire East Council Spatial Planning Saved and Other Policies	http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/congleton_local_plan.aspx
SD/B11	CE	Cheshire Historic Landscape Assessment (2008) CEC Ref=BE 138	2008		Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B12	CE	Cheshire Landscape Character Assessment (2008) CEC Ref=BE 019 B	Nov. 2008		Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B13	CE	Cheshire Landscape Character Assessment Maps CEC Ref=BE 019 A	Nov. 2008		Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B14	CE	Examination of Cheshire East Local Plan Strategy - Examiners Interim Report on the Soundness and Legal Compliance of the Submitted Local Plan Strategy CEC Ref=PS A017b	Nov. 2014		Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B15	CE	Cheshire County Structure Plan	Mar. 2006	Web page	Cheshire East Council Spatial Planning Saved and Other Policies	http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/cheshire_structure_plan.aspx
SD/B16	CE	Cheshire Replacement Waste Plan	Jul. 2007	Web page	Cheshire East Council Spatial Planning Saved and Other Policies	http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/cheshire_waste_local_plan.aspx
SD/B17	CE	Cheshire Minerals Plan	1999	Web page	Cheshire East Council	http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/cheshire_minerals_local_plan.aspx
SD/B18	CE	Cheshire East Indoor Leisure Facilities Development Statement	Sep. 2013	Web page	Cheshire East Council Spatial Planning Research & Evidence	http://www.cheshireeast.gov.uk/planning/spatial_planning/research_and_evidence.aspx
SD/B19	CE	Cheshire East Council - Determining the Settlement Hierarchy LDF Background report	2010	Web page	Cheshire East Council Spatial Planning Research & Evidence	http://www.cheshireeast.gov.uk/planning/spatial_planning/research_and_evidence/settlement_hierarchy_study.aspx

Appendix B - Supporting Documents

PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/B21	CE	Cheshire East Contribution to Biodiversity	N/A	Web page	Cheshire East Council	http://www.cheshireeast.gov.uk/environment/heritage_natural_environment/nature_conservation/biodiversity.aspx
SD/B22	CE	Cheshire East – Habitats Regulations Assessment of the Local Plan: CEC Ref=SD 004 Final report CEC Ref=SD 005 Summary report	Feb. 2014	Web page	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B23	CE	Cheshire East Local Transport Plan – Implementation Plan 2011-15	2011	Web page	Cheshire East Council Public Transport	http://www.cheshireeast.gov.uk/public_transport/local_transport_plan.aspx
SD/B24	CE	Cheshire East Local Transport Plan – Implementation Plan 2011-15	2011	Web page	Cheshire East Council Public Transport	http://www.cheshireeast.gov.uk/public_transport/local_transport_plan.aspx
SD/B25	CE	Cheshire East Supplementary Planning Guidance	Various	Web page	Cheshire East Council Spatial Planning Saved and Other Policies	http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/additional_planning_policies/supplementary_plan_guidance.aspx
SD/B26	CE	Infrastructure Delivery Plan CEC Ref-SD 012	Mar. 2014	Web page	Cheshire East Council Local Plan Examination Library	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library
SD/B27	CE	Cabinet Report on the Local Plan Strategy, 21st July	Jul. 2015	Web page	Cheshire East Council Local Plan Strategy Hearing Session	http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/hs/cabinet
SD/C01	N/A	Consultation 0 - NP Support Survey	Sep. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C02	N/A	Consultation 0 - NP Support Survey Report	Oct. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C03	N/A	Consultation 1 - NP Identify Issues Survey	Mar. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C04	N/A	Consultation 1 - NP Identify Issues Survey -Businesses	Apr. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C05	N/A	Consultation 1 - NP Identify Issues Survey - Youth	May 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C06	N/A	Consultation 1 - NP Identify Issues Survey Analysis Report	Jul. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C07	N/A	Consultation 2 - NP Vision & Objectives Response Form	Jul. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C08	N/A	Consultation 2 - NP Vision & Objectives Data Analysis Report	Jul. 2013	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/

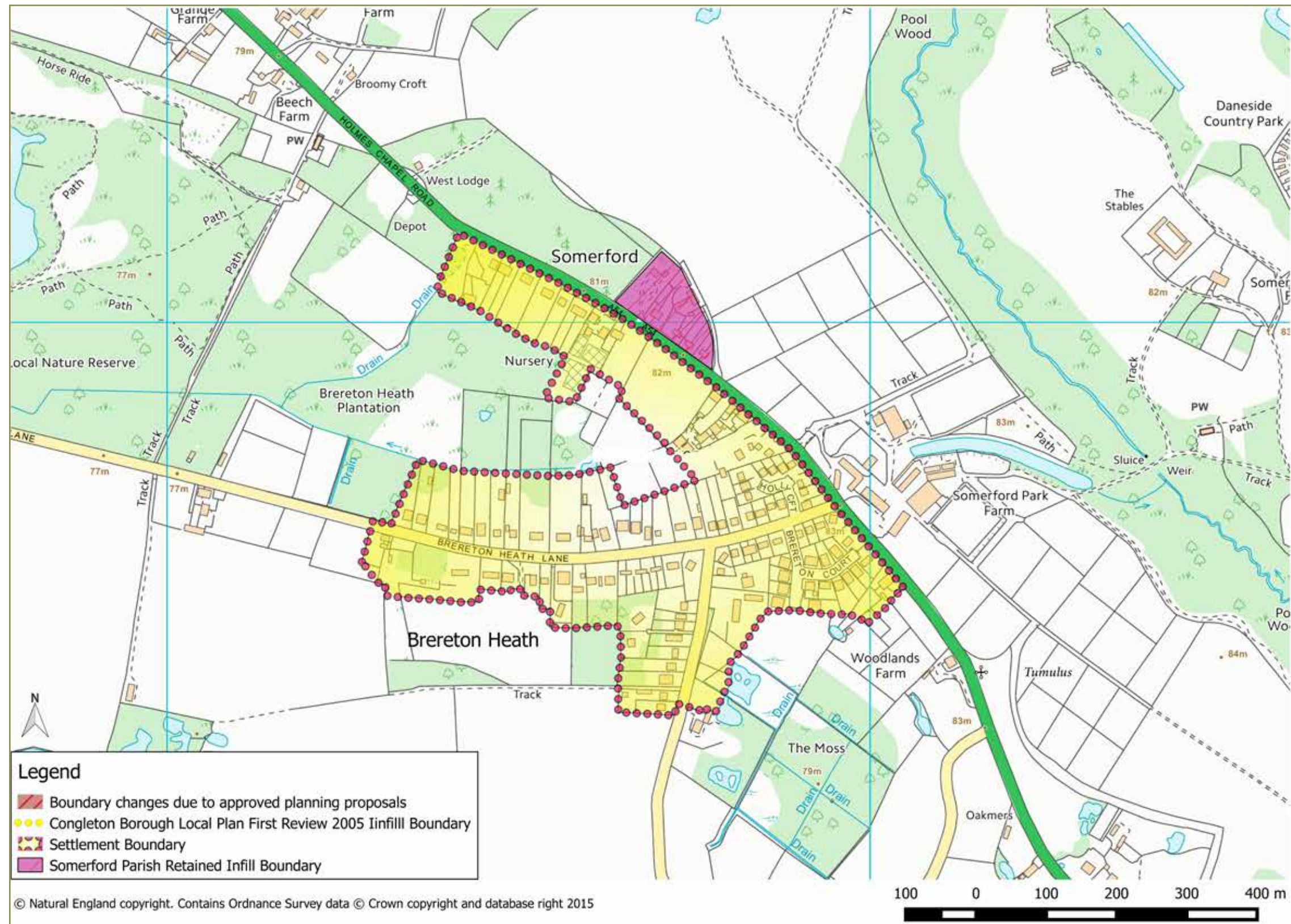
PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/C09	N/A	Consultation 3 - Brereton Rural Housing Needs Survey	Aug. 2013	PDF	BreretonNDP	http://www.brereton-parishcouncil.org.uk/
SD/C10	N/A	Consultation 3 - Brereton Rural Housing Needs Report	Sep. 2013	PDF	Cheshire East Council	http://www.brereton-parishcouncil.org.uk/
SD/C11	N/A	Consultation 4 - NP Vision & Objectives Option Proposals Survey	Jan. 2014	PDF	BreretonNDP	http://www.brereton-parishcouncil.org.uk/
SD/C12	N/A	Consultation 4 - NP Vision & Objectives Option Proposals Survey Analysis Report	May 2014	PDF	BreretonNDP	http://www.brereton-parishcouncil.org.uk/
SD/C13	N/A	Rural Community Profile for Brereton Parish ONS 2001	Jan. 2012	PDF	Cheshire Community Action / ACRE /OCSI	http://www.brereton-parishcouncil.org.uk/
SD/C14	N/A	Rural Community Profile for Brereton Parish ONS 2011	Jul. 2013	PDF	Cheshire Community Action / ACRE /OCSI	http://www.brereton-parishcouncil.org.uk/
SD/C15	N/A	Cheshire East Council Extant Planning Permissions	Jan. 2015	PDF	Derived from Cheshire East Council data & Planning Application portal	http://www.brereton-parishcouncil.org.uk/
SD/C16	N/A	URS Landscape Character Assessment for Brereton (2014)	Oct. 2014	PDF	URS, commissioned by Brereton Neighbourhood Development Plan	http://www.brereton-parishcouncil.org.uk/
SD/C17	N/A	Housing Needs Advice for Brereton (2014)	Dec. 2014	PDF	URS, commissioned by Brereton Parish Council	http://www.brereton-parishcouncil.org.uk/
SD/C18	N/A	Housing Needs Supply Evidence for Brereton (2015)	Feb. 2015	PDF	AECOM, commissioned by Brereton Parish Council	http://www.brereton-parishcouncil.org.uk/
SD/C19	N/A	Brereton Designated Neighbourhood Area Decision Notice	Jul. 2013	PDF	Cheshire East Council Neighbourhood Planning	http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/brereton?tab=files
SD/C20	N/A	Neighbourhood Plan Settlement Boundaries a. Settlement Boundary Brereton Heath b. Settlement Boundary Brereton Green	Jul. 2015 Jul. 2015	PDF	Derived from Congleton Borough Council Local Plan First Review (2005) and recent Cheshire East Planning permissions	http://www.brereton-parishcouncil.org.uk/

Appendix B - Supporting Documents

PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format	Source	Link (if available online)
SD/C21	N/A	Existing Recreation and Open Spaces a. Recreation and Open Spaces Listing	Jul. 2015	PDF	Locally produced	http://www.breretonparish-council.org.uk/
		b. Recreation and Open Spaces Map	Jul. 2015			
SD/C22	N/A	Existing Community Facilities a. Community Facilities Listing	Feb. 2015	PDF	Locally produced	http://www.breretonparish-council.org.uk/
		b. Community Facilities Map	Jul. 2015			
SD/C23	N/A	Landscape Values	Feb. 2015	PDF	Extract from SD/C16	http://www.breretonparish-council.org.uk/
SD/C24	N/A	Brereton Listed Buildings a. Listed Buildings Listing	Jul. 2015	PDF	Derived from English Heritage site	http://www.breretonparish-council.org.uk/
		b. Listed Buildings Map	Jul. 2015			
SD/C25	N/A	Brereton Neighbourhood Area Map	Jul. 2013	PDF	Cheshire East Council Neighbourhood Planning	http://cheshireeast-consult.limehouse.co.uk/portal/planning/np/brereton?tab=-files
SD/C28	N/A	Sustainability Appraisal	Apr. 2015	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
SD/C29	N/A	Cheshire East Council a. Brereton NA SEA Screening Opinion including Habitats Regulations Assessment	Jul. 2015	PDF	Cheshire East Council	http://www.breretonparish-council.org.uk/
		b. Brereton NA SEA Screening Environmental Designations	Mar. 2015			
		c. Brereton NA Habitats Regulations Screening HRA Designations	Mar. 2015			
SD/C50	N/A	Regulation 14 Representations a. Register of Entries	Jul. 2015	PDF	BreretonNDP	http://www.breretonparish-council.org.uk/
		b. Received Reference Reports Representations Ref 100 Manual Entry.pdf Representations Ref 113.pdf Representations Ref 114.pdf Representations Ref 117.pdf Representations Ref 121.pdf Representations Ref 168.pdf Representations Ref 169.pdf Representations Ref 181.pdf Representations Ref 182.pdf	May 2015			

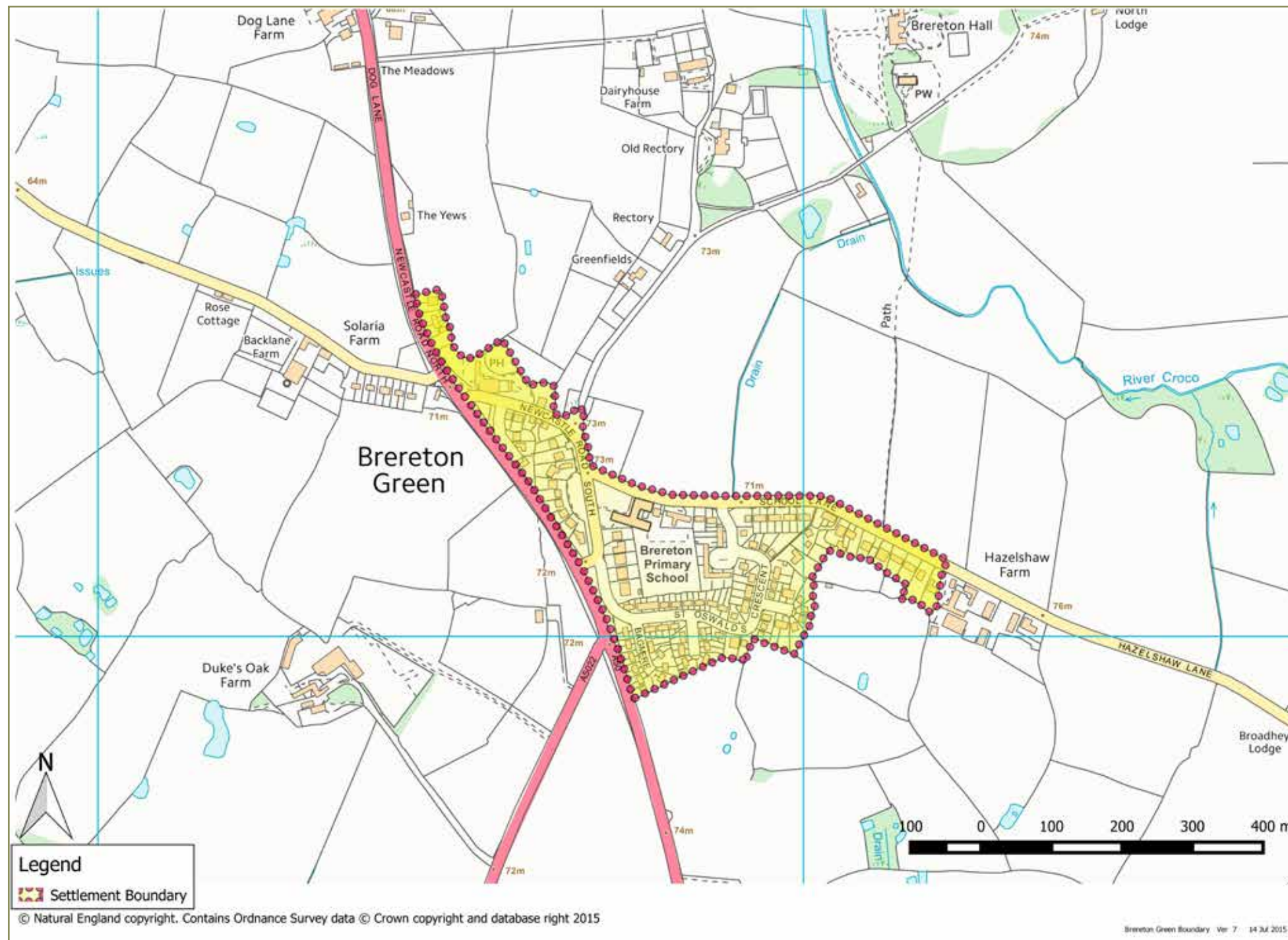
PRE-SUBMISSION SUPPORTING DOCUMENTS						
Ref.	Cat.	Document	Date	Format		Link (if available online)
SD/C50 Cont.		Representations Ref 183.pdf Representations Ref 184.pdf Representations Ref 185-0.pdf Representations Ref 185-1.pdf Representations Ref 185-2.pdf Representations Ref 186-0.pdf Representations Ref 186-1.pdf Representations Ref 186-2.pdf Representations Ref 186-3.pdf Representations Ref 186-4.pdf Representations Ref 187.pdf c. Response Reference Reports	Jul. 2015			
SD/C51	N/A	Regulation 14 Notification a. Notification	Apr. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
		b. Representation form	Apr. 2015			
SD/C55	N/A	Brereton Parish in Context of Cheshire East	Apr. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
SD/C57	N/A	Brereton Parish in Context of Local Service Centres	Apr. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
SD/C70	N/A	Pre-Submission to Submission Change Log	Jul. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
SD/C71	N/A	Consultation Statement	Jul. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
SD/C72	N/A	Consultation Communications	Jul. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
SD/C73	N/A	Basic Conditions Statement a. Brereton Parish Council Statement	Jul. 2015	PDF	Brereton-NDP	http://www.breretonparishcouncil.org.uk/
		b. AECOM Report				
SD/C74	N/A	Cabinet Report on the Local Plan Strategy, 21st July: Brereton NP Submission Impact Statement	Jul. 2015	Web page	Brereton-NDP	http://www.breretonparishcouncil.org.uk
SD/D01	OTHER	CPRE - How to shape where you live: a guide to neighbourhood planning	Jan. 2012	PDF	CPRE	http://www.cpre.org.uk/resources/housing-and-planning/planning/item/2689-how-to-shape-where-you-live-a-guide-to-neighbourhood-planning?highlight=WYJzaGFwZSIsIndoZXJlliwieWV9Iliwic2hhcGUgd2hlcmUiLCJzaGFwZSB3aGVyZSB5b3UiL-CJ3aGVyZSB5b3UiXQ==
SD/D02	OTHER	Locality - Neighbourhood Plans Roadmap Guide			Locality	http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/

Appendix C - Key Maps

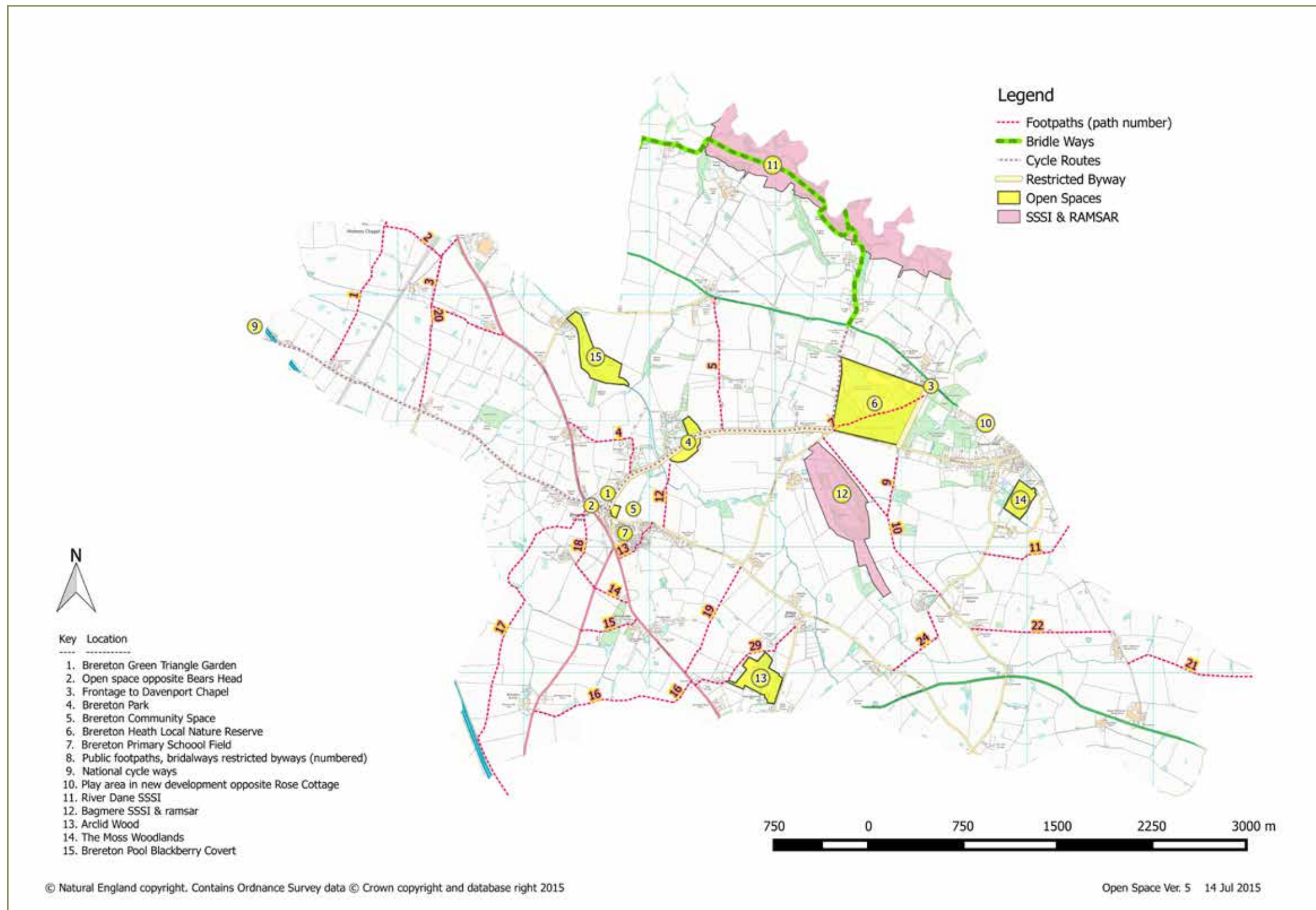


C20a Settlement Boundary - Brereton Heath

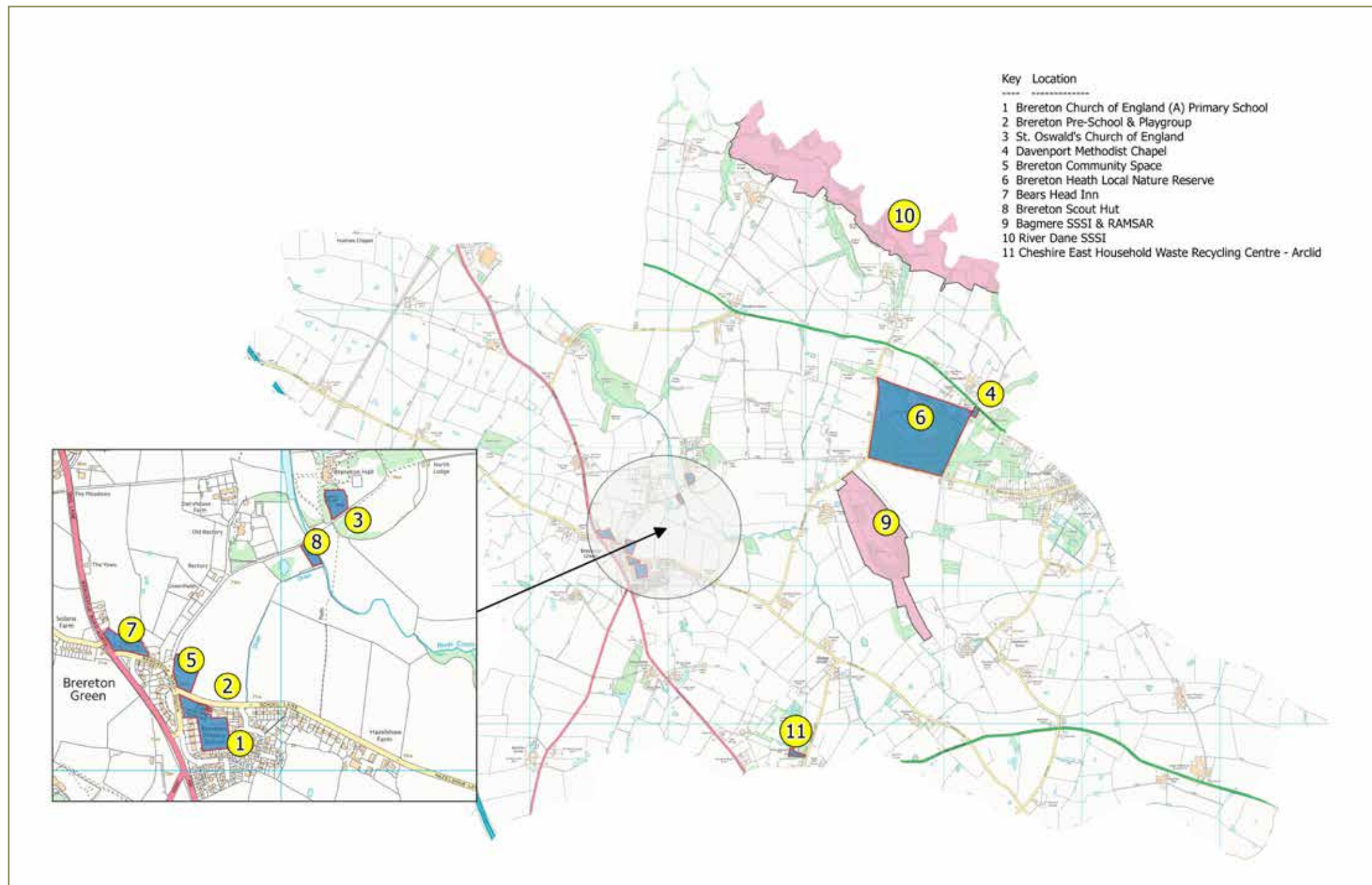
Appendix C - Key Maps



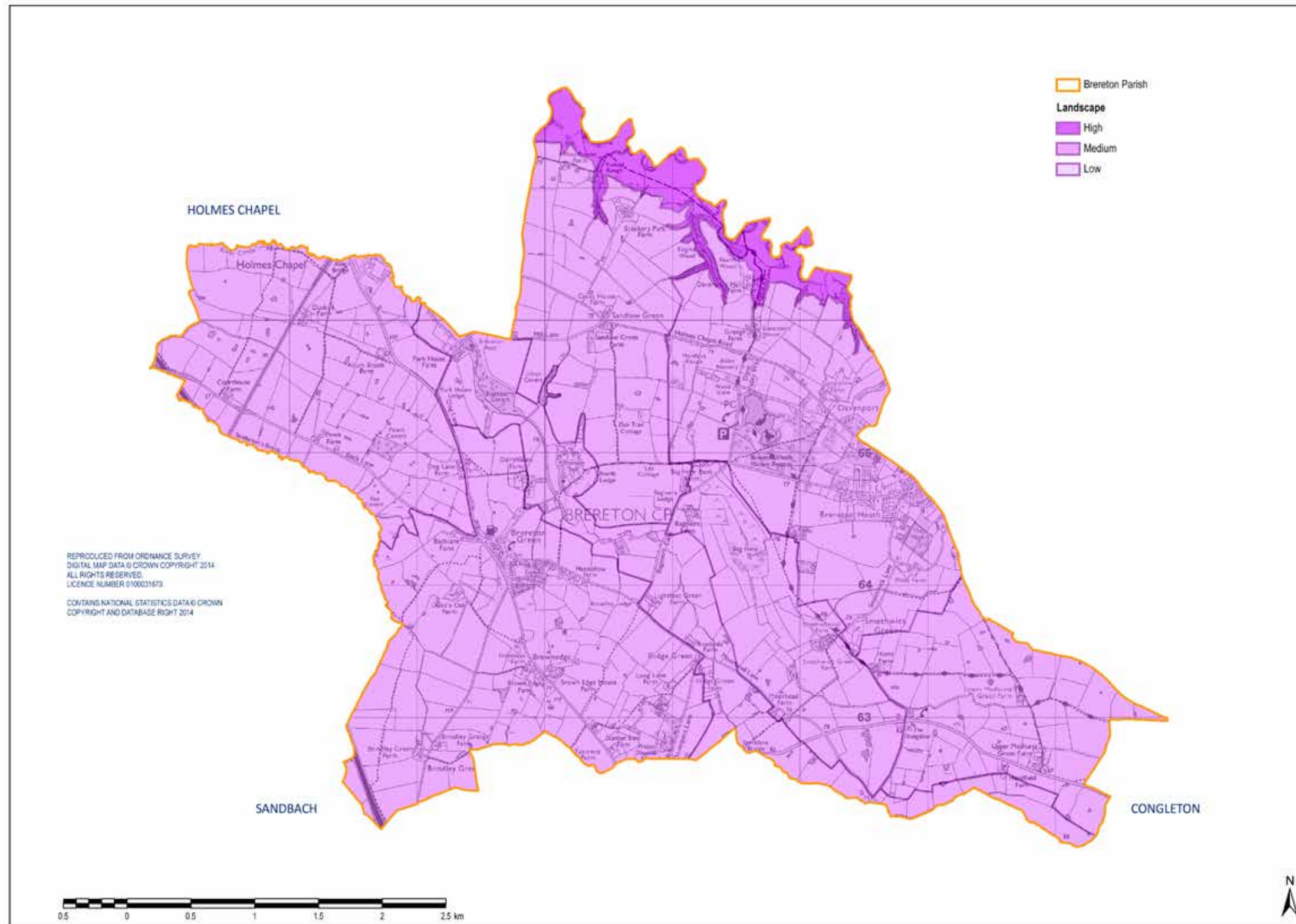
Appendix C - Key Maps



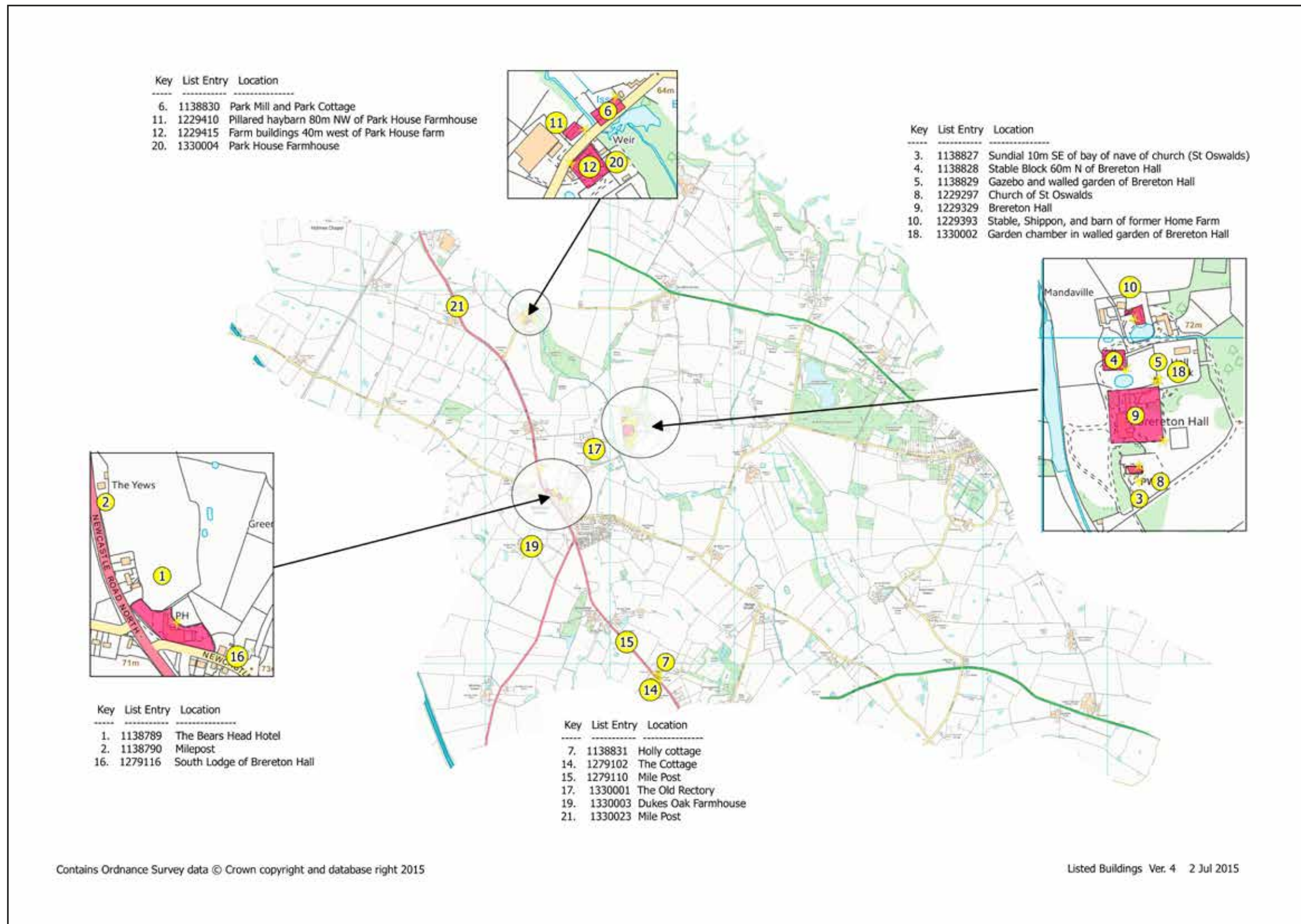
Appendix C - Key Maps



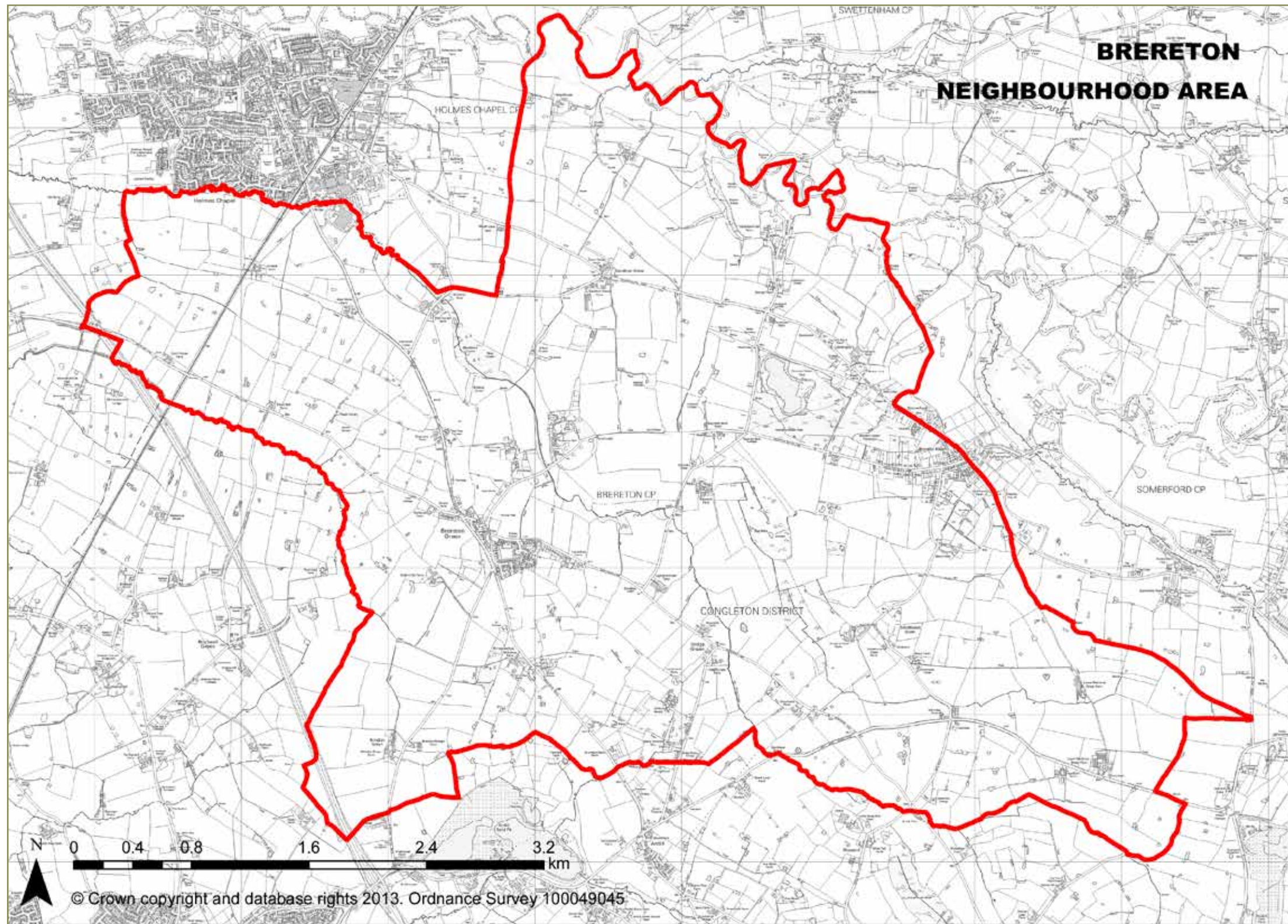
Appendix C - Key Maps



Appendix C - Key Maps



Appendix C - Key Maps



Appendix D - Glossary

Affordable Housing	Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.	Neighbourhood Plan (The Plan)	The Brereton Parish Neighbourhood Plan prepared by Brereton Parish Council under the the Planning and Compulsory Purchase Act 2004.
Amenity	A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.	NPPF	The National Planning Policy Framework
Assets of Community Value	As defined in the Assets of Community Value (England) Regulations 2012.	NPPG	The National Planning Practice Guidance
Biodiversity Action Plan	An action plan which is part of a national and international programme of actions outlining the activity needed to protect an area's most important and at-risk wildlife species and habitats.	OCSI	The organisation Oxford Consultants for Social Inclusion.
Borough Council	Cheshire East Council.	Open Countryside	The area of Brereton Parish outside the settlement boundaries of the Brereton Parish Neighbourhood Plan.
Brownfield Land and sites	Previously developed land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.	Open Space	All space of public value, including public landscaped areas, playing fields, parks and play areas, and areas of water such as rivers, canals, lakes and reservoirs, which may offer opportunities for sport and recreation or act as a visual amenity and a haven for wildlife.
Building for Life	The industry standard endorsed by government for designing new homes in England, based on 12 key criteria.	Parish Council Pre-Submission	Brereton Parish Council. The Pre-Submission version of the Brereton Parish Neighbourhood Plan (the Plan). Regulation 14 of The Neighbourhood Planning (General) Regulations 2012, directs that the Pre-Submission of the Neighbourhood Plan is used to publicise and consult with people who live, work or carry on business in the Neighbourhood Area.
CEC	Cheshire East Council.	Previously Developed Land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
DCLG	The Department of Communities and Local Government.	Rural exception sites	Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.
Development Plan	This includes adopted Local Plans and Neighbourhood Plans and is defined in Section 38 of the Planning and Compulsory Purchase Act 2004.	Saved Policies	Planning policies from the Congleton Borough Local Plan First Review 2005 that remain part of the statutory Development Plan for Cheshire East and can still be used in determining planning applications.
Geodiversity	The range of rocks, minerals, fossils, soils and landforms.	Self-Build	Housing built by individuals or groups of individuals for their own use, either by building the homes themselves or working with builders.
Greenfield	Land, or a defined site, usually farmland, that has not previously been developed.	Site of Special Scientific Interest (SSSI)	Sites designated by Natural England under the Wildlife and Countryside Act 1981.
Green Gap	A Green Gap describes an area of land and how that land is used. It is a rural area consisting of dispersed, small settlements, rich in flora and fauna, which lies between large settlements keeping them separate from each other. It is an area where diverse trees, plants and wildlife can flourish to the benefit of the environment. It is an area where land is used for farming to provide vital food for the nation and to benefit the environment. It is a leisure area for activities such as walking, cycling and horse riding not only for the local residents but also for visitors from nearby large settlements. Residents and visitors can enjoy the open space and views the area provides.	Submission	The Submission version of a plan to the next higher planning authority. In the case of the Cheshire East Local Plan Strategy, this was done in May 2014 to the DCLG planning inspectorate. In the case of the Brereton Parish Neighbourhood Plan, this will be to Cheshire East Council after the Regulation 14 consultation.
Infill	The development of a relatively small gap between existing buildings.	Supplementary Planning Documents (SPD)	A Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' Development Plan Document.
Listed Building	A building of special architectural or historic interest. Listed buildings are graded I, II or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and includes any buildings or permanent structures within its curtilage which have formed part of the land since before 1 July 1948. English Heritage is responsible for designating buildings for listing in England.	Sustainable Development Wildlife Corridor	As defined and specified in the National Planning Policy Framework. Strip of land, for example along a hedgerow, conserved and managed for wildlife, usually linking more extensive wildlife habitats.
Local Plan	The plan for the future development of Cheshire East, drawn up by Cheshire East Council in consultation with the community. In law this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be Development Plan Documents, form part of the Local Plan. Once adopted, the Local Plan covers the development period 2011 to 2030.		
Local Planning Authority (LPA)	The Local Authority or Council that is empowered by law to exercise planning functions.		
Local Plan Strategy	In the case of this Neighbourhood Plan the LPA is Cheshire East Council. This sets out the overall vision and planning strategy for development in Cheshire East and contains planning policies to ensure that new development addresses the economic, environmental and social needs of the area. It also identifies strategic sites and strategic locations that will accommodate most of the new development needed.		

Appendix E - Acknowledgements

Brereton Parish Council appreciate the support and assistance of the following people, groups, and organisations during the development of the Neighbourhood Plan.

Brereton Neighbourhood Plan Project Team, who have volunteered their time and energy to develop the Plan.

Parish Councillors: Jane Deans, Bob Coulson, Andy Lindsay

Parish Residents: Alastair Strang, Elizabeth Love, John Charlesworth, Debbie Charlesworth, Richard Phillipson, Mark Elves, David Brown

Neighbouring Parish Residents: Andy Fell (Arclid), Don Muir (Astbury)

Helen Metcalfe, **Planning for People**, who assisted us in the project startup stages with sponsorship from CPRE

Carol Latham, **Planning Aid**, who has guided the Project Team through the Neighbourhood Planning process with the sponsorship of DCLG.

John Knight, **Cheshire Community Action**, who has provided planning expertise and consultancy with sponsorship from Cheshire East Council, to help us formulate our policies and evidence.

Anita Copplestone and Nigel Weir, **AECOM (formerly URS)**, who were commissioned by us to provide planning expertise and consultancy to deliver key evidence base reports.

Imagery of Brereton, reproduced with kind permission of residents Alastair Strang, David Brown, Elizabeth Love.

Sketches of Brereton, reproduced with kind permission of resident Stuart Foster, Dukes Oak Gallery.

The Bears Head, who provided meeting space for the Project Team.

Pre-Submission Report, designed and produced by Katy O'Regan at South Cheshire Print.

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CHESHIRE EAST COUNCIL

Report of:	Director of Planning and Sustainable Development
Subject/Title:	Bunbury Neighbourhood Plan – Decision to proceed to referendum
Portfolio Holder:	Councillor Ainsley Arnold: Housing and Planning
Meeting Date:	5 January 2016

1.0 Report Summary

- 1.1 The Bunbury Neighbourhood Development Plan (BNDP) was submitted to the Council in August 2015 and, following a statutory publicity period, proceeded to Independent Examination. The Examiners report has now been received and recommends that, subject to some modifications, the Plan should now proceed to referendum.
- 1.2 The Council must now consider the recommendations of the Examiner and decide how to proceed.

2.0 Recommendations

- 2.1 That the Council accepts the Examiner's recommendations to make modifications to the Bunbury Neighbourhood Plan as set out in the Examiner's report (at Appendix 1) and confirms that the Bunbury Neighbourhood Plan will now proceed to referendum in the Bunbury Neighbourhood Plan area.

3.0 Reasons for Recommendations

- 3.1 The Council is committed to supporting neighbourhood planning in Cheshire East. It has a legal duty to provide advice and assistance on neighbourhood plans, to hold an independent examination on neighbourhood plans submitted to the Council and to make arrangements for a referendum following a favourable Examiner's Report.
- 3.2 Subject to the modifications set out in the Examiner's Report, the Bunbury Neighbourhood Plan is considered to meet the statutory "Basic Conditions" along with other legal and procedural requirements set out in regulations. As such it can now proceed to referendum.

4.0 Wards Affected

- 4.1 Bunbury Ward

5.0 Local Ward Members

- 5.1 Councillor Michael Jones

6.0 Policy Implications

- 6.1 Neighbourhood planning allows communities to establish land-use planning policy to shape new development. This is achieved through the formation of a vision and the development of objectives and policies to achieve this vision. If a neighbourhood plan is supported through a referendum and is 'made' it then forms part of the statutory development plan and becomes, with the adopted Local Plan, the starting point for determining relevant planning applications in that area.
- 6.2 A neighbourhood plan must meet a number of legal and procedural requirements and meet the 'Basic Conditions' (as prescribed in Schedule 10, paragraph 8 of the Localism Act). These Basic Conditions require neighbourhood plans to:
- Have appropriate regard to national policy.
 - Contribute to the achievement of sustainable development.
 - Be in general conformity with the strategic policies in the development plan for the local area
 - Be compatible with EU obligations
 - Be compatible with human rights requirements
 - Not be likely to have a significant effect on a European site or a European offshore marine site.

7.0 Implications for Rural Communities

- 7.1 Brereton is a rural Bunbury and the Brereton neighbourhood plan addresses a number of rural issues including use of rural buildings, local economy and agricultural buildings. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

8.0 Financial Implications

- 8.1 The referendum is estimated to cost £4100. This will be paid for through government grant (£30,000) and the service's revenue budget.

9.0 Legal Implications

- 9.1 The Neighbourhood Plan is considered to meet the basic conditions and all relevant legal and procedural requirements and this is supported in the Examiner's Report.

10.0 Risk Management

- 10.1 The decision to 'make' the Neighbourhood Plan is, like all decisions of a public authority, open to challenge by Judicial Review.

11.0 Background and Options

- 11.1 The preparation of the Neighbourhood Plan began in the Autumn of 2014.
- 11.2 The location and extent of the Bunbury neighbourhood area is shown on the map in Appendix 2.

- 11.3 The final Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council on 28.08.2015.
- 11.4 The supporting documents included:
- Plan of the neighbourhood area
 - Consultation Statement
 - Basic Conditions Statement (with links to SEA screening opinion and supporting evidence)
- 11.5 Cheshire East undertook the required publicity between 07.09.15 to 16.10.15. Relevant consultees, residents and other interested parties were provided with information about the submitted Plan and were given the opportunity to submit comments to the Examiner.
- 11.6 The Borough Council appointed Mr. Nigel McGurk as the independent Examiner of the Plan. On reviewing the content of the Plan and the representations received as part of the publication process, Mr. McGurk decided not to hold a public hearing.
- 11.7 A copy of the Examiner's Report is provided at Appendix 1. A copy of the Neighbourhood Plan (as submitted to the Council prior to examination) is included at Appendix 3.
- 11.8 The Examiner's Report contains Mr. McGurk's findings on legal and procedural matters and his assessment of the Plan against the Basic Conditions. It recommends that a number of modifications be made to the Plan. These are contained within the body of the Report.
- 11.9 Overall it is concluded that the Bunbury Neighbourhood Plan does comply with the Basic Conditions and other statutory requirements and that, subject to recommended modifications, it can proceed to a referendum.
- 11.10 The Examiner drew attention to the efforts to engage the community in the neighbourhood plan process: "The thoughtful and imaginative way in which Bunbury Neighbourhood Plan Group sought to gain people's involvement in neighbourhood planning, through the clever use of posters, provides, in my view, a national exemplar."

12.0 Next steps

- 12.1 The Council's agreement to the Neighbourhood Plan proceeding to a referendum would be followed by the publication of a decision statement to that effect along with the reasons for that decision. This would appear on the Council's website and a copy of it would be sent to the Bunbury and those who have asked to be notified of the decision. The Plan would also be modified and published in its final form on the Council's website with a schedule of the modifications made.
- 12.2 An information statement about the referendum and other specified documents required by the regulations must also be published. This signals the start of the referendum process. The referendum date has to be at least 28 clear working

days after the information statement and other documents are published. Assuming the Council endorses the recommendation in this report, and then all necessary procedures which follow can be undertaken promptly, it is anticipated that a referendum could take place on or around 10th March 2016.

- 12.3 The referendum would follow a similar format to an election. All those registered to vote within the neighbourhood area would be eligible to participate. The regulations require that the ballot paper contains only the following question: "Do you want Cheshire East Borough Council to use the Neighbourhood Plan for Bunbury to help it decide planning applications in the neighbourhood area?". There would be two voting options, 'yes' or 'no'.
- 12.4 If more than 50% of those voting in the referendum voted 'yes', then Cheshire East Council would be required to 'make' the plan as soon as reasonably practical. The Bunbury Neighbourhood Plan would then form part of the statutory development plan for the area. If there is a majority 'no' vote or a tied vote, then the neighbourhood plan would not come into legal force.

13.0 Appendices:

1. Examiners Report
2. Neighbourhood Area
3. Neighbourhood Plan

14.0 Access to Information

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

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BUNBURY NEIGHBOURHOOD PLAN

Bunbury Neighbourhood Plan Examination,
A Report to Cheshire East Borough Council

by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI

Nigel McGurk

Erimax Land, Planning and Communities

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December 2015

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the examination into the Bunbury Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Bunbury Parish Council is the *qualifying body*¹ responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Plan would be *made* by Cheshire East Borough Council. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Bunbury Neighbourhood Area.

Role of the Independent Examiner

I was appointed by Cheshire East Borough Council to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience. I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

¹The qualifying body is responsible for the production of the Plan.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Bunbury Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The title page of the Neighbourhood Plan refers to “2015” on the front cover, whilst the “Foreword” and the “Scope of the Plan” refer to the Neighbourhood Plan covering the period to 2030. In the Housing Policy section, page 16 of the Neighbourhood Plan refers to the Neighbourhood plan period 2015-2030.

For clarity, I recommend:

- **Title page, change “2015” to “2015-2030”**
- **After the first sentence of “Scope of the Plan” on page 5, add “*The Neighbourhood Plan period runs from 2015 to 2030.*”**

Subject to the above, I confirm that the Neighbourhood Plan satisfies the relevant requirement in this regard.

Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of the written representations submitted, I confirmed to Cheshire East Borough Council that I was satisfied that the Bunbury Neighbourhood Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*² following the Localism Act 2011. In order to meet the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the Neighbourhood Plan against all of the basic conditions above.

I note that the “Scope of the Plan” section on pages 5 and 6 is a little confusing.

Whilst the Basic Conditions Statement, prepared by Bunbury Parish Council and submitted to Cheshire East Borough Council, sets out the basic conditions as above, page 5 of the Neighbourhood Plan states that neighbourhood plans “*should conform with the strategic policies of the adopted local plan.*” This is not quite the case.

Whilst it is not uncommon for neighbourhood plans to seek to paraphrase the basic conditions, the wording of the basic conditions is the result of careful consideration. Paraphrasing them, almost inevitably, results in their misapplication.

I recommend:

- **Page 5 third paragraph, change to “...should *be in general conformity with the strategic...*”**

The second paragraph of the “Scope of the Plan” clearly sets out what the Neighbourhood Plan does and how it will be used. Helpfully, the following paragraph explains that, whilst the Neighbourhood Plan is in general conformity with the Crewe and Nantwich Replacement Local Plan 2011 (Local Plan), account has also been taken of the emerging Cheshire East Local Plan (emerging Local Plan). The consideration of available evidence and information relating to an emerging plan forms part of a sensible and pragmatic approach to neighbourhood planning.

² Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

However, the section then provides an incorrect summary of how the Neighbourhood Plan will be used. I also note above that this has already been considered within the Neighbourhood Plan. I recommend:

- **Page 6, delete paragraphs one and two, “The starting point for any...status of a Development Plan Document.”**

The last paragraph of this section is repetitive and confusing. It refers to the Neighbourhood Plan being in general conformity with an emerging document – which is not a requirement; and goes on to suggest that the Neighbourhood Plan gives “people...a legal status,” which it doesn’t. I recommend:

- **Delete last paragraph**

European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal³. However, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment.

Taking the above into account, draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is referred to as a “screening” assessment. If the screening assessment identifies likely significant effects, then an environmental report must be prepared.

The Basic Conditions Statement confirms that Cheshire East Borough Council undertook a screening assessment further to a request by Bunbury Parish Council. The screening assessment considered whether the Neighbourhood Plan requires a Strategic Environmental Assessment and whether it is likely to have a significant effect on the environment. The screening assessment concluded that the Neighbourhood Plan will not result in any likely significant effects on the environment and that consequently, a full Strategic Environmental Assessment is not required.

A Habitats Regulations Assessment (HRA) is required if the implementation of the Neighbourhood Plan may lead to likely negative significant effects on protected European sites. European sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

Cheshire East Borough Council carried out a separate HRA report to assess any potential impact of the Neighbourhood Plan on European sites. This report reached the conclusion that no significant adverse environmental effect will arise as a result of the Neighbourhood Plan either alone, or in combination with other plans and programmes.

³ Paragraph 026, Planning Practice Guidance 2014.

The Environment Agency, English Heritage (now, with regards to planning matters, Historic England) and Natural England were all consulted. Each of these bodies supported the conclusion that the Neighbourhood Plan is unlikely to have any significant effects on the environment and that a Strategic Environmental Assessment is not required.

With regards European obligations, national guidance establishes that the ultimate responsibility of determining whether or not a draft neighbourhood plan meets EU obligations is placed on the local authority,

“the local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations.” (Planning Practice Guidance 11-031)

With regards this latter point, Cheshire East Borough Council has stated

“The Borough Council is satisfied that the Neighbourhood Plan does not breach, and is compatible with, EU Obligations and Convention rights (within the meaning of the Human Rights Act 1998). The Borough Council is satisfied that the Plan meets this Basic Condition.”

Taking all of the above into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

3. Background Documents and Bunbury Neighbourhood Area

Background Documents

In undertaking this examination, I have considered various information in addition to the Bunbury Neighbourhood Plan. This has included:

- National Planning Policy Framework (The Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- Crewe and Nantwich Replacement Local Plan 2011 (Local Plan)
- Statement of Basic Conditions
- Statement of Consultation
- Strategic Environmental Assessment Screening Opinion

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Bunbury Neighbourhood Area.

Bunbury Neighbourhood Area

The plan showing the Neighbourhood Area has been placed in an Appendix. The Neighbourhood Area is an important designation and consequently, it is appropriate for the plan to form part of the Neighbourhood Plan itself.

I recommend:

- **Move the “*Bunbury Neighbourhood Plan Area*” plan from the Appendices to the introductory section of the Neighbourhood Plan**
- **Page 6, change fourth paragraph to “...is shown *below*.”**

Further to an application made by Bunbury Parish Council, Cheshire East Borough Council approved the designation of Bunbury as a Neighbourhood Area on 24 September 2014.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

Bunbury Neighbourhood Plan Consultation

Bunbury Parish Council submitted a Consultation Statement to Cheshire East Borough Council. Further to consideration, I can confirm that this sets out who was consulted and how, together with the outcome of the consultation. In this regard, the Consultation Statement meets the requirements of the neighbourhood planning *regulations*⁴.

Following the decision to produce a Neighbourhood Plan, the Parish Council established the Bunbury Neighbourhood Plan Group, the first meeting of which took place in July 2014. A significant publicity period followed, which included leaflet drops, press releases, posters, questionnaires and the creation of a dedicated website.

I'd like to draw particular attention to the posters produced to support public consultation, examples of which are provided in the Consultation Statement. It is clear that significant time and effort was spent on running a poster campaign to genuinely capture people's imagination and to promote engagement with the plan-making process.

Whilst planning decisions often raise emotions and interest, the world of town planning is not always associated with humour and excitement. The thoughtful and imaginative way in which Bunbury Neighbourhood Plan Group sought to gain people's involvement in neighbourhood planning, through the clever use of posters, provides, in my view, a national exemplar.

As well as frequent, regular meetings of the Bunbury Neighbourhood Plan Group, meetings were held with the Governors of Bunbury Aldersey School (November 2014), with Bunbury Heath Action Group (March 2015), with Lower Bunbury Action

⁴Neighbourhood Planning (General) Regulations 2012.

Group (March 2015) and with developers (invited November 2015/five developers then attended one of the Bunbury Neighbourhood Plan Group's regular meetings).

Public meetings were also held. These ranged from a Drop-In at Tilly's coffee shop in October 2014, which attracted the grand total of one attendee; to a public meeting in November 2015, attended by 42 people; and a Cream Tea Event in April 2015, attended by 75 people. Whether or not this suggests that Bunbury residents prefer a nice cup of tea to coffee, it is relevant to point out that Bunbury Neighbourhood Plan Group was proactive in providing people with opportunities to engage with the plan-making process. Whether or not people took advantage of this at all times is, itself, less significant than the fact that opportunities to engage were provided and publicised.

A draft plan was produced and consulted upon during April and May 2015. This consultation period was supported by a press release; the provision of a "table" at the local Co-op, enabling around 50 people to talk with members of Bunbury Neighbourhood Plan Group; and a public survey. Further, 72 people attended a public meeting, where the survey results were presented.

Planning Guidance requires local planning authorities to be proactive in providing information to communities about neighbourhood planning and to constructively engage with the community throughout the process (Para 080, Neighbourhood Planning, Planning Guidance). In this regard, I note that Cheshire East Borough Council states that

"The Working Group has worked collaboratively with the Borough Council."

Such an approach has regard to national advice and helps provide for shared knowledge, skills and experience, helping to provide strong foundations for policy making.

Consultation was widely communicated and well-publicised in a variety of ways. In addition to the poster campaign, there was a dedicated website, on which all relevant documents and information, including minutes and agendas from Bunbury Neighbourhood Planning Group meetings, were made available. In addition, frequent press releases were sent out, especially to village groups and the local magazines; local organisations were provided with information to re-distribute to their members; and plan-makers made use of social media.

Taking all of the above into account, the Consultation Statement presents an audit trail to demonstrate that consultation was wide-ranging, comprehensive and transparent. Comments were pro-actively sought and comments received were duly considered. There is plentiful evidence to demonstrate that the Neighbourhood Plan reflects the views of local people.

I am satisfied that the consultation process was significant and robust.

An objection to the Neighbourhood Plan states that *“the Regulation 14 Consultation undertaken by the Parish Council was not a “qualifying consultation...”* This objection is founded on the viewpoint that the published draft Neighbourhood Plan was not complete.

However, the representation goes on to refer to various appendages to the Neighbourhood Plan rather than to the content of the Neighbourhood Plan itself. The objection does not provide any substantive evidence to demonstrate that there is a legislative requirement for supporting information to be completed at Regulation 14 Consultation stage. I also note in various parts of this Report that appendages to the Neighbourhood Plan do not form part of the Neighbourhood Plan.

Further, an objection alleges that someone was not aware that the submission consultation was underway *“until the week commencing 12th October.”* However, no substantive evidence is provided to demonstrate that the submission consultation was inappropriately publicised. The fact that someone wasn’t aware of it does not equate to the same thing as a failure to publicise in an appropriate manner.

As an aside, it is my own view that where an individual or organisation is particularly concerned about matters relating to a Neighbourhood Plan, then it’s quite a good idea to adopt a proactive approach to keeping up to date with progress. Such proactivity may require some effort, but could well result in a reduced reliance on others for being kept up to date on where things are up to.

5. The Neighbourhood Plan – Introductory Section

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report. I have also considered the Introductory Section of the Neighbourhood Plan and make recommendations below which are aimed at making it a clear and user-friendly document.

Whilst the Neighbourhood Plan is generally well presented, the Policies, which comprise the most important part of the Neighbourhood Plan, do not stand out. Rather, to some considerable extent, they appear “lost” in the general text. In the interest of clarity, I recommend:

- **Distinguish the Policies from the rest of the text in the Neighbourhood Plan. This could be achieved through the use of different fonts, colours, bold print, boxes, shading etc**

Eleven separate appendices have been attached to the Neighbourhood Plan. I find that this draws attention away from the the Policies. Some of the Appendices simply comprise background information that, whilst it may have been relevant during the plan-making process, will become out of date as time goes by. Other Appendices should be in the Neighbourhood Plan itself – such as the Neighbourhood Area plan considered earlier. Whilst there would be no harm in removing all of the Appendices, I note that some of them contain useful information.

I recommend:

- **Delete Appendix B, H and K**

Together, the History, Vision and Aims of the Neighbourhood Plan provide a clear, concise and informative introduction to the Policies that follow. No further changes are recommended.

6. The Neighbourhood Plan – Neighbourhood Plan Policies

Housing

Page 10 of the Justification and Evidence for the Housing Policies states that “*Local Housing Need is defined in Appendix A.*” However, Appendix A simply provides some general information relating to local housing need. I recommend:

- **Delete last sentence of third paragraph on page 10**

The rationale behind and strong local support for, the Neighbourhood Plan’s approach to providing for small-scale residential development is clearly set out. I note that evidence has been provided to demonstrate that Bunbury has grown organically, through small-scale development, and that the Neighbourhood Plan provides for this pattern of development to continue, whilst providing for housing growth.

Policy H1 – Settlement Boundary

Policy H1 is vague with regards Bunbury’s settlement boundary. It states that planning permission will be granted for a minimum of 80 new dwellings “*on sites within the carefully extended Settlement Boundary of the village*” and that the Neighbourhood Plan “*proposes a Settlement Boundary for Bunbury based upon*” that in the Local Plan.

However, no settlement boundary is proposed in the Neighbourhood Plan. There is a plan in the Appendices that is simply a copy of the existing settlement boundary in the Local Plan. Policy H1 does not, itself, “*carefully extend*” the settlement boundary, but refers to it being “*moved to allow development.*” No indication is provided to demonstrate in which locations the settlement boundary will be moved, carefully or otherwise.

Essentially, Policy H1 claims to establish a settlement boundary, but does not actually do so. Instead, it effectively allows for houses to be built adjoining, but outside, the existing settlement boundary established in the Local Plan. It is misleading to suggest, as the Policy does, that such an approach is the same thing as establishing a new settlement boundary.

Rather than refer to something that doesn’t exist, it would be more accurate and helpful for the Neighbourhood Plan to simply refer to allowing for growth by directing development to the village of Bunbury. I recommend:

- **Policy H1, end first sentence “...March 2030.” (delete rest of sentence)**

- **Delete the rest of Policy H1 and replace with “*Development in the Neighbourhood Area will be focused on sites within or immediately adjacent to Bunbury village, with the aim of enhancing its role as a sustainable settlement whilst protecting the surrounding countryside.*”**

I note that the above approach does not mean that there is no settlement boundary for Bunbury. Rather, it means that the Neighbourhood Plan no longer suggests that it includes something that it does not.

Policy H1 is a positive, pro-sustainable growth Policy. It effectively supports the development of at least 80 new dwellings during the plan period. The Neighbourhood Plan does not place a cap on new development, but provides for certainty and growth by seeking to ensure that a minimum of 80 new dwellings are delivered during the plan period. In so doing, it contributes to the achievement of sustainable development. It has regard to national policy’s support for sustainable growth.

The Neighbourhood Plan is being brought forward before an up-to-date Local Plan is in place. In such circumstances, Planning Practice Guidance is explicit in stating that neighbourhood plans “*can be developed before or at the same time as the local planning authority is producing its Local Plan*” (41- 009). Indeed, neighbourhood plans provide an important opportunity to give communities “*direct power*” to provide up to date planning policy that may otherwise not exist due to the absence of an up to date Local Plan.

The Neighbourhood Plan and its supporting information clearly sets out how the minimum figure of 80 dwellings was arrived at. Relevant background information was taken into account and importantly, there was collaborative working between the Bunbury Neighbourhood Plan Group and Cheshire East Borough Council. This is a particularly relevant factor as Planning Practice Guidance (Para 41-009) emphasises the importance of minimising any conflicts between policies in a neighbourhood plan and those in an emerging Local Plan.

In the above regard, I am mindful that Cheshire East Borough Council has not raised any concerns with the minimum housing number contained in Policy H1 and has stated that:

“The Parish Council and the Borough Council has (sic) worked collaboratively. This has included jointly understanding the relationship between the Neighbourhood Plan and the adopted and emerging Local Plans within the wider context of national policy and guidance...The close working between the two Councils was also aimed at minimising any conflict between the Neighbourhood Plan and the emerging Local Plan upon adoption.”

Whilst I recognise that there is an emerging Local Plan and that housing land matters have not been resolved at the Borough-wide level, it is clear to me that, by providing for the expansion of Bunbury, rather than just for infilling – as per the adopted Local

Plan – and by setting a minimum housing target, rather than seeking to place a cap on development, the Neighbourhood Plan has been positively prepared with the aim of providing for sustainable growth.

Not uniquely, in the context of forward planning, there are landowners and developers who would like to see more land allocated for development. However, in terms of providing for new homes, the Neighbourhood Plan meets the basic conditions. There is no requirement for it to impose a higher minimum housing target than it does.

Planning is dynamic. Housing numbers in adopted land use planning policies will inevitably change in the future. However, it is not the role of the Neighbourhood Plan to predict what might happen with regards Borough-wide housing numbers.

Taking all of the above into account, Policy H1 has regard to national policy and meets the basic conditions.

Policy H2 – Scale of Housing Development

Policy H2 supports small-scale housing development that respects local character. This reflects a positive approach that has regard to national policy, which supports growth and protects local character. It is also in general conformity with Local Plan Policy BE.2, which supports development that respects local character. In this way, Policy H2 contributes to the achievement of sustainable development.

Paragraph a) of the Policy seeks to restrict the size of any one development to a maximum of 15 new dwellings. This reflects the Neighbourhood Plan's stated aims of supporting housing development that is proportionate to the Neighbourhood Area and allowing Bunbury to continue to grow organically, whereby new development can be easily absorbed into the community. I am mindful – with particular regard to Paragraph 183 of the Framework, referred to earlier in this Report - that, further to robust consultation, a vast proportion of the community has endorsed the approach of limiting new residential to no more than 15 new houses on any one site.

Whilst there have been objections to the above approach, there is no substantive evidence to demonstrate that the sustainable growth of Bunbury cannot be achieved without the development of individual sites to provide more than 15 dwellings.

Paragraph a) goes on to prevent housing sites being “*co-located*.” Whilst I recognise that the aim of limiting individual developments to 15 dwellings could be eroded if there was no limitation on developments being built immediately adjacent to one another, I am concerned that such an approach may prevent development that is sustainable from coming forward. It may, for instance, prevent the delivery of significant community benefits, or prevent the most effective use of land.

In the above way, Policy H2, as worded, would fail to contribute to the achievement of sustainable development and I note that there is no substantive evidence to the contrary. It could introduce confusion and fail to provide decision makers with a clear indication of how to respond to a development proposal, contrary to the Framework (paragraph 154). I seek to address these matters in the recommendations below.

Part d) of Policy H2, as worded, encourages the residential use of brownfield sites, so long as they are not suitable for, nor capable of, employment development. This is poor drafting as it places a preference on the redevelopment of brownfield land that is capable of employment use, whether or not it is suitable for employment use. Furthermore, it fails to have regard to the Framework which requires planning policies to avoid the long term protection of sites for employment use where there is no reasonable prospect of a site being used for that purpose (Paragraph 22).

Part e) of Policy H2 seeks to impose an onerous set of criteria on the redevelopment of redundant buildings. This goes well beyond any national or local planning policies and conflicts with permitted development rights. No substantive evidence has been provided to justify the approach set out and I am mindful that national policy and advice is strongly supportive of the redevelopment of redundant buildings

I recommend:

- **Policy H2, re-word a) “...*greenfield site immediately adjacent to the village. Such developments should not be co-located with other new housing developments unless there are demonstrable sustainable benefits from doing so.*” (delete rest of H2a))**
- **Change ending of c) to “...*adjacent to the village.*”**
- **Delete d) and e)**

Subject to the above, Policy H2 meets the basic conditions.

Policy H3 – Affordable Housing, Starter Homes and Low Cost Market Housing to meet Local Housing Needs (See Appendix A)

I note that it is inappropriate for a Policy to be reliant on an Appendix and subject to the comments below, I would have recommended a change to the Policy title.

Policy H3 states that “*Development that meets an objectively assessed Local Housing Need...will be subject to the affordable housing allocations policy as determined by Cheshire East Council.*”

It is not the role of Neighbourhood Plans to seek to impose Policies controlled by other bodies, or to be reliant on other Policies in other documents. Policy H3 then

goes on to state that *“The local community would like to see...”* This is a general statement rather than a land use planning policy.

The Policy H3 then refers to housing being occupied *“by people who meet Local Housing Need criteria as in Appendix A.”* Appendix A provides some general statements about Local Housing Need. It does not define Local Housing Need criteria to the extent that a Policy can be based upon it.

Policy H3 also requires all residential development to include low cost market housing and starter homes in addition to any affordable housing. It is not clear how the development of say one house could meet this requirement. Furthermore, there is no detailed justification for such an onerous requirement.

Taking all of the above into account, Policy H3 does not contribute to the achievement of sustainable development nor have regard to national policy and advice. I recommend:

- **Delete Policy H3**
- **Delete Appendix A**

Policy H4 – Tenure Mix

Policy H4 states that proposals for affordable homes must *“contribute to a mixed, balanced and inclusive community where people can live independently longer.”* Whilst the aspiration is nice, no indication is provided to demonstrate how – or whether - it can be achieved in all cases, or who might monitor and on what basis, whether or not people will live independently longer. It places an unduly onerous requirement on the provision of affordable housing and there is no evidence to demonstrate that it has regard to national policy, or is in general conformity with the strategic policies of the Local Plan. I recommend:

- **Delete Policy H4**

Policy H5 - Design

Good design is recognised by national policy as comprising a key aspect of sustainable development. It is indivisible from good planning. National policy requires good design to contribute positively to making places better for people (Para 56, the Framework).

Policy H5 seeks to ensure that design considerations are integral to development in the Neighbourhood Area. In this way, the Policy has regard to national policy and contributes towards the achievement of sustainable development. It is in general conformity with Local Plan policy BE.2, which protects local character.

However, there are elements within the detail of Policy H5 that provide cause for concern. It is not clear how all new housing development can enhance existing development and it is unduly onerous to expect all new housing development to enhance the rural character of the local area. There is no evidence that such an approach meets the basic conditions.

Further to the above, national heritage policy is carefully conceived and set out in Chapter 12 of the Framework, *“Conserving and enhancing the historic environment.”* A sweeping reference to an (unsubstantiated) *“need”* for all residential development to enhance the setting of heritage assets *“and any...historic feature of significance”* does not have regard to national policy.

It is unduly onerous to *“expect”* every house to *“provide for”* the changing needs and life-styles of an ageing population. A group of houses may be developed to meet various needs and there is no substantive evidence to demonstrate that requiring every individual new house in Bunbury to provide for an ageing population meets the basic conditions. Similarly, no evidence has been provided to demonstrate that it is appropriate for every new house to adopt a *“fabric first”* approach.

I recommend:

- **Policy H5, first bullet point, delete “...and enhance where appropriate...”**
- **Second bullet point, change “...general...” to “...noise and...”**
- **Delete third and sixth bullet points**
- **Fifth bullet point, change “Provide for...” to “Consider the changing...”**
- **Penultimate bullet point, change “...expected...” to “...encouraged...”**
- **Last bullet point, change to “...streetscape.”**

Subject to the above, Policy H5 meets the basic conditions.

Policy H6 – Phasing of Housing

Policy H6 is vague in suggesting an *“indicative”* schedule for the phased delivery of when new homes *“should”* be delivered. The Policy states that delivery will be *“reviewed by the Parish Council...and, where necessary, may be updated to adapt to market conditions.”* This suggests that the Parish Council has some kind of statutory power to determine phasing outside the plan-making process, which it does not.

No information is provided to indicate what would happen if an application was submitted that did not meet with the *“indicative”* phasing strategy set out in Policy

H6 and in this way, the Policy fails to provide decision makers with a clear indication of how to respond to a development proposal. The Policy does not have regard to national policy and does not meet the basic conditions.

I recommend:

- **Delete Policy H6**

Local Character

Policy LC1 – Built Environment

As set out above, national policy promotes good design and, together, the Framework and the Local Plan protect local character.

In requiring development to respond positively to local character, Policy LC1 is in general conformity with the Local Plan and has regard to national policy.

Subject to the minor detail addressed in the recommendation below, Policy LC1 contributes to the achievement of sustainable development and meets the basic conditions.

I note that it is slightly unusual to require all new development – for example household extensions – to provide a Design and Access Statement, but the Neighbourhood Plan clearly establishes that Bunbury has a distinctive local character and a significant number of Listed Buildings. In this regard, there is nothing unduly onerous in requiring all planning applications to be accompanied by the submission of a Design and Access Statement, which may, in some cases, comprise a very simple Statement. It is an approach that promotes good design. Further, I note that the Bunbury Village Design Statement 2009 provides prospective applicants with plenty of useful background information.

I recommend:

- **Policy LC1, line one, change “developments” to “*development*”**

Policy LC2 – Extensions and Alterations to Existing Buildings

Many alterations and extensions can take place without the need for planning permission. Policy LC2 seeks to impose a requirement for all residential extensions and alterations to enhance the character and appearance of the host property. There is no evidence to demonstrate that such an onerous requirement has regard to national policy or is in general conformity with local strategic policy.

The Policy requires the extension of farm buildings to be of simple design and of sandstone and brick construction. There is no substantive evidence to demonstrate that such an approach will be appropriate for all farm buildings capable of conversion.

No indication is provided to demonstrate what might happen when a proposal to extend a non-residential building that is not in keeping with surrounding development is submitted. Nor is any detail provided to demonstrate how “*paying attention*” to driveways and gardens can prevent suburbanisation of the landscape.

It is not clear why all extensions and alterations need to identify and protect all underground infrastructure assets adjacent to a development site. No evidence is provided to demonstrate that this is achievable, desirable or legal.

Taking all of the above into account, Policy LC2 does not meet the basic conditions. I recommend:

- **Delete Policy LC2**

Policy LC3 – Replacement Development

Policy LC3 requires replacement dwellings to be “*proportionate to the size of the site.*” This is an odd Policy. No substantive evidence is provided to demonstrate that, say on a massive site, the development of a massive house to replace a house of average proportions would be appropriate and contribute to the achievement of sustainable development.

Similarly, no evidence has been provided to demonstrate that a very large house surrounded by smaller houses can only contribute to sustainable development by being replaced by a small house.

Policy LC3 does not meet the basic conditions. I recommend:

- **Delete Policy LC3**

Policy LC4 – Backland Development

Policy LC4 seeks to protect existing residential amenity. This Policy is in general conformity with Local Plan Policy BE.1, which protects residential amenity.

No changes are recommended

Landscape and Environment

Policy ENV1 – Open Space within the Parish

Policy ENV1 states that locally important open space will be protected. The Policy does not state how such land will be protected, but goes on to state that the importance of open spaces will be tested against various criteria.

Consequently, Policy ENV1 doesn't provide any specific detail on what is being protected or how. I note that Appendix E contains a plan showing "*Locally Important Green Spaces*" and includes lists of amenity areas, open spaces, "*areas to be protected for environmental reasons*" as well as "*Important local views and vistas to be protected*" (which relate to Policy ENV2). However, Appendix E is simply an Appendix. It does not comprise part of the Neighbourhood Plan and it has no Policy status.

I am mindful that the Framework enables local communities to identify, for special protection, green areas of particular importance to them. Paragraph 76 states that

"By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances."

Local Green Space is a restrictive and significant policy designation. The Framework requires the managing of development within Local Green Space to be consistent with policy for Green Belts. Effectively, Local Green Spaces, once designated, provide protection that is comparable to that for Green Belt land. Notably, the Framework is explicit in stating that

"The Local Green Space designation will not be appropriate for most green areas or open space." (Para 77)

Consequently, when designating Local Green Space, plan-makers must clearly demonstrate that the requirements for its designation are met in full. These requirements are that the green space is in reasonably close proximity to the community it serves; it is demonstrably special to a local community and holds a particular local significance; and it is local in character and is not an extensive tract of land.

However, Policy ENV1 does not designate Local Green Space.

Consequently, it is unclear on what basis Policy ENV1 seeks to protect open space. In this regard, I am mindful that, by simply protecting open space for its own sake, Policy ENV1 could prevent sustainable development from going ahead. This would mean that Policy ENV1 would fail to contribute to the achievement of sustainable development.

To add to the lack of clarity, Policy ENV1 protects open space but then states that the importance of open spaces “*will be tested against*” various criteria. No clarity is provided as to when, or even why, protected open space would, at some future point, be tested against a set of criteria.

In the above regard, I note that the criteria set out in Policy ENV1 are the same as three of the tests in Paragraphs 76-78 of the Framework, but these are tests that should be applied as part of determining whether or not land should be designated as Local Green Space. As above, Policy ENV1 does not designate Local Green Space.

There is no substantive evidence to demonstrate that Policy ENV1 has emerged through the application of the national policy tests for Local Green Space. I am aware that Appendix E refers to sites with some kind of amenity, recreational and environmental value. However, there is nothing to demonstrate why each of the sites named is “*demonstrably special,*” or “*holds a particular local significance.*”

In considering Policy ENV1, I am mindful that the plan in Appendix E does not provide clear, legible, detailed boundaries of all of the sites that might fit into the “*open space*” designation.

Taking all of the above into account I can only conclude that Policy ENV1 does not have regard to national policy and does not meet the basic conditions. I recommend:

- **Delete Policy ENV1, Appendix E page 51 and the first list on page 52.**

I note that the supporting text on pages 21-23 contains general information and I do not recommend its deletion.

Policy ENV2 – Landscape Quality, Countryside and Open Views

It is not clear how all new development will, or even whether it can, enhance landscape quality, the setting of Bunbury and the surrounding countryside. In this regard, Policy ENV2 sets unduly onerous requirements that go well beyond national or local policy and which are not supported by robust justification.

The wording of Policy ENV2 is somewhat confusing. It is not clear, for example, how all new development can ensure that important local views and vistas are maintained. Much new development will not impact on the views identified in the Appendices.

The Policy relies on information not contained in the Neighbourhood Plan, but appended to it, to control development. This is an inappropriate approach. Appendix E provides clear and informative visual detail relating to four specific views. This information should be provided within the Neighbourhood Plan itself. National policy protects local character and the protection of clearly identified tracts of the Neighbourhood Area from inappropriate development has regard to this.

As set out, Policy ENV2 attempts to introduce a “*locally important open spaces*” protection Policy, without any justification or evidence to demonstrate that such an approach has regard to national policy or is in general conformity with strategic Local Plan policies.

Policy ENV2 then goes beyond the requirements of national and local policy by preventing any development in the countryside other than agricultural dwellings, rural exception sites “*and where development clearly enhances these areas...*” No substantive evidence to justify such a departure from national or local policy is provided. Furthermore, there is no evidence to demonstrate how such an approach would contribute to the achievement of sustainable development.

Policy ENV2 ends with a requirement for development to meet the requirements of another plan, not under the control of the Neighbourhood Plan.

Taking all of the above into account, I recommend:

- **Policy ENV2, change first paragraph to “*Development proposals that impact on the important local views and vistas identified below must demonstrate that the local views and vistas will be preserved.*”**
- **Delete the rest of Policy ENV2**
- **Move the list of important views and the accompanying photographs from the Appendices to the end of Policy ENV2**
- **Delete Appendix E**

Subject to the above, Policy ENV2 meets the basic conditions.

Policy ENV3 – Woodland, Trees, Hedgerows, Sandstone Banks, Walls, Boundary Treatment and Paving

Policy ENV3 requires all development to demonstrate the need for the development proposed. This is an unduly onerous approach that has no regard to national policy and is not in general conformity with the strategic policies of the Local Plan.

The wording of the first paragraph of Policy ENV3 is very difficult to understand. It fails to provide decision makers with a clear indication of how to react to a development proposal. For example it refers to *“such development”* after referring to *“all developments.”* Furthermore, for example, it is not clear, as no detailed information is provided, as to why all developments should protect *“sandstone banks...boundary treatment (sic)...existing paving...”* No reason is provided as to why development that protects local woodland, trees and hedgerows *“...will provide for appropriate replacement planting of native species...”* and no evidence is provided to demonstrate that a requirement for the maintenance of walls and paving has regard to national policy or is in general conformity with the strategic policies of the Local Plan.

The remainder of the Policy seeks to protect local character, having regard to national policy and in general conformity with Local Plan Policy BE.2.

As worded, Policy ENV3 could be read as being supportive of the creation of new access points through hedgerows, walls and sandstone banks, subject to protecting visual amenity. However, it fails to take into account a whole range of other factors that relate to the creation of safe points of access. National policy requires the development of safe environments and there is no evidence to demonstrate that this part of Policy ENV3 has regard to national policy in this respect. Furthermore, there is no substantive evidence to demonstrate that the approach set out in Policy ENV3 will *“maintain the appearance and continuity of hedgerows, sandstone banks and walls within the Parish.”* Rather, as worded, it may encourage more and wider gaps and reduce such continuity. There is no evidence to the contrary.

Further, it is not entirely clear what *“close to existing mature trees”* actually means in practice. In addition, a method statement does not identify *“policies”* to be employed during construction.” Consequently, the final part of Policy ENV3 does not provide decision makers with a clear indication of how to respond to a development proposal. I note that some of the matters referred to area already dealt with by standard planning conditions. I recommend:



- **Delete Policy ENV3**

Policy ENV4 – Extensions and Alterations to existing buildings in the open countryside

Policy ENV4 seeks to protect local character and in the thrust of the Policy has regard to national policy and is in general conformity with Local Plan Policy BE.2.

However, the Policy is unduly onerous in requiring all extensions and proposals to enhance local character. This goes well beyond the requirements of national and local policy and no justification is provided for failing to have regard to national policy, or be in general conformity with local strategic policy.

I recommend:

- **Policy ENV4, delete second sentence**

Policy ENV5 – Environmental Sustainability of buildings

Paragraph 93 of the Framework supports “*the delivery of renewable and low carbon energy and associated infrastructure.*” Policy ENV5 has regard to this.

The final paragraph of ENV5 requires all new development to provide new wildlife areas as part of sustainable drainage schemes. This is an onerous requirement that will not be relevant to many developments, for example, household extensions.

I recommend:

- **Policy ENV5, change last paragraph to “*...Where appropriate, development providing sustainable urban drainage schemes should incorporate new wildlife areas.*”**

Policy ENV6 – Agricultural Buildings

Policy ENV6 largely reflects Chapter 3 of the Framework, “*Supporting a prosperous rural economy.*” However, there is no need to provide a cross reference to a single other Policy in the Neighbourhood Plan and the final paragraph seeks to impose sweeping planning policy requirements on development that does not necessarily require planning permission.

I recommend:

- **Policy ENV6, delete “*...subject to the criteria set out in Policy E4.*”**
- **Delete final paragraph**
-

Policy ENV7 – Buffer Zones and Wildlife Corridors

The Neighbourhood Plan does not provide any detail setting out how it will control the maintenance of woodlands, wildlife sites, drainage ditches, brooks and culverts, or how it will resource the enhancement of these features. No information is provided with regards how the Neighbourhood Plan will create new buffer zones and wildlife corridors.

I recommend:

- **Delete Policy ENV7**

Policy ENV8 – Historic Environment

National policy recognises that heritage assets are irreplaceable and sets out a considered approach to their appropriate preservation.

Policy ENV8 sets out a different approach to that established in national policy. It states that heritage assets will be enhanced. No indication is provided with regards how this will be achieved.

The last part of Policy ENV8 does not provide any particular detail or clarity, other than state that proposals for development that affect non-designated heritage assets will be considered on the basis of harm or loss and the significance of the heritage assets. The Policy does not refer to the need to take into account any benefit arising as a result of a development proposal and no indication is provided with regards how the significance of non-designated heritage assets might vary. Policy ENV8 does not have regard to national policy and there is no evidence to demonstrate that it contributes to the achievement of sustainable development.

Policy ENV8 does not meet the basic conditions, I recommend:

- **Delete Policy ENV8**

Biodiversity

Policy BIO1 – Bunbury Wildlife Corridor

The Framework supports the creation of “*coherent ecological networks that are more resilient to current and future pressures*” (Paragraph 109).

Policy BIO1 seeks to designate “*Bunbury Wildlife corridors.*” It does not state what may or may not happen in these corridors. Consequently, the Policy does not provide a decision maker with a clear indication of how to respond to a development proposal and fails to have regard to the Framework.

The Policy refers to a plan appended to the Neighbourhood Plan (Appendix C, Map 1). Notwithstanding the plan not being included within the Neighbourhood Plan, it provides an insufficient level of clarity and detail to provide a clear indication of the precise location of the proposed Wildlife Corridors. Furthermore, the plan is entitled “*Indicative wildlife corridors.*” Consequently, Policy BIO1 seeks to designate land on the basis of a poor quality diagram, which itself is only indicative. Indeed, the background information to the Policy states that further survey work is still required. This combines with the absence of any detail within the Policy itself to fail to provide the appropriate level of clarity to control future development in the Neighbourhood Area.

It is inappropriate to seek to designate land without having first determined which areas of land are to be designated. The plan in the Appendices uses a thick blue line to identify indicative wildlife corridors. The supporting text refers to providing an adjacent non-developable buffer zone alongside the corridors. Whilst it states that the “*...buffer may be in the region of 15 metres...*” no further information is provided. It is not clear whether it is intended to provide a buffer zone alongside the corridors, or if the thick blue line also represents the buffer zone. No indication is provided as to why the thick blue line is exactly the same width in all locations despite it running through parts of the Neighbourhood Area that have a fundamentally different character.

Taking the above into account, I am concerned that Policy BIO1 is not supported by robust evidence.

Biodiversity is incredibly important. There is no doubt whatsoever that the Neighbourhood Area includes important wildlife resources. Together, national and local planning policy strongly support the protection and boosting of biodiversity. The background information provided in the Neighbourhood Plan demonstrates that there is some logic to, and plenty of community support for, the creation of wildlife corridors. However, notwithstanding all of this, Policy BIO1 and the appended Map lack the justification and evidence to provide a meaningful wildlife corridor policy.

There is nothing to demonstrate that Policy BIO1 contributes towards the achievement of sustainable development. Rather, as presented, the Policy has the potential to lead to confusion, to slow down the planning system and to conflict with the delivery of sustainable development. Policy BIO1 does not meet the basic conditions.

I recommend:

- **Delete Policy BIO1**
- **Rather than lose sight of the aspiration to create Wildlife Corridors, change the title on page 27 to “Biodiversity Project” and change “Justification and Evidence” to “Background.” Replace “The following...policies” on page 30 with “Supporting Documents.” Remove the “Justification” subtitle on page 31.**
- **Replace the deleted Policy BIO1 with “Wildlife Corridor Project – Community Action” and support with the following text “The Parish Council supports the creation of Community Wildlife Corridors. It will work with other bodies to promote the creation of detailed, justified wildlife corridors to connect, protect and boost Bunbury’s wildlife resources.”**

I note that the supporting information to Policy BIO1 is rather unusually worded. Phrases like “we advise” and “we strongly recommend” simply read as a background report that should be informing a plan, rather than forming part of it. As I recommend deletion of the Policy, it is not essential to change this text, but in this regard, I recommend:

- **Substitute “the Parish Council” for “we.”**

Policy BIO2 - Biodiversity

National policy strongly supports the protection and enhancement of biodiversity. Paragraph 118 of the Framework states that “opportunities to incorporate biodiversity in and around developments should be encouraged.”

However, as worded, Policy BIO2 seeks to impose requirements that go beyond national policy and guidance to an unduly onerous extent. No justification is provided to explain why all development proposals, including for example, household extensions, must demonstrate no net loss of biodiversity. Such an approach could place an undue burden on all development proposals, without any apparent benefit.

Policy BIO2 also requires any proposals affecting land “identified as having medium or high ecological value” to “require comprehensive survey effort.” Not only is this grammatically confusing, but it is based upon a plan in the Appendices which is

barely legible, let alone sufficiently detailed to base development decisions upon. The final sentence of the Policy is a statement rather than a land use planning policy.

Taking the above into account, I recommend:

- **Re-word Policy BIO2 *“Proposals to conserve or enhance biodiversity will be supported. Development to incorporate biodiversity in and around developments is encouraged, particularly where it forms part of a wider network or wildlife corridor.”***

The recommendation above takes the content of the Biodiversity section into account and meets the basic conditions.

Local Economy

Policy E1 – New Business

Policy E1 has regard to Paragraph 19 of the Framework, which recognises that the planning system should do everything it can to support sustainable economic growth. However, as worded, the Policy only supports new business that provides the opportunity for local employment and training. This is a severely limited approach that may put off investment in business. There is no evidence to demonstrate that such a requirement has regard to national policy, is in general conformity with local strategic policy, or contributes to the achievement of sustainable development.

I recommend:

- **Policy E1, change line 4 to “...or provides the opportunity for local employment or training.”**

Policy E2 – Loss of Employment Sites and Community Facilities

Policy E2 seeks to protect employment sites and community facilities, whilst providing for flexibility. It has regard to Chapter 3 of the Framework, “*Supporting a prosperous rural economy*.” No changes are recommended.

I note that Cheshire East Borough Council has suggested that the proposed marketing period be replaced with “*an appropriate period*.” However, such an approach would be vague and fail to provide either decision makers or potential applicants with any clarity.

Policy E3 – Use of Rural Buildings

The Framework supports “*the sustainable growth and expansion of all types of business and enterprise in rural areas...through the conversion of existing buildings*” (Paragraph 28).

Policy E3 seeks to introduce a range of requirements that go well beyond, and fail to have regard to, Paragraph 28 of the Framework. In addition, the Policy introduces vague, undefined terms, such as “*appropriate to a rural location*,” which provide for confusion rather than clarity or guidance. No justification is provided for the approach set out. The Policy does not meet the basic conditions.

I recommend:

- **Delete Policy E3**

Policy E4 – Scale, Design and Amenity

This Policy sets out a rather generalised tick-list of design-related requirements. No evidence is provided to justify the requirement for all employment development to enhance its surroundings and no explanation is provided with regards how an employment development can complement and enhance the “...*mass, layout, access...*” etc of adjoining development. As such, this is appears as a somewhat a meaningless requirement.



Policies already exist to protect residential amenity and no indication is provided to describe what “*an appropriate level of landscaping*” might be, or why (or how) landscaping must “*enhance*” rural character. Heritage assets are protected and it is unclear why, or how, every employment development must “*assess*” impacts upon heritage assets.

Policy E4 fails to provide decision makers with a clear indication of how to consider a development proposal. There is no evidence to demonstrate that it contributes to the achievement of sustainable development and it does not meet the basic conditions. I recommend:

- **Delete Policy E4**

Transport and Communications

Policy T1 – Public Rights of Way

Policy T1 supports any development that links to and contributes towards improvements to public rights of way. Such an approach may have unintended circumstances. For example, would the development of a nuclear power station or animal waste incinerator in Bunbury that links to and contributes towards improvements to public rights of way be supported ?

Drafting aside, the Framework supports the creation of safe and accessible environments (Paragraph 58) and promotes sustainable patterns of movement (Chapter 4) and healthy communities (Chapter 8). Policy T1 generally has regard to national policy and contributes to the achievement of sustainable development.

I recommend:

- **Policy T1, delete “Development proposals...towards.” (Start the Policy “Improvements to...”)**

Policy T2 – Fibre Optic Cabling to Premises

Policy T2 places a significant and unjustified burden upon all development proposals. For example, no substantive evidence is provided to justify a requirement for a proposal for a household extension to be accompanied with a Connectivity Statement.

However, national policy recognises that advanced, high quality communications infrastructure is essential for sustainable economic growth (Paragraph 42). Given this, I recommend

- **Change Policy T2 to “The development of high speed broadband technology will be supported.”**

Policy T3 - Traffic

Policy T3 seeks to impose a requirement on all development proposals without justification. No substantive evidence is provided to demonstrate that Policy T3 has regard to national policy or is in general conformity with local strategic policy. By placing an onerous requirement upon all development, Policy T3 fails to contribute towards the achievement of sustainable development.

Further to the above, it is unclear how all new development will be encouraged to contribute towards pedestrian facilities or why this would be a relevant and appropriate requirement.

I recommend:

- **Delete Policy T3**

Policy T4 - Parking

Policy T4 provides little in the way of clarity or detail. It is reliant upon standards that are the responsibility of another organisation. There is no information setting out what the *“implications for off-road parking,”* that need to be fully addressed, actually comprise.

I recommend:

- **Delete Policy T4**

Policy T5 – Pedestrian Footways

The Framework promotes safe and suitable access for all people (Paragraph 32). Policy T5 has regard to this, although it is unclear how a housing development can *“ensure that residents can walk safely”* to locations that may be well beyond land under control. I recommend:

- **Policy T5, end Policy “or proposed footpaths or footways.” (delete rest of Policy).**

Policy T6 – Sustainable Development

No evidence is provided to demonstrate how the requirements set out in Policy T6 directly relate to all development of ten or more dwellings, or 500 square metres of employment space; whether they are fairly and reasonably related in scale and kind to such development, or whether they would be necessary to make such development acceptable in planning terms. I note that there is no substantive evidence to demonstrate that the requirements set out in Policy T6 will not harm the viability or deliverability of new development.

Taking all of the above into account, there is a risk that Policy T6 may hinder sustainable development rather than contribute to its achievement and there is no substantive evidence to the contrary. Furthermore, there is no evidence to demonstrate that Policy T6 has regard to national policy or is in general conformity with local strategic policy.

I recommend:

- **Delete Policy T6**

Policy T7 – Identification of underground utility assets

Policy T7 concerns matters outside the control and responsibility of the Neighbourhood Plan. I recommend:

- **Delete Policy T7**

Community Infrastructure and Tourism Policy

Policy CI1 – Existing and New Facilities

It is the intention of Policy CI1 to protect existing community facilities and support the provision of new ones. This has regard to the Framework, which requires positive planning for the provision of community facilities (Chapter 8, “*Promoting healthy communities.*”)

However, as worded, the Policy not only requires demonstration that existing facilities are not viable, should a change of use be required, but requires any change of use to provide equal or greater benefits to the community. “*Equal or greater benefits*” is undefined and does not provide appropriate clarity, and in addition, it appears to impose a requirement far more onerous than national or local strategic policy. No justification for failing to meet the basic conditions in this regard is provided.

I recommend:

- **Policy CI1, end middle paragraph “...least 12 months.” (delete rest of paragraph)**
- **First paragraph, second sentence, add “...relocation of *community* services or *community* facilities...”**

Policy CI2 – Contributions to Community Infrastructure

The first sentence of Policy CI2 is unduly onerous. No justification is provided to demonstrate why an onerous burden, which does not have regard to national policy, is placed on all development.

The second and third paragraphs of Policy CI2 refers to a “*Delivery Plan.*” Rather than a detailed, costed Delivery Plan, the “*Delivery Plan*” comprises a list of wide-ranging aspirations, some requiring actions from other organisations, appended to the Neighbourhood Plan.

Given the above, I recommend:

- **Delete Policy CI2**
- **Replace the former Policy with a “*Community Action – Contribution to Community Infrastructure*” with text stating “*The Parish Council will seek to pool developer contributions to deliver the aspirations set out in the “Delivery Plan” appended to this Neighbourhood Plan. This may include the provision of community infrastructure in lieu of financial contributions.*”**

Policy CI3 – Tourism

Rather than a land use planning policy, Policy CI3 sets out Parish Council aspirations. I note that the first part of the Policy is less detailed than national policy. Given this, I recommend:

- **Delete Policy CI3**
- **Replace with a “*Community Action – Tourism.*” Below this, retain the text from the deleted Policy CI3**

Policy CI4 – Village Car Parking

Policy CI4 states that “*careful consideration and encouragement will be given to proposals*” for off-street car parking. This is a statement rather than a land use planning policy. I recommend:

- **Delete Policy CI4 and replace with “*Community Action – Village Car Parking.*” Below this, retain the text from the deleted Policy CI4**

7. Neighbourhood Plan – Other Matters

Page 41 is headed by “*Implementation and Delivery Policy.*” However, this section does not include a Policy, which is confusing. I recommend:

- **Change title on Page 41 to “*Implementation and Delivery*” and delete reference to Appendix D**

8. Summary

I have recommended a number of modifications further to consideration of the Bunbury Neighbourhood Plan against the basic conditions.

Subject to these modifications, the Bunbury Neighbourhood Plan

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

Taking the above into account, I find that the Bunbury Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

9. Referendum

I recommend to Cheshire East Borough Council that, subject to the modifications proposed, the **Bunbury Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

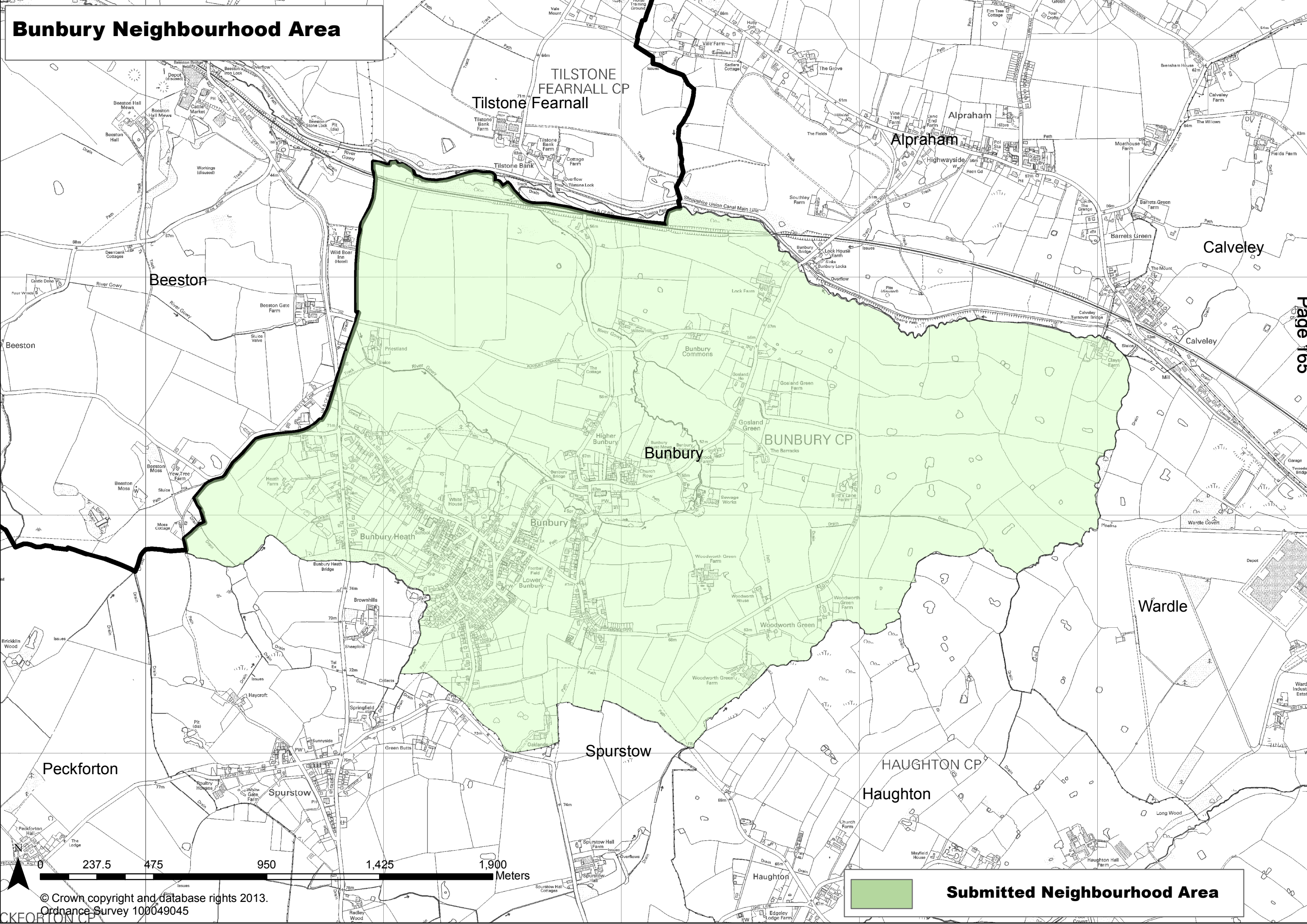
Neighbourhood Plan Area - I am required to consider whether the Referendum Area should be extended beyond the Bunbury Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Bunbury Neighbourhood Area as approved by Cheshire East Borough Council on 24 September 2014.

Nigel McGurk, December 2015
Erimax – Land, Planning and Communities

www.erimaxltd.com

Bunbury Neighbourhood Area





Submitted Neighbourhood Area

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Bunbury Neighbourhood Plan

2015

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Foreword

This Plan has been produced by the Bunbury Neighbourhood Plan Group on behalf of Bunbury Parish Council after several months of study, research and consultation with the local community. We have also worked closely with Cheshire East Council.

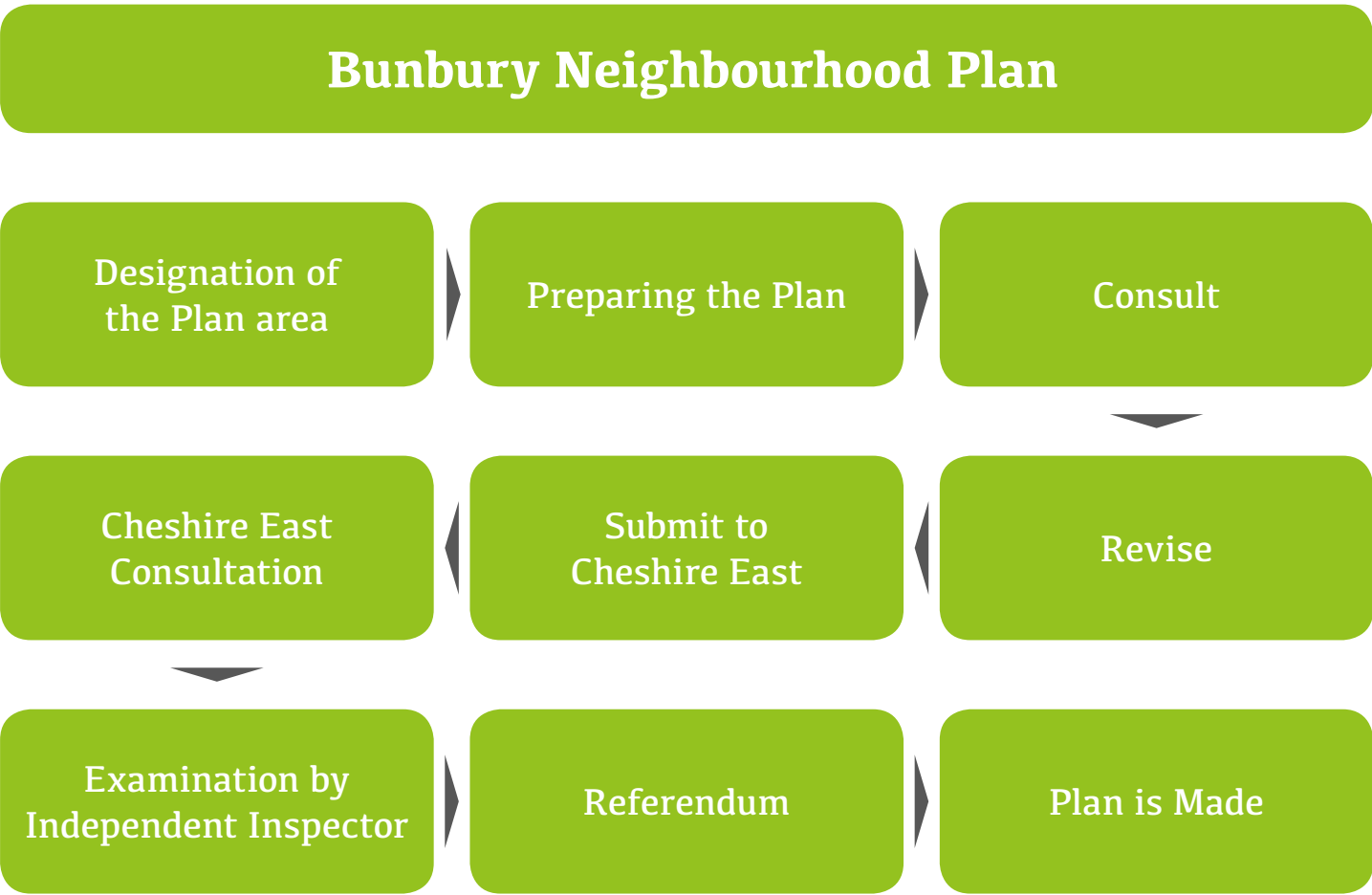
We have consulted with the community through open days, interest group meetings and surveys and we believe that this Plan reflects the views of our community. A strong message emerging from the consultation process was that the local people are proud of the village character and have a very strong desire to retain this character. This was key to developing the Plan Vision.

The aims and policies of the community have all been derived from the Vision and are detailed in this Plan. We strongly believe that this Plan is robust and when formally adopted will provide the necessary guidance for Bunbury until 2030.

A full copy of the plan, statement of consultation and other supporting documents are on the Neighbourhood Plan Web site – www.bunburynpg.org

Ron Pulford

Chair of the Bunbury Neighbourhood Plan Group.



A History of Bunbury

The village of Bunbury lies at the western edge of the Cheshire Plain some 3 miles from Tarporley and 12 miles south east of the city of Chester.

Little is known of its history prior to the Norman Conquest but it is generally accepted that the name is of Saxon origin and it is thought that there was a Christian place of worship on the site of the present parish church long before 1066. Early references to the settlement call it Bunan byrig, the stronghold of Buna.

The village is referred to in the Domesday Book (c 1086) as “Boleberie” and the lord of the Manor was Robert Fitzhugh one of Hugh, Earl of Chester’s, barons. He was also Lord of the Manor of several neighbouring villages including Beeston, Burwardsley and Spurstow. It was also recorded in Domesday that there was a priest, something of a rarity in this part of Cheshire at this time.

The original parish of Bunbury included the townships of Alpraham, Beeston, Bunbury, Burwardsley, Calveley, Haughton, Peckforton, Ridley, Tilstone Fearnall, Tiverton and Wardle of which Bunbury was by far the largest and contains the Parish Church, dedicated to St. Boniface. With the exception of Burwardsley and Tilstone Fearnall, which are now ecclesiastical parishes in their own right, the remaining townships make up the ecclesiastical parish of Bunbury. In modern terms, however, the civil parish of Bunbury is the area covered by the old township of Bunbury.

Bunbury itself was split into four parts; Higher Bunbury which contains the church and is the oldest part of the village. Lower Bunbury, the area now containing the shops and the more recent developments, Bunbury Heath, the area at the end of School Lane and alongside the A49 and Bunbury Commons, the area of land lying between Higher Bunbury and the Canal.

The crowning glory of Higher Bunbury and indeed the whole village is the Church. The current building built around 1370 replaced an earlier Norman church which in turn probably replaced an even earlier Saxon one.

Built at the instigation of Sir Hugh Calveley after he returned to the area after many successful years as a soldier of fortune in Europe, the Church of St. Boniface was originally a collegiate church and a number of priests were appointed to celebrate The Mass daily for the benefit of St. Hugh’s soul. His huge tomb lies in the middle of the chancel until this day.

Amongst other memorials in the church, one of the most notable is that of Sir George Beeston, another military man who was reputed to have commanded a ship against the Spanish Armada and to have lived to be over 100.

The church is Grade I listed and is one of 31 listed buildings within the village, an unusually high number for a settlement of its size. This gives some indication of the wealth of history and character that is represented in Bunbury.

Another prominent feature of the village is its school, originally started as a grammar school in 1594 in a building on land behind the Chantry House in Wyche Road. It was built at the instigation of Thomas Aldersey, a London merchant and member of the Haberdashers’ Company who originated from Ridley.

The school moved to its present site on School Lane in 1874 and the old building was subsequently demolished. After changes to the whole state education system in the 1950s the school became the Bunbury Aldersey Church of England Primary School.

Representing the ancient history of Bunbury, Sadlers Wells Wood is situated to the west of the village with a boundary on the A49; it is a remnant of a much larger wood which is mentioned in the Domesday Book. In 2006 the wood spanned 3 acres but has since been extended with the planting of 2 acres of native broadleaved trees. Today the wood is a community asset and is managed and cared for by local trustees and volunteers.

Today Bunbury comprises some 550 households with a population of approximately 1500 people. Although there have been changes over the years with some loss of shops and some housing development, mainly infilling, the community spirit is still very strong.

Many thanks to Trish and Bob Welch for writing this history, originally published on the Bunbury Village Website.

Scope of the Plan

The Parish of Bunbury was granted Neighbourhood Plan status on the 24th September 2014.

The Bunbury Neighbourhood Plan sets out a series of policies which, once made, will be used to guide development and the preparation of planning applications. The policies will be used by Cheshire East Council in determining planning applications for all development proposals in the Parish.

Neighbourhood plans should conform with the strategic policies of the adopted local plan. The Bunbury Neighbourhood Plan has been prepared in general conformity with the saved policies of the Crewe and Nantwich Local Plan, and, to ensure that the Bunbury Neighbourhood Plan will sit comfortably within

a new local plan for Cheshire East, has also been prepared to take account of the strategic aspects of the emerging Cheshire East Local Plan Strategy.

The starting point for any development proposals in Bunbury will be the Cheshire East Local Plan.

Where development is compliant with this Local Plan, the Bunbury Neighbourhood Plan will provide more detailed policy applicable to proposals within Bunbury Parish. Once adopted, the Bunbury Neighbourhood Plan will have the status of a Development Plan Document.

A number of projects have been identified during the Bunbury Neighbourhood Planning process and these have been detailed in a separate Delivery Plan Document for the Parish Council.

The area covered by the Neighbourhood Plan, Bunbury Parish in 2014, is shown in Appendix C.

This Neighbourhood Plan aims to deliver the Vision for Bunbury to 2030, to reflect the issues set out above and many others raised by the local community. The consultation process leading up to the preparation of this Plan has been considerable and is detailed in a separate document entitled 'Statement of Consultation.'

The Neighbourhood Plan is in general conformity with the principles and policies contained in the emerging Cheshire East Local Plan and the Crewe and Nantwich Replacement Local Plan 2011. It importantly looks to ensure that up to 2030 the views of the people of Bunbury have a legal status in the planning process as intended by the Localism Act 2011.

Vision for Bunbury

We want Bunbury to thrive as a vibrant and distinctive village and to evolve and grow in a sustainable way. We want our village to continue to provide an outstanding quality of life for current and future residents.

The Neighbourhood Plan Area is characterised by Bunbury surrounded by open countryside interspersed with farms and some isolated houses.

The Neighbourhood Plan will aim to sustain and promote local businesses and a range of community activities and facilities. It will build upon the strong sense of community, quality of life and flourishing natural environment of the area that currently exists.

The plan area is a special place and local residents are determined to keep it that way. This is a very strong message emerging through the consultation process

which has led to the publication of this, the first Bunbury Neighbourhood Plan.

People not only appreciate the social and environmental qualities of the village and the wider plan area but consider they have a duty to protect them for future generations who choose to live and work in the area.

They want to keep and, where appropriate, improve the range of community facilities that currently exist. Local businesses are also important and people want to support these as well as attract new enterprises, provided they are in keeping with the area.

Importantly people recognise the need for small scale housing developments in the village over the period of the Plan, providing it is carefully controlled, the design of any housing is in keeping with the character of the settlement, and the environmental sustainability of the plan area is enhanced.

To be considered acceptable all new development must protect the rural character of the plan area, maintain and enhance the form of the existing settlement retaining the important green spaces and open vistas, as well as preserving existing trees, hedgerows, sandstone banks and walls and not encroaching into open countryside.

Any additional new housing should meet the needs of people who already live or wish to move into the area. Affordability will be important, primarily low cost market housing especially for young people. It is also important to meet the needs of the older residents in the plan area who wish to downsize without leaving the area.

Aims

- To encourage a thriving and prosperous community that delivers a high quality of life for all its residents (All policies within the Plan)
- To promote better public services, mobile phone signals and broadband to support a distinctive and flourishing local economy (Policies T2, CI1, CI3, E1 and E3)
- To maintain the rural character of Bunbury (Policies H5, LC1, LC2, LC3, Env2, Env3, Env6 and Env7)
- To support proportionate and environmentally sustainable housing development to meet local needs (Policies H1, H2, H3, H4, H5 and Env5)
- To endorse policies that have a positive effect on the environment (Policies Env3, Env7, Env8, BIO1, and BIO2,)
- To maintain and improve the high quality natural environment (Policies Env1, Env2, Env3, and Env7)

Housing Policy

Justification and Evidence

Bunbury is a rural settlement surrounded by open countryside. It has an existing settlement boundary, to which this plan proposes limited extension, in order to allow infill and small scale development in character with the village.

The Cheshire East Local Plan, Strategic Submission Version March 2014, sets the agenda for housing growth in rural areas and identifies Bunbury as one of 13 Local Service Centres (LSC) (Policy PG2. 9) (All further references to the Local Plan refer to this version). Local Service Centres are where small scale development to meet localised objectively assessed needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

These 13 LSC's are together expected to provide 2500 houses in the period 2010–2030. Taking into consideration dwelling completions at the time of submission of our Neighbourhood Plan this number has reduced to approximately 1500 new homes.

Cheshire East Council has informed Bunbury Parish Council that on a proportional basis this translates into a requirement for a minimum of 80 new homes in the plan area between 2010 and 2030. All of the community consultation has been based upon this minimum requirement for 80 homes and this has been supported by 86% of the community. We recognise that this figure may change as work proceeds on the revisions to the Local Plan and that there may be a slightly higher housing requirement across the Council area although at the time of writing the only figure we can work to is the minimum of 80 new houses in the plan area.

The inspector who is examining the Local Plan has asked Cheshire East Council to revisit several matters in the Plan however he has confirmed that the proposed settlement hierarchy seems to be justified, effective and soundly based. In the meantime Cheshire East are encouraging communities such as Bunbury to plan for the future through Neighbourhood Plans and other mechanisms that will facilitate appropriate levels of development to meet local needs and satisfy Policy PG2 in the Local Plan.

The existing settlement boundary was identified in the Borough of Crewe and Nantwich Replacement Local Plan 2011 and has been included in this Neighbourhood Plan, confirmed by consultation and with the support of the Parish Council (refer also to document: Rationale for Settlement Boundary Appendix G).

Bunbury has a good range of local services and facilities which serve the wider area and are described later in this plan. This is why Bunbury has been designated as a Local Service Centre in the Cheshire East Local Plan.

We have identified a settlement boundary which tightly follows the existing form of the built up settlement. Whilst the Local Plan (PG2) indicates that, where there is a need to accommodate small scale development to meet locally objectively assessed needs, any new development over and above infilling will have to be accommodated on greenfield sites outside, but immediately adjacent to the settlement boundary.

The Neighbourhood Plan proposes small developments of no more than 15 houses. It also recommends no co-location, (see the Glossary) which means that one group of new houses cannot be built next to another, creating a larger development, as this would be prejudicial to the character of Bunbury and would have significant social and environmental impacts upon the immediate area.

Some consultation responses suggested that smaller groups of houses, developments of 5 or 10, may be more appropriate, however the Neighbourhood Plan Group were not only conscious of any viability arguments that may be advanced by developers to build larger schemes, but also the latest Government advice that groups of 10 or less houses would not be required to provide any affordable housing or planning gain.

When consulted the local community expressed their strong opposition to large scale new housing developments in the village. 95% of the community supported new sites of no more than 15 houses as this scale of development reflects what has happened in the past where new developments were geographically spread around the village, built separately and were easily absorbed into the community without putting undue strain on the village infrastructure. Disruption to village life, importantly to neighbours, was kept to a minimum whilst the village was allowed to grow organically in a planned and co-ordinated manner, which is important to the local community.

The Cheshire East Local Plan sets the agenda for housing growth in rural areas, allowing communities to plan for the future through Neighbourhood Plans and other mechanisms, which will facilitate appropriate levels of development to meet local needs.

Within the settlements sympathetic, well designed and sustainable small scale development will be permitted, to meet localised objectively assessed needs and priorities together with the conversion of buildings or infilling of a small gap with up to 2 dwellings. Development should not exceed the capacity of existing services and infrastructure unless the required improvements can be made.

The National Planning Policy Framework (NPPF) confirms that the local community is best placed to understand its needs for local services and specific housing needs. Neighbourhood Plans and other mechanisms, including Community Right to Build Orders and Rural Exception Sites aim to satisfy these needs. The Cheshire East Local Plan (8.30) also confirms that any developments in settlements should be of a scale and design that respects the character and rural setting of the area.

In response to this policy context the development of the Neighbourhood Plan has involved extensive consultation with the community on the appropriate scale of development, a survey and analysis of housing needs and an evaluation of the form and characteristics of Bunbury and its capacity to accommodate development.

Delivering a choice of homes to meet Housing Requirements, including low cost market housing, is a key issue and Bunbury recognises the need for a small amount of sustainable housing development in scale and character to reflect Policy PG2 in the Cheshire East Local Plan. Whilst it is not the intention to cap the overall amount of development, the rate of sustainable growth should be in line with the forecast that some 80 houses will need to be accommodated over the Local Plan Period 2010–2030 to reflect organic growth of Bunbury. It is against this background and the views of the community that the housing policies have been formulated. In the context of this plan the Local Housing Need is defined in Appendix A.

The Cheshire East Local Plan (PG2) directs new housing development to Local Service Centres. Bunbury is identified as a Local Service Centre and the Neighbourhood Plan Policy H2 A has identified the potential for small sites of up to 15 houses, on greenfield sites, within the extended settlement boundary.

The history of housing development in Bunbury shows a pattern of small developments, dispersed in many different locations. Between 1875 and 2015 there have been 26 separate developments, with a total number of 274 houses completed (excluding developments of 3 or less). The average number of houses per development equates to 10.5. (Source: Cheshire East Planning Website, OS Maps dated 1875, 1910 and 1954, aerial photographs dated 1973, 2000 and 2010).

The maximum number of 15 houses per development, recommended in the Housing Policy, allows for a 50% increase on that figure of 10.5, and provides a number which is viable in terms of builders wishing to develop sites in Bunbury but is also acceptable to residents.

At the time of writing there are outstanding approvals for 23 dwellings. Applications have been submitted but have yet to be decided for a further

101 new dwellings and we have been notified that two further applications will be submitted for a total of thirty new dwellings. It should be noted that one of the applications yet to be submitted is for 15 new homes to comply with policy H2 of the plan in lieu of an application already submitted for 21 houses on the same site (see table in Appendix B).

Consultations have also indicated the desire to allow limited infill and re-use of brownfield sites and this is reflected in Policy H2 B and D of the Neighbourhood Plan. This is in line with the Cheshire East Local Plan Policy MP1 and Policies SD1 and SE2 which aim to maximize the use of brownfield land.

Consultations and the 2013 Housing Needs Survey have shown a need for only a small amount of Affordable Housing (see the Glossary). It is important that Affordable Housing is offered in the first instance to occupants who have a Bunbury connection for 12 months to provide adequate time for this policy requirement to be met in practice. This is in line with Local Plan Policy SC5 and the NPPF. This approach aims to stimulate early engagement between a developer and an Affordable Housing provider to assure themselves (and subsequently the local community) that Affordable Housing Need is thoroughly proven. That being the case the 12 month stipulation would not act as a barrier to the scheme's viability.

In supporting Cheshire East Local Plan (Policy SE1) Bunbury wishes to see high quality design and sustainable construction in new housing developments. This is reflected in Policy H5 which includes the use of Lifetime Home Standards and Building for Life 12 in appropriate circumstances (see the Glossary for definitions of Lifetime Homes and Building for Life 12).

To reflect Bunbury's distinctiveness and variety of architectural styles which have evolved from its organic growth, Policy H6 requires new housing developments to be phased over the Plan Period, 2015 to 2030. At the start of the Plan Period there are already 19 dwellings which have been completed since 2010 and these will be discounted from the overall commitment of 80 new dwellings. It is essential that any new approvals are phased to take account of the actual development of these existing commitments and any changes in Housing Requirement which may occur over the Plan Period. Phasing is also required to enable the limited capacity of local services and facilities e.g. the village primary school and Health Centre, to make provision for an increased population.

The local community is best placed to understand its needs for local services and specific housing requirements. Neighbourhood Plans and other mechanisms including Community Right to Build Orders and Rural Exception Sites aim to satisfy these needs. Any development in Bunbury should be of a scale and design that respects its character and rural setting.

The Neighbourhood Plan has been prepared to be in general conformity with the strategic policies in the Cheshire East Local Plan and will be reviewed periodically or when the Local Plan is amended or changed by Cheshire East and those changes have a material impact on the Neighbourhood Plan.

Community Feedback

Consultation on the emerging Neighbourhood Plan revealed the following key housing issues that policies H1 – H6 seek to address:

- To deliver a housing growth strategy tailored to the objectively assessed identified local housing needs and context of Bunbury
- To encourage sensitive development which protects and enriches the landscape, character and built setting of the village
- To provide proportionate and environmentally sustainable housing development as local need arises
- To phase development over the lifetime of the Plan
- New Housing must take account of the Adopted Village Design Statement March 2009
- The number and type of affordable homes built will be determined by Bunbury's needs, established in the recent Rural Housing Needs Survey 2013, the feedback received from the Developer Day in November 2013 and by consideration of developments within neighbouring villages. Bunbury's housing needs will be reassessed every 5 years by Cheshire East Council taking into account demographic projections, developments in neighbouring villages, local surveys and Cheshire East Council's Strategic Housing Market Assessment
- All new housing will be encouraged to be constructed to meet Building for Life 12, the industry standard for the design of new housing developments
- The expansion of the settlement boundary to accommodate developments of up to 15 houses maximum without co-location with any other new housing development
- Infill within the settlement boundary of up to 2 dwellings in a small gap in an otherwise built up frontage.
- Redevelopment of brownfield sites where this would meet all the policies in the Neighbourhood Plan.
- Small rural exception sites of up to 6 houses immediately adjoining the settlement boundary without co-locating with other new developments
- All new housing developments shall provide a mix of size, design and type of dwellings including social, low cost market housing and starter homes.

The following plans, documents and strategic policies support the housing policies:

- National Planning Policy Framework
- Cheshire East Local Plan 2015
- The Borough of Crewe and Nantwich Replacement Local Plan 2011
- Cheshire East Strategic Housing Market Assessment 2013 update
- Bunbury Parish Plan 2014
- Bunbury Rural Housing Needs Survey Report – 2013
- Bunbury Village Design Statement 2009
- Bunbury Conservation Area reports June 2007
- Feedback from the Developer Day November 2013
- Building for Life 12

Policy H1 – Settlement Boundary

Planning permission will be granted for a minimum of 80 new homes to be built in Bunbury in the period from April 2010 to March 2030 on sites within the carefully extended Settlement Boundary of the village.

The Neighbourhood Plan proposes a Settlement Boundary for Bunbury based upon the existing defined Settlement Boundary in the Crewe and Nantwich Local Plan 2005.

The purposes of the Settlement Boundary are:–

- Directing future housing, economic and community related development in the Neighbourhood Plan Area to the village of Bunbury, to enhance its role as a resilient and sustainable community and to protect the surrounding open spaces and countryside.
- Containing the spread of the village, by reinforcing its core area and maintaining an effective and coherent built up–rural edge.
- Proposals for housing development outside the Bunbury Settlement Boundary will only be granted where they comply with the criteria set out in Housing Policy H2 (Scale of Housing Development), or in exceptional circumstances; such as any new dwelling required for the essential need of an agricultural worker to live permanently at or near their place of work in the countryside.

Where the current Settlement Boundary is moved to allow development, as specified above, a new boundary will be established on the edge of the new development and will connect to the previous boundary at its nearest points.

This policy establishes the key spatial priority for the Bunbury Neighbourhood Plan, within which context all its other policies are based. Essentially, it directs all development in the Neighbourhood Plan period (2015 to 2030) to the village of Bunbury that lies at the heart of the Parish and serves the wider rural area, which should remain as open countryside.

Policy H2 – Scale of Housing Development

New development will be supported in principle provided that it is small scale, and in character with the settlement phased over the period of the Plan and falling within the following categories:

a. Greenfield Development

A maximum of 15 new houses on any one available and deliverable greenfield site, within the extended settlement boundary, and not co-located with any other new housing development. New housing development is defined as a development built within the plan period, 2015–2030. (See the Glossary – for a definition of co-location)

b. Infill Development

Infilling of a small gap in an otherwise built up frontage of up to 2 dwellings in character and scale with adjoining development

c. Rural Exception Sites

Sites of up to 6 houses to meet local needs and in character with adjoining developments on land immediately adjacent to the Settlement Boundary

d. Brownfield within the Parish

The redevelopment of brownfield sites within the Parish will be encouraged, where they are neither suitable for nor capable of employment development, to meet the Local Housing Needs of Bunbury and satisfy in all other respects the policies contained in the Neighbourhood Plan

e. Redundant Buildings

The re-use, conversion and adaptation of permanent, structurally sound, rural buildings of substantial construction to meet Local Housing Needs, which would lead to an enhancement of the character of the village and the Conservation Areas, will be supported subject to:

- The proposed use being appropriate to its location

- The conversion and/or adaptation works proposed respecting the local character of the surrounding buildings and local area
- The local highway network being capable of accommodating the traffic generated by the proposed new use and adequate car parking being provided within the site

Policy H3 – Affordable Housing, Starter Homes and Low Cost Market Housing to meet Local Housing Needs (see Appendix A)

Development that meets an objectively assessed Local Housing Need identified in the latest parish housing needs survey or, if out of date, the most appropriate objectively assessed review of housing need in the future, will be subject to the affordable housing allocations policy as determined by Cheshire East Council. The local community would like to see planning conditions and/or planning obligations requiring the first occupants to be residents of Bunbury or with a Bunbury connection, then adjoining parishes and finally Cheshire East. In the case of essential agricultural dwellings the same criteria shall apply, and occupants will be employed or last employed in agriculture. Any housing provided to meet a Local Housing Need when it is completed and subsequently becomes vacant shall be made available from that time for a period of 12 months for occupation by people who meet the Local Housing Need criteria as in Appendix A.

All new housing developments shall include an element of low cost market housing and starter homes in addition to any affordable housing to contribute to a mixed and balanced community.

A summary of the findings of the Housing Needs Survey 2013 for Bunbury is included in Appendix A.

Policy H4 – Tenure Mix

Proposals for Affordable Homes in the village must be of a tenure, size and type to help meet the locally identified housing needs and contribute to a mixed, balanced and inclusive community where people can live independently longer. (A definition of Affordable Housing is included in the Glossary).

Policy H5 – Design

All new housing proposals should be in small groups of up to 15 dwellings to reflect the character of Bunbury and will be expected to be of a high quality of design taking account of the Adopted Village Design Statement 2009 and:

- Complement and enhance where appropriate the size, height, scale, mass, rural skyline, materials, layout, access and density of existing development in the plan area including where appropriate the provision of chimneys
- Demonstrate that the amenities of neighbouring dwellings will

not be adversely affected through overlooking, loss of light or outlook, over dominance or general disturbance

- Provide an appropriate level of landscaping which complements and enhances the rural character of the local area
- Provide garden space commensurate with the size of the dwelling proposed, the prevailing pattern of development in the locality and the likely needs of the prospective occupiers
- Provide for the changing needs and life–styles of an ageing population and will be encouraged to build to Lifetime Homes standard in accordance with current national guidance, Building for Life 12
- Within the Conservation areas in the village any development affecting any heritage assets must pay special regard to the need to conserve and enhance the setting of heritage assets and any special architectural or historic feature of significance
- Innovation to achieve low carbon sustainable design that meets the BREEAM Quality Mark Standard will be encouraged (see definition in the Glossary).
- New development will be expected to adopt a ‘fabric first’ approach to reduce energy demand and provide energy in the most cost effective way.
- Good design should provide sufficient external amenity space, refuse and recycling storage and car and bicycle parking to ensure a high quality and well managed street scape.

Policy H6 – Phasing of Housing

Cheshire East Council’s Local Plan relates to 2010 to 2030 and we are required to accommodate 80 new houses over that period.

Between April 2010 and March 2015, 19 new houses have been completed in Bunbury and these have been discounted from the 80 new homes required by the Local Plan. To ensure an appropriate phased delivery of housing over the Neighbourhood Plan period, 2015 to 2030, the 61 remaining new homes proposed should be delivered against the following indicative schedule, unless any demonstrable increase in local housing need is identified by the local planning authority.

Phase 1: 2015 – 2020 – 21 homes

Phase 2: 2020 – 2025 – 20 homes

Phase 3: 2025 – 2030 – 20 homes

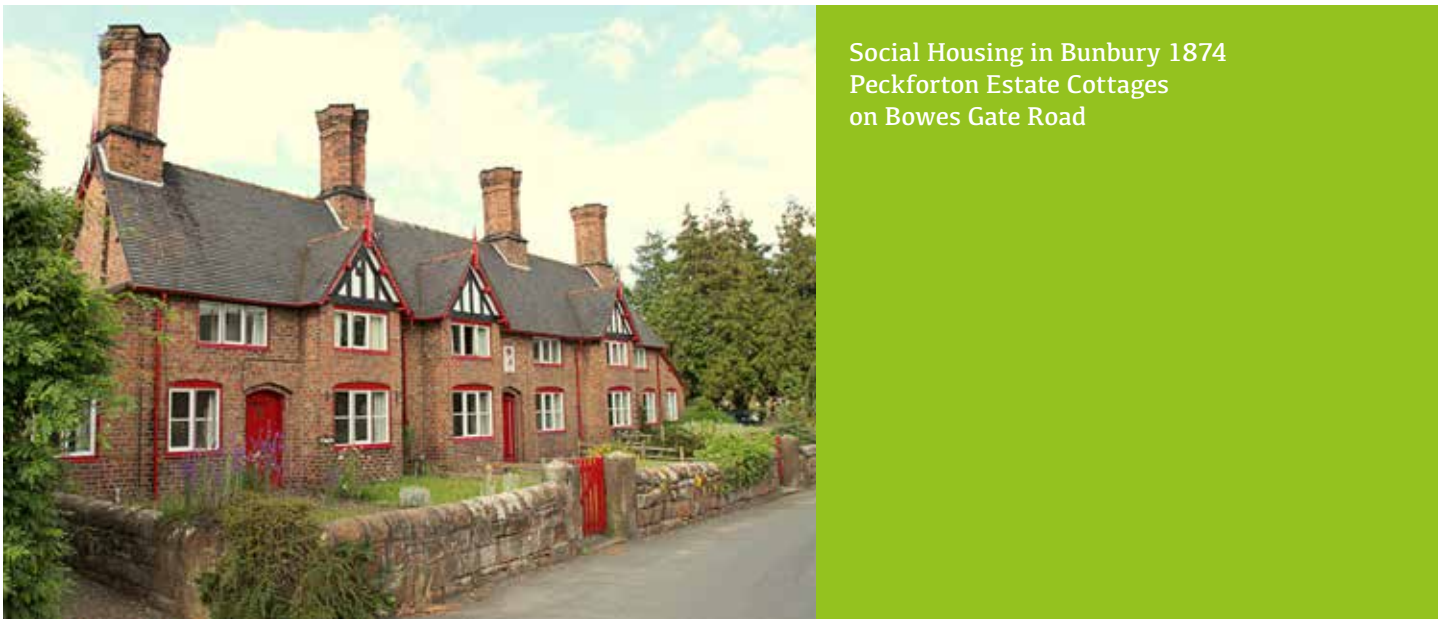
This policy allows for alternative sites to come forward through the plan

period accompanied by the provision of local infrastructure including, where appropriate, contributions to sustainable transport measures, green infrastructure, local services and community facilities.

The delivery of new homes in the Plan area against the above schedule will be reviewed by the Parish Council in partnership with the local planning authority at the end of each phasing period and, where necessary, may be updated to adapt to market conditions or an advance or lessening of a local need.

When assessing whether delivery rates within the plan area are being met, monitoring will also take into account any net increase or decrease of units elsewhere in the village brought about by demolition, conversion or new build of additional dwellings on windfall or exception sites.

A schedule of permissions granted and houses completed in the parish since April 2010 is included in Appendix B.



Local Character Policy

Justification and Evidence

It is essential that the qualities of Bunbury and the surrounding area are protected and that the layout and design of all new development should reflect the rural setting and be complementary in scale and design with adjoining properties.

Existing trees, hedgerows, sandstone banks and walls in the area contribute to the amenity and rural setting of the Parish and every effort should be made to retain them. All new development should therefore incorporate new tree planting and landscaping schemes designed to safeguard existing trees, hedgerows, sandstone banks and walls.

Bunbury will only allow high quality, environmentally sustainable development and will resist mediocre suburban designs, which do not reflect the rural character of the area. Each new development will be expected to provide an element of Building for Life 12, which sets out twelve criteria to assess the quality of a development and proposals coming forward in Bunbury should ideally meet all of these criteria.

Community Feedback

Consultation on the emerging Neighbourhood Plan revealed the following key issues in relation to Local Character that policies LC1 – LC4 seek to address:

- All proposals must complement the existing characteristics of low density dispersed development
- The impact of development upon existing woodlands, hedges, and sandstone walling should be minimised
- All new development should reflect the rural setting of the settlement and be complementary in scale and design to adjoining properties
- All new development should have gardens that are of an appropriate size to serve the dwelling they relate to

The following documents and strategies support these policies:

- National Planning Policy Framework
- Cheshire East Draft Local Plan
- The Borough of Crewe and Nantwich Replacement Local Plan 2011
- Building for Life 12
- Bunbury Parish Plan 2014

- Cheshire Landscape Character Assessment 2008
- Bunbury Conservation Area Assessments 2007
- Bunbury Village Design Statement 2009

Policy LC1 – Built Environment

New developments will be expected to respond positively to the local character of its immediate environment particularly the conservation areas in the village by showing an understanding of the qualities which make up this character. All new development should be accompanied by a Design and Access Statement and demonstrate a high quality of design and a good standard of amenity for existing and future occupiers of the proposed development, at the same time ensuring that the amenities of neighbouring properties will not be adversely affected.

The use of local materials such as red Cheshire brick and sandstone with slate or clay tile roofs, white-washed finishes, hedgerows, sandstone banks and walls will be encouraged to maintain the local vernacular and enhanced sense of place.

Policy LC2 – Extensions and Alterations to Existing Buildings

Proposed extensions and/or alterations to buildings should reflect the size and scale of the existing and adjacent dwelling and will be required to be constructed of complementary materials.

The design should reflect and enhance the character and appearance of the existing dwelling and the proposal should also provide garden space commensurate with the size of the extended or altered dwelling in accordance with the prevailing pattern of development in the locality. (See Policy H5).

Extensions and alterations to non-residential buildings will be designed to reflect the character and appearance of the existing building and be in keeping with the surrounding development.

Conversion of farm buildings must be sensitive to the traditional style (i.e. simple design and of sandstone and brick construction). Particular attention must be paid to the features which accompany the conversion such as driveways and gardens, ensuring that these features do not 'suburbanise' the landscape.

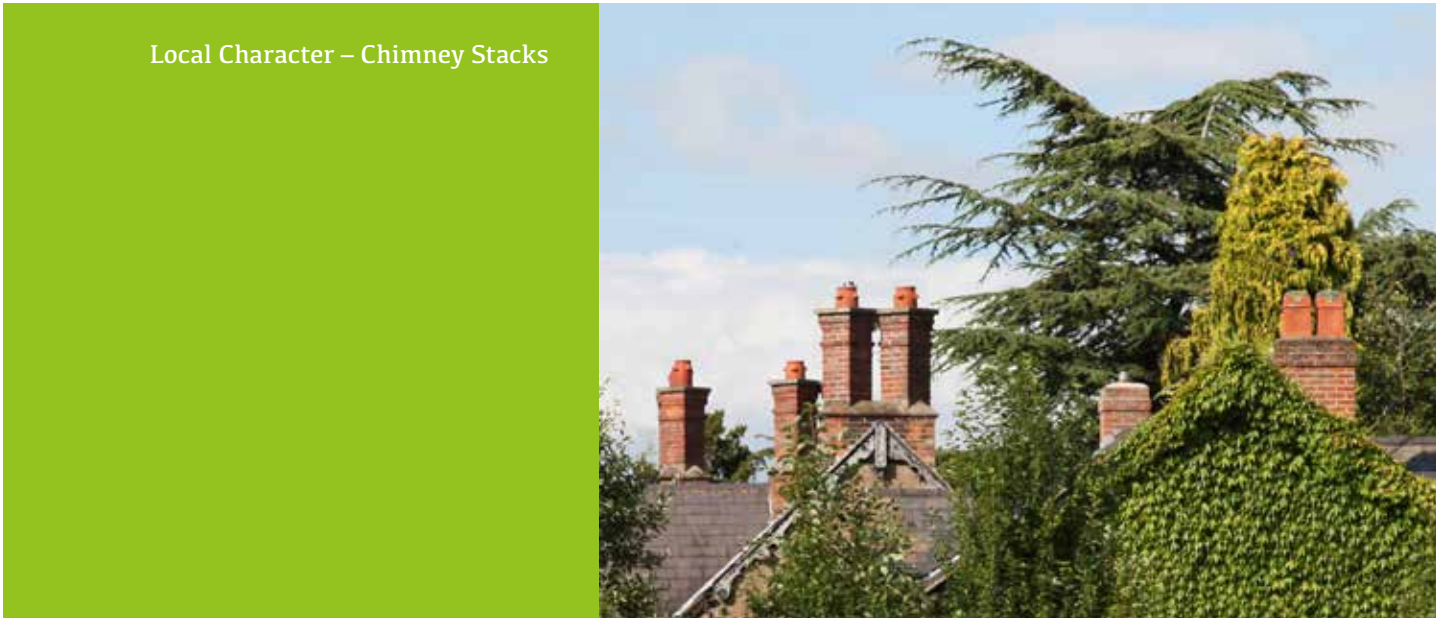
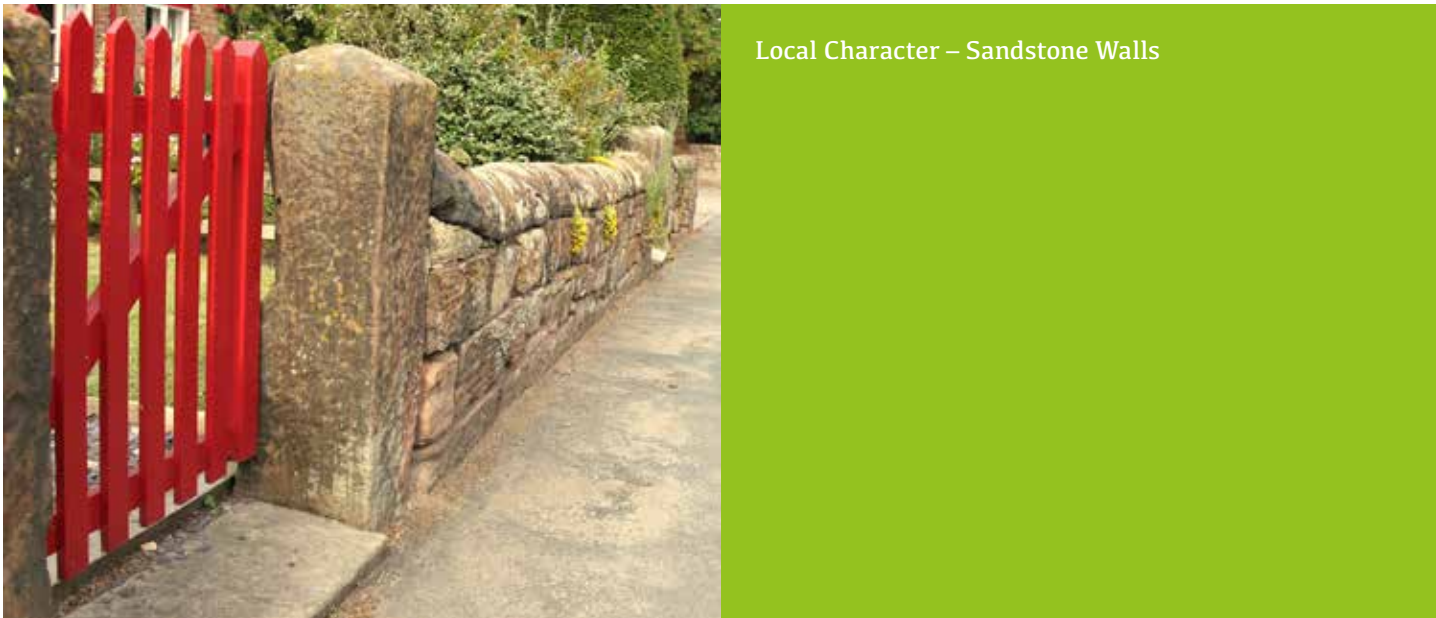
All new extensions and alterations to existing buildings shall identify and protect, during both demolition and construction works, all underground utility infrastructure assets within or adjacent to the development site.

Policy LC3 – Replacement Development

Replacement dwellings will be proportionate to the size of the site and the scale of surrounding existing development and be in keeping with neighbouring properties.

Policy LC4 – Backland Development

Backland development will be resisted if it would impact upon existing residential amenity through overlooking, loss of amenity or intrusion of privacy.



Landscape and Environment Policy

Justification and Evidence

On a national level Bunbury lies within National Character area 61 Shropshire Cheshire and Staffordshire Plain, a pastoral area of rolling plain which is particularly important for dairy farming. More locally the Cheshire Landscape Character Assessment of 2008 identified recognisable patterns in the landscape and classifies the Cheshire Landscape into 20 broad Landscape Character Types (LCTs). Different aspects such as geology, landform, soils, vegetation and land use were used to identify character areas. The assessment is intended to be used as a basis for planning and the creation of future landscape strategies as well as raising public awareness of landscape character and creating a sense of place.

The Landscape Character Assessment identifies two recognisable character types (LCTs) within the Bunbury Neighbourhood planning area. LCTs are further refined and subdivided into Landscape Character Areas (LCAs):

Type 7 – East Lowland Plain (Sub type ELP1: Ravensmoor Character Area) incorporating Bunbury village, Higher Bunbury, Lower Bunbury, Bunbury Heath, Woodworth Green, and Priestland.

Key Characteristics of type 7:

- Flat and almost flat topography
- Small to medium sized fields up to 8ha used for pasture and arable farming.
- Mainly hawthorn hedgerows and hedgerow trees, some mixed species hedgerows
- Dispersed hamlets and farms with predominantly low density and some nucleation
- Intensive farming and large farm businesses
- Large number of small water bodies
- Scattered species rich grasslands
- Riparian ancient woodlands and field sized coverts
- Medieval moated sites

ELP1: Ravensmoor Character Area (LCA)

Bunbury lies in the north of this character area in a predominantly flat, open landscape with extensive views. There is a mixture of irregular and regular fields and grid like patches of enclosure. Towards the west of the Ravensmoor Character Area there are smaller fields, abundant hedges and hedgerow trees and the landscape has a tranquil and rural character.

Old meadows survive in isolated locations near Bunbury. Woodland is generally limited and there are small areas of sandy heath.

Type 5 – Rolling farmland (Sub type RF2: Oulton)

Incorporating Shropshire Union Canal near Bunbury, Bunbury Locks, Bunbury Common, Bunbury Hollows and Gosland Green.

Key characteristics of type 5:

- Gently rolling and undulating topography, interspersed with streams
- Irregular and semi-regular small and medium fields (up to 8ha)
- Hedgerow boundaries and hedgerow trees
- Numerous water bodies – mainly ponds created through marl pit digging
- Low woodland density, mainly riparian
- Unimproved grasslands
- Medium settlement density combining nucleated centres and dispersed halls, farms etc

Subtype RF2: Oulton Character Area

The west of this LCA is an elevated rolling landscape. The greater part of this area comprises a medieval field pattern with irregular shaped fields with hedgerow boundaries and scattered trees. Settlement is dispersed and comprises halls and farms interlinked by a network of footpaths likely to be of some antiquity. The canal and River Gowy run through the north of this area. There is ancient woodland and species rich grassland on the banks of the Gowy. Elsewhere there are various scattered coverts and copses. Shropshire Union Canal, Bunbury locks, bridge and stables are worthy of note.

Bunbury is a rural village predominantly surrounded by open countryside which contains a number of small groups of houses and scattered farmsteads. The plan area is primarily rural and is characterised by trees, hedgerows, sandstone banks and walls, and verges which are integral to the landscape quality of the area.

A large proportion of the dwelling stock dates from the 19th and 20th century and the principal use of the countryside was and still is, for agricultural and equine activity. As farming methods became more efficient some farms were amalgamated creating fewer but larger farming units leaving many houses and farm buildings vacant.

Many of these houses and buildings have been renovated and sold or rented on the open market. These changes have been organic, have happened over time and have had little or no impact on the countryside.

Some areas of semi-wild land still remain in the parish, notably the small area of mature deciduous woodland on the western edge of the village, strips of willow scrub in the wet stream valleys and small remnants of the wet mosslands on Bunbury Heath.

Community Feedback

Consultations on the emerging Neighbourhood Plan highlighted the following key issues in relation to Landscape and Environment:

- To treasure what we have
- To keep old hedgerows and open up overgrown ditches
- To protect major assets, especially Sadlers Wells Wood and Bunbury Mill
- To continue to protect wildlife, especially those endangered species such as great crested newts, birds of prey and owls
- To preserve listed buildings
- To protect views into and out of the plan area and rural skylines
- Significant open views (see policy ENV2) into and out of the settlements should be maintained and where possible enhanced

The following documents and strategies support policies ENV 1 – ENV 8:

- National Planning Policy Framework
- Cheshire East Local Plan
- The Borough of Crewe and Nantwich Replacement Local Plan 2011
- Bunbury Village Design Statement March 2009
- Bunbury Conservation Area reports June 2007
- Bunbury Parish Plan 2014
- Cheshire Wildlife Trust Survey Report May 2015

Policy ENV1 – Open Space within the Parish

Areas of locally important open space that have sport, recreation, amenity or conservation value, or provide open vistas and rural skylines, will be protected. The importance of these open spaces will be tested against the following criteria;

- How close it is to the village
- The green space is demonstrably special to the local community and holds a particular local significance, and
- It is local in character and not an extensive tract of land

(See justification, plan and list of important local green spaces in Appendix E)

Policy ENV2 – Landscape Quality, Countryside and Open Views

All new development will be expected to respect and enhance the local landscape quality ensuring that important local views and vistas into, out of and across the settlements and the rural skylines are maintained and, where possible, enhanced and protected from development. (See Appendix E for a list and map respectively of important local views and vistas).

All new development will be expected to respect and enhance the setting of Bunbury and the surrounding countryside. Locally important open spaces, that complement the rural setting and character of the village, will be protected as a matter of priority from unnecessary or inappropriate development.

Any development in the open countryside will only be acceptable in exceptional circumstances such as rural exception sites or agricultural dwellings and where the development clearly enhances these areas by sensitive siting, good design, planting and landscaping. Development will also be required to meet the requirements of the Cheshire East Local Plan and other such plan policies and national guidance.

Policy ENV3 – Woodland, Trees, Hedgerows, Sandstone Banks, Walls, Boundary Treatment and Paving

All new developments should seek to protect local woodland, trees, hedgerows, wide verges, sandstone banks, walls, boundary treatment and existing paving from loss or damage where these contribute to the character and amenity of the plan area and must demonstrate the need for the development proposed. Such development will provide for appropriate replacement planting of native species or the reconstruction of the sandstone banks, walls, and paving on the site together with a method statement for the ongoing care and maintenance of that planting, banks, walls and paving.

Where a new access is created, or an existing access is widened, through an existing hedgerow, sandstone bank or wall, to protect the visual amenity of the locality a new hedgerow, sandstone bank or wall to match the existing in height and plant species shall be planted or rebuilt on the splay returns into the site.

This will maintain the appearance and continuity of hedgerows, sandstone banks and walls within the Parish.

All new development close to existing mature trees will be expected to have in place an arboricultural method statement to BS5837 standard or equivalent before any work commences. This will detail tree protection policies to be employed during construction.

Policy ENV4 – Extensions and Alterations to existing buildings in the open countryside

Proposed extensions and/or alterations to existing dwellings in the open countryside should reflect the rural character of the area and will be required to be constructed of traditional materials. The design should enhance the character and appearance of the existing building and the surrounding area.

Extensions and alterations to non-residential buildings will be designed to reflect the character and appearance of the existing building using traditional materials and to be in keeping with the surrounding development.

Policy ENV5 – Environmental Sustainability of buildings

Favourable consideration will be given on both existing and new developments to the installation of ground source heat pumps and solar panels provided that the installation does not detract from the character of the area and in particular the conservation areas and any heritage assets.

New development will be encouraged to adopt a ‘fabric first’ approach to ensure long term performance to reduce energy demand and provide energy in the most cost effective way

Where appropriate, in all new development sustainable drainage schemes should be used to provide new wildlife areas. These may include features such as ponds, swales and permeable paving designed as part of the development and to reflect the rural character of the area.

Policy ENV6 – Agricultural Buildings

The re-use, conversion and adaptation of permanent, structurally sound, rural buildings of substantial construction for small business, recreation or tourism will be supported subject to the criteria set out in Policy E 4.

In addition, farm diversification schemes for the extension of existing buildings or conversion will be supported including small scale retail facilities within the rural area to support farm diversification, or as ancillary to tourism facilities.

All new agricultural buildings, stables and animal field shelters must be sited in the least obtrusive location and be of a size, scale, design and appearance appropriate to their intended use and the character of the rural area.

Policy ENV7 – Buffer Zones and Wildlife Corridors

The existing woodlands, wildlife sites, drainage ditches, brooks and culverts will be maintained and enhanced and, where appropriate, new buffer zones and wildlife corridors will be created to increase the biodiversity of the plan area.

Policy ENV8 – Historic Environment

Any designated historic heritage assets in the Parish and their settings, both above and below ground and including listed buildings, and any monuments that may be scheduled or conservation areas that exist or may be extended, will be protected and enhanced for their historic significance and their importance to local distinctiveness, character and sense of place.

Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage assets.



Landscape & Environment
Sledging



Landscape & Environment
Sadlers Wells Woodland

Biodiversity Policy

Justification and Evidence

Between 1999 and 2003 the then Cheshire County Council was a partner within the Life Econet Project. A project supported by the Life–Environment Programme of the European Commission to demonstrate in Cheshire and in Emilia–Romagna and Abruzzo (Italy) how ecological networks can help achieve more sustainable land use planning and management, as well as overcome the problems of habitat loss, fragmentation and species isolation.

The Econet study is an integrated vision of a Cheshire County Ecological Network of ecological cohesion. The vision acts as a framework for nature conservation in the region by identifying areas of strategic importance for wildlife. It is intended as a guideline for making decisions in local and strategic planning in relation to biodiversity.

The 2003 study identified numerous core areas of key importance for wildlife. It also identified development areas which were assessed as having the greatest potential to contribute to the viability of the core areas through habitat restoration and creation schemes. The aim of any future work should be to expand the core areas and to create habitat connectivity (wildlife corridors) in order to create an ecological network in Cheshire. The guidance provided by the Econet project has been incorporated into the conclusions of this report created for the Bunbury Neighbourhood Plan.

There are two Econet zones within the Bunbury Neighbourhood planning area. The far south west, on the edge of Bunbury Heath lies within a ‘Core Area for Wildlife’. Bunbury village and the area stretching north to Tilstone Bank lies within the ‘Rivers and Wetland Econet development area’ due to the distinctive wildlife features associated with the River Gowy and its floodplain.

This study has identified several areas of high value (distinctiveness) habitat in the Bunbury NP area. These are shown on map 7 (Appendix C) and include three areas designated as Local Wildlife Sites: Sadlers Wells Wood, Higher Bunbury Hollows, Tilstone Bank and Gowy Flushes. All of these designated sites lie along the banks of the River Gowy or its tributaries and mainly comprise riparian woodland/wetland. A small number of undesignated blocks of riparian woodland have been identified in the analysis. The analysis has highlighted a relatively large number of meadows and pastureland which may support semi-improved or species rich grassland. Many of these meadows also follow the route of the Gowy, particularly where the river curves through the centre of the village; although the largest expanse is where the river approaches the railway and Tilstone Bank.

The results of this study can be used as a guide for future decisions regarding planning policy and development control. The analysis has clearly identified a connected ‘wildlife corridor’ which follows the route of the River Gowy and its tributaries. Only one short section of this corridor (The Hawthorns) is compromised by development and it is advisable to work with landowners along the Hawthorns to ensure the corridor is made as favourable as possible for wildlife.

It is highly recommended that the wildlife corridor is identified and protected in Bunbury’s Neighbourhood Plan. Currently the only areas protected for their wildlife value in the Local Plan are the three designated Local Wildlife Sites.

Wildlife corridors are a key component of local ecological networks as they provide connectivity for species to move to and from core areas of high wildlife value. For this reason habitat enhancement along the corridor is likely to achieve significant improvements in the long term viability of the core high value areas. Enhancement of the corridor may be facilitated through opportunities arising through the planning process (e.g. S106 agreements, biodiversity offsetting) or through the aspirations of the local community.

This study has also identified areas of ‘medium habitat distinctiveness’ which, although mainly sit outside the wildlife corridor, nevertheless may provide important wildlife habitats acting as ecological stepping stones. The majority of these areas are thought to be semi-natural or species rich grassland which is consistent with the Landscape Character Assessment which noted that ‘Old meadows survive in isolated locations near Bunbury’.

Old meadows supporting species-rich grassland are the fastest disappearing habitats in the UK. These grasslands are particularly important for pollinating insects and insectivorous birds and mammals. It is extremely important that the highlighted ‘medium distinctiveness’ areas should be thoroughly evaluated in the development control process. If they are found to support species-rich grassland they should be re-classified as ‘high distinctiveness’ (priority) habitat and they should not be built on (as stipulated in the Local Plan and the NPPF). In order to achieve no net loss of biodiversity, compensation may be required should these areas be lost to development when avoidance and mitigation strategies have been applied in line with the guidance set out in the local plan.

Although all areas of the River Gowy wildlife corridor lie within the Econet County Ecological Network, the Gowy tributaries and adjacent land in the far south west of the village sit within an Econet Core Area for wildlife, making this area particularly important in a regional context.

By bringing together all the available information relating to land use and habitats in the Bunbury Neighbourhood Plan area this study has identified the areas of high and medium ‘habitat distinctiveness’ as described in the Defra Biodiversity Offsetting metric. By attributing habitat distinctiveness values to different land parcels the results of this study should act as a guide when planning decisions are made. We strongly recommend that further (phase 1) habitat survey work is undertaken at the appropriate time of year, in particular to verify that ‘medium value’ habitats have not been over or under-valued.

Most notably the analysis has identified a ‘Bunbury Wildlife Corridor’ which follows the route of the River Gowy and its tributaries. We recommend that the corridor is identified in the Neighbourhood Plan and is protected from development. Map 8 (Appendix C) shows an indicative boundary for the wildlife corridor, however this is likely to require refinement following detailed survey work. The corridor should be wide enough to protect the high and medium distinctiveness areas identified in map 7 (Appendix C) and we suggest that an adjacent non-developable buffer zone is identified. The buffer may be in the region of 15 metres in order to fully protect high value habitats.

Furthermore we advise that measures to mitigate possible ecological impacts are included in any development adjacent to buffer zones and high/medium distinctiveness areas identified in map 7 (Appendix C). An example of this may be that bat sensitive lighting is recommended for use on the outside of buildings or in carparks/pathways. Surface drainage water from developed areas should always be directed away from sensitive areas due to the risk of pollution.

To summarise, the future development of Bunbury village should respect the natural environment. The most intact landscapes, in terms of biodiversity, landform and historic/cultural associations should be valued highly when planning decisions are made. Protection and enhancement of Bunbury’s natural assets is of crucial importance to nature conservation but it is also important for the enjoyment of future generations.

Working with landowners to improve the wider environment of Bunbury Parish will focus upon the sustainable use of natural resources and appropriate economic activities. A more sustainable way of managing the wider environment will make the landscape less hostile to wildlife.

As well as working with landowners and the local community to enhance the biodiversity of Bunbury there should be close liaison with the local authority and Cheshire Wildlife Trust in any of their proposals to map an ecological network for Cheshire East Council.

Community Feedback

Consultation on the emerging Neighbourhood Plan revealed the following key issues in relation to Biodiversity:

- Existing protected habitats need to be maintained and enhanced and new buffer zones and wildlife corridors identified
- Ensure that there are no negative impacts on the biodiversity of protected sites by assessing the impacts of all development proposals
- Establish closer links with community organisations, the school and other academic institutions to increase awareness and knowledge of the local biodiversity in the Parish

The following plans, documents and strategies support these policies:

- National Planning Policy Framework– Sustainable development. Local Wildlife Sites may provide building blocks and linkages of networks of biodiversity and as such the NPPF guidance advises that sustainable development requires such networks should be protected, enhanced and managed.
- NERC Act 2006. Biodiversity duty – this places a duty on a Local Authority to conserve biodiversity in exercising its functions which includes restoring or enhancing a population or habitat. This includes species and habitats of principal importance on the S41 list (UK BAP).
- Cheshire East Local Plan 2015
- The Borough of Crewe and Nantwich Replacement Local Plan 2011
- Bunbury Parish Baseline Report Cheshire Wildlife Trust 2015
- The Conservation of Habitats and Species Regulations 2010, encouraging the management of features of the landscape which are linear/continuous or act as stepping stones essential for the migration, dispersal and genetic exchange of wild species.
- Protected Species Legislation including: Protection of Badgers act 1992, Wildlife and Countryside Act 1981 (schedules 1, 5 and 8), Countryside and Rights of Way Act 2000 (section 74) and the Hedgerows Regulations 1997.

Good Agricultural and Environmental Conditions for Habitats and Wildlife (GAECs). Semi – natural habitat in the farmed environment is afforded some protection through the GAECs. These standards provide a baseline of environmental protection for habitats and wildlife in order to maintain biodiversity and sustainable farming and are linked to Cross Compliance requirements and the Single Payment Scheme.

Policy BIO 1 – Bunbury Wildlife Corridor

The Neighbourhood Plan designates Bunbury Wildlife corridors as identified in Appendix C Map 1.

Justification

The area identified as Bunbury Wildlife Corridor incorporates three previously designated Local Wildlife Sites (Sadlers Wells Wood LWS, Higher Bunbury Hollows LWS, Tilstone Bank and Gowy Flushes LWS) and areas of connecting priority and semi–natural habitat located along the route of the River Gowy and its tributaries. Wildlife corridors are a key component of local ecological networks as they provide connectivity for species to move to and from core areas of high wildlife value.

The designated area should incorporate all semi–natural habitat along the river corridor and include a non–developable buffer zone to protect the corridor from issues such as ground water and light pollution, and the spread of invasive garden species.

This policy accords with the National Planning Policy Framework (NPPF) paragraphs 109 and 117 and policies SE3 and SE6 of the Cheshire East Core Strategy.

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by ‘protecting and enhancing valued landscapes’ and ‘minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.’

Paragraph 117 of the NPPF states that planning policies should ‘promote the preservation, restoration and re–creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.’

Policy BIO 2 – Biodiversity

All development proposals are required to demonstrate that there will be no net loss (and ideally a net gain) in biodiversity. Proposals that affect land which has been identified as having medium or high ecological value (map 7, Appendix C) will require comprehensive survey effort at the appropriate time of year to fully evaluate biodiversity present on the site.

Net gains in biodiversity may facilitate enhancement of the Bunbury Wildlife Corridor in addition to providing onsite enhancements.

Justification

Investigations have revealed that the parish of Bunbury is particularly rich in wildlife and the community is keen to see this protected for future generations. Reversing the decline in biodiversity is a government priority and Bunbury's policies reiterate this by setting out clearly the community's commitment to protect and enhance its natural environment.

This policy accords with the National Planning Policy Framework (NPPF) paragraphs 109 and 117 and policy SE3 of the Cheshire East Core Strategy.

Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'

Paragraph 117 of the NPPF states that planning policies should 'promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.'

Local Economy Policy

Justification and Evidence

The majority of established businesses in the plan area are livestock and arable farming, horticultural and equestrian with a number of 'hidden businesses' and sole traders primarily working from home.

There is a butcher and Co-op with an in-house post office, a fish and chip shop and a coffee shop with hairdressers over. Bunbury has a doctors' surgery and pharmacy, a primary school and an historic mill. At the Primary School there is a before and after school club, toddler group in the Pavilion and in the Village Hall there is a pre-school nursery. There are also 2 public houses, 1 other hairdresser, 2 beauty salons, and a plant nursery all within the parish. The Neighbourhood Plan sets out to maintain and encourage the local economy and to support the local community. It will support the expansion of small businesses and enterprises in the parish and brownfield sites within the plan area as well as rural tourism and local facilities that will benefit the local economy and the wider community whilst respecting the rural character of the area.

Community Feedback

Consultation on the emerging Neighbourhood Plan revealed the following issues in relation to the Local Economy that policies E 1 – E 4 seek to address:

- To promote and support existing businesses and the continued prosperity of the parish
- To retain the existing shops and other facilities within the village
- To provide high speed broadband across the parish

The following plans, documents and strategies support these policies:

- National Planning Policy Framework
- Cheshire East Local Plan 2015
- The Borough of Crewe and Nantwich Replacement Local Plan 2011

Policy E1 – New Business

Proposals which extend existing, or promote new, small scale employment opportunities within the plan area will be supported where it can be demonstrated that the development will positively benefit the local economy and provides the opportunity for local employment and training.

Any proposal should not have an adverse impact upon the character and appearance of the locality or the amenity of adjoining properties.

Policy E2 – Loss of Employment Sites and Community Facilities

Loss of existing local employment sites and community facilities will only be supported where it can be demonstrated that the existing use is no longer viable or required, and the premises/site/business has been actively marketed for at least 12 months at an appropriate market price.

Policy E3 – Use of Rural Buildings

The re-use, conversion and adaptation of permanent, structurally sound, rural buildings of substantial construction for small business, farm diversification, recreation or tourism will be supported subject to:

- The proposed use being appropriate to a rural location
- The conversion and/or adaptation works proposed respecting the local character of the surrounding buildings and local area
- The local highway network being capable of accommodating the traffic generated by the proposed new use and adequate car parking being provided within the site
- All applications for the change of use of agricultural buildings, including stables, within 4 years of the completion of the building must be accompanied by evidence that the building was used during that period for the intended agricultural use and that the proposed change of use will not generate the need for a replacement structure

Policy E4 – Scale, Design and Amenity

All new employment development must be of a high quality of design which:

- Complements and enhances where appropriate the size, height, scale, mass, materials, layout, access and density of existing adjoining development
- Demonstrates that the amenities of neighbouring dwellings will not be adversely affected through overlooking, loss of light or outlook, over dominance or general disturbance
- Provides an appropriate level of landscaping which complements and enhances the rural character of the local area
- Has assessed any impact upon local heritage assets or the conservation areas

Transport and Communications Policy

Justification and Evidence

Bunbury is a rural parish and, whilst there are no major roads running through the village, it is bounded by the A49 Warrington to Whitchurch Road to the west and the A51 Tarporley to Nantwich Road to the north. The majority of the roads in the Parish are Class C, often narrow lanes and most are restricted to 30mph. The Crewe to Chester railway line runs through the Parish parallel to the Nantwich to Chester Canal. The nearest mainline stations are Chester and Crewe. There are three bus services which run on a Tuesday morning to Chester and Thursday and Saturday mornings to Nantwich. All of these buses return on the same day at lunchtime. There is a network of footpaths and bridleways within the Parish linking with other parishes although improved linkage would be of benefit.

There is one public telephone box in the village and broadband is very slow. It is anticipated that Bunbury will be able to access superfast broadband in 2015. Mobile phone reception in the village is poor.

Community Feedback

Consultations on the emerging Neighbourhood Plan revealed the following key issues in relation to Transport and Communications:

- Traffic speeds on local roads
- Inconsiderate parking and congestion in School Lane
- Inconsiderate parking and congestion around the Co-op and butchers in the centre of the village
- Provision of bus services providing destinations and route timings that reflect local demand
- Extension of existing footpath network to create local circular routes
- Provision of superfast broadband to all within the community
- Improvements to the mobile phone network

The following plans, documents and strategies support policies T1 – T7:

- National Planning Policy Framework
- Cheshire East Local Plan 2015
- Borough of Crewe and Nantwich Replacement Local Plan 2011
- Bunbury Parish Plan 2014

Policy T1 – Public Rights of Way

Development proposals that are linked to and contribute towards improvements to the existing public rights of way network within the Parish will be supported as will the creation of circular footpath routes to encourage walking within the Parish.

Policy T2 – Fibre Optic Cabling to Premises

New development should demonstrate how it will contribute to and be compatible with local fibre optic or internet connectivity. This should be through a ‘Connectivity Statement’ provided with all relevant planning applications. Such statements could consider such aspects as the intended land use and the anticipated connectivity requirements of the development, known nearby data networks and their anticipated speed, realistic assessments of connection potential or contribution to any such networks.

Where possible and desirable, additional ducting should be provided that also contributes to a local network for the wider community.

Policy T3 – Traffic

New housing and employment development proposals should be accompanied by a mitigation statement that provides an objective assessment of the impact of the additional traffic that will be generated by the development proposed.

This assessment should include the effect this may have on pedestrians, cyclists, road safety, parking and congestion within the village including measures to mitigate any impact. All new development will be encouraged to contribute towards enhancement of the existing networks of pedestrian facilities within the Parish.

Policy T4 – Parking

All new development shall provide sufficient on site car parking to accommodate the type and size of vehicles associated with the proposed use, including visitor car parking, and shall comply with the Cheshire East adopted car parking standards as a minimum.

Applications for new development will be expected to fully address the implications of off-road parking and have regard to factors including design, local character, car use/ownership levels and available public transport provision.

Policy T5 – Pedestrian Footways

All new housing developments must, when appropriate and practical, provide safe pedestrian access to link up with existing or proposed footpaths, ensuring that residents can walk safely to bus stops, the school and other village facilities.

Policy T6 – Sustainable Development

Any new residential proposals of 10 or more houses and new employment development greater than 500 sqm shall be expected to contribute towards the policies contained in this plan and directly towards:

- Provision of a 20mph speed limit in the vicinity of the school to improve safety of children travelling by bus or on foot to school
- Improvements to road safety where no pavements exist by the use of road markings, street lighting, 20mph speed limits or suitable traffic calming measures

Policy T7 – Identification of underground utility assets

The design, type and/or location of any new development; (its hardstandings, landscaping, boundary walls etc.) should have consideration for their impact on underground utilities infrastructure assets, their on-going protection, operation and future maintenance



Transport and Communications – Kissing Gate & Footpath Sign Wyche Road

Community Infrastructure and Tourism Policy

Justification and Evidence

The Parish of Bunbury has a range of buildings and facilities that serve the community as a whole. However these are not seen as offering sufficient capacity to meet the present day needs of the village. Some are over utilised whilst others are in need of repair or modernisation, requiring significant funding to secure their long term improvement.

Within the Parish there is a Church and a Chapel, the Village Hall, the Pavilion with a children's playground, car park and football pitch, a primary school, the Doctors' Surgery, the Scout Hut, two public houses, Tilly's cafe and Bunbury Mill. To promote the ongoing prosperity of the Parish it is essential that Bunbury retains and provides local services that will sustain the vitality of the community.

All properties in the Parish have access to mains electricity however there is no mains gas. Receipts from the New Homes Bonus and Community Infrastructure Levy (CIL) will be used to deliver new and improved community infrastructure.

Community Feedback

Consultations on the emerging Neighbourhood Plan revealed the following key issues in relation to Community Infrastructure that policies CI1 – CI4 need to address:

- To retain and provide local services that will sustain the community
- To resist the loss of the shops, in particular the Post Office, and other community facilities unless it can be demonstrated that all reasonable efforts have been made to secure their continued use
- To assess the impact that all new development may have on community infrastructure
- Provision of new leisure facilities in the Parish
- Improved car parking in the centre of the village and associated with the School

The following plans, documents and strategies support these policies:

- National Planning Policy Framework
- Cheshire East Local Plan
- The Borough of Crewe and Nantwich Replacement Local Plan 2011
- Bunbury Parish Plan 2014

Policy CI1 – Existing and New Facilities

The retention, continued use, refurbishment and improvement of all the community buildings and their associated uses together with the shops and public houses will be supported. The relocation of services or facilities within the Parish will be supported where it can be demonstrated that there will be no loss but there will be an equal level or greater level of service and accessibility for the community.

The loss of the shops, Post Office, public houses and other community infrastructure from the Parish will be resisted unless it can be demonstrated that the existing uses have been marketed for at least 12 months and any replacement use will provide equal or greater benefits to the community, including benefits through contributions on other sites within the Parish.

Proposals for the provision of new community facilities will be supported provided that the proposals would not have significant harmful impacts on the amenities of residents or on other neighbouring uses.

Policy CI2 – Contributions to Community Infrastructure

All new development will be expected to address the impacts and benefits it will have on the community infrastructure and how any impacts can be mitigated.

Financial contributions paid direct to the local community as a result of the New Homes Bonus, Section 106 contributions or any CIL proposals will be pooled to deliver priorities identified in the Neighbourhood Delivery Plan.

The provision of community infrastructure by developers in lieu of financial contributions will be supported where such community infrastructure projects are identified in the Neighbourhood Delivery Plan.

(See Appendix F– Mitigating the impact of development)

Policy CI3 – Tourism

New tourism related development will be encouraged and the Parish Council will work with its partners to help promote the parish as a unique visitor experience with quality at its heart, and take the lead in establishing an information presence at an appropriate central location.

Policy CI4 – Village Car Parking

Careful consideration and encouragement will be given to proposals that will provide or improve off-street car parking in the centre of the village or in association with the School.



Community Infrastructure and Tourism – Bunbury Cricket Club



Community Infrastructure and Tourism – Bunbury Mill

Implementation and Delivery Policy (See Appendix D – Delivery Plan)

The Bunbury Neighbourhood Plan will be delivered and implemented over a period of time and it will be subject to a number of reviews as new challenges and opportunities arise. It provides a framework for how change can take place in the Parish through the vision, aims and policies.

A number of non-planning related projects have been identified during the Bunbury neighbourhood planning process and these have been detailed in a separate Neighbourhood Plan Delivery Plan Document for the Parish Council.

The Parish Council's approach to delivery and action in the key areas can be summarised as follows.

Housing

The Parish Council will work with developers to deliver small–scale sustainable housing to meet local needs, including low cost market housing, over the plan period to 2030 and carry out any periodic housing needs surveys as appropriate.

Local Character

The Parish Council wish to protect the rural qualities of Bunbury characterised by low density small groups of housing interspersed with open fields and views into the surrounding countryside.

Landscape and the Environment

The Parish Council will work with Cheshire Wild Life Trust, landowners and other groups to ensure that the green spaces, wildlife and countryside in Bunbury Parish are protected and enhanced.

Biodiversity

The Parish Council will work with Cheshire Wildlife Trust to undertake further survey work in the plan area.

Community Infrastructure

The Parish Council will work with local organisations, outside agencies and the Borough Council to improve facilities for local people.

Local Economy

The Parish Council will encourage and support the sustainable growth of small businesses and enterprises within the Parish.

Transport and Communications

The Parish Council will work to improve pedestrian safety, address speed issues, upgrade broadband and create circular footpath routes within the Parish

Review

It is anticipated that the Bunbury Neighbourhood Plan will be reviewed every 5 years or when the Cheshire East Local Plan is reviewed.

Appendices

Appendix A. Local Housing Need

The Bunbury Neighbourhood Plan has identified two types of Local Housing Need:

- Low cost market housing, for example for existing residents downsizing or for young people looking to establish their own homes
- Affordable Housing for those whose needs are not met by the market

In both cases the development proposals should be consistent with the Local Housing Need identified in the latest parish housing needs survey or, if out of date, the most appropriate objectively assessed review of local housing need.

Summary of the findings of the 2013 Housing Needs Survey in Bunbury

577 Surveys sent out and 232 were returned, a response rate of 40%

Key Findings:

53% of respondents were in favour of a small development of affordable housing being built within the Parish

Housing needs within Bunbury:

- 17 respondents requiring alternative housing within the parish
- 33 current Bunbury residents who wish to form a new household within Bunbury or Cheshire East within the next 5 years
- 18 ex–Bunbury residents who would move back into the Parish if affordable housing was available
- of these 68 potential new households:
 - 27 could be either subsidised ownership or rentable properties
 - The majority would be for a son or daughter of a respondent
 - The majority would be required within the next 2 years

Appendix B. Bunbury Planning

Applications from March 2010 to 31st July 2015

PLANNING CONSENTS				
Application No.	No. of dwellings	Address	Description	Status
14/4887/N	1	6 Queen Street	New Build	Approved
14/3963N	1	Methodist Chapel, College Lane	Change of Use	Approved
14/3013N	4	Outspan, Sadlers Wells	New Build	Approved
14/2348/N	1	The Cedars, Whitchurch Road	New Build	Approved
14/0381/N	2	Land at Bunbury Heath, Whitchurch Road	New Build	Approved
14/3167N	14	The Grange, Wyche Lane	New Build	Approved
COMPLETIONS				
13/2086N	1	Land at School Lane	New Build	Completion 2015
12/4439N	1	Old Scout Hut, Bunbury Lane	Change of Use	Completion 2013
P07/0867	10	Land at Wyche Lane (Tweddle Close)	New Build	Completion 2013
09/2035N	6	Land at Goodyer Packaging Site (Oak Gardens)	Change of Use (Demolition/New Build)	Completion 2010
P08/0377	1	Ludford Ginger, Wyche Lane	New Build	Completion 2010
APPLICATIONS SUBMITTED AND REGISTERED				
Application No.	Applicant		Address and number of houses	
15/1666N	Rural Housing Trust (Strutt & Parker/Peckforton Estate land)		11 houses at Bowes Gate Road	
14/5206N	CB Homes (Briggs land)* (see table below)		21 houses at Hill Close	
14/4062N	Elan Homes (Goodyer land)		17 Houses at Oak Gardens	
14/5255N	Macbryde Homes (Harding/Ryder land)		52 Houses off Bunbury Lane	
APPLICATIONS NOTIFIED (NOT SUBMITTED OR REGISTERED)				
Applicant			Address and number of houses	
Wulvern Housing (Burrows land)			15 Houses off Bunbury Lane	
*CB Homes (Briggs land)			CB Homes have now indicated that they will submit an alternative application for 15 homes, in order to comply with Policy H2 of the NP.	

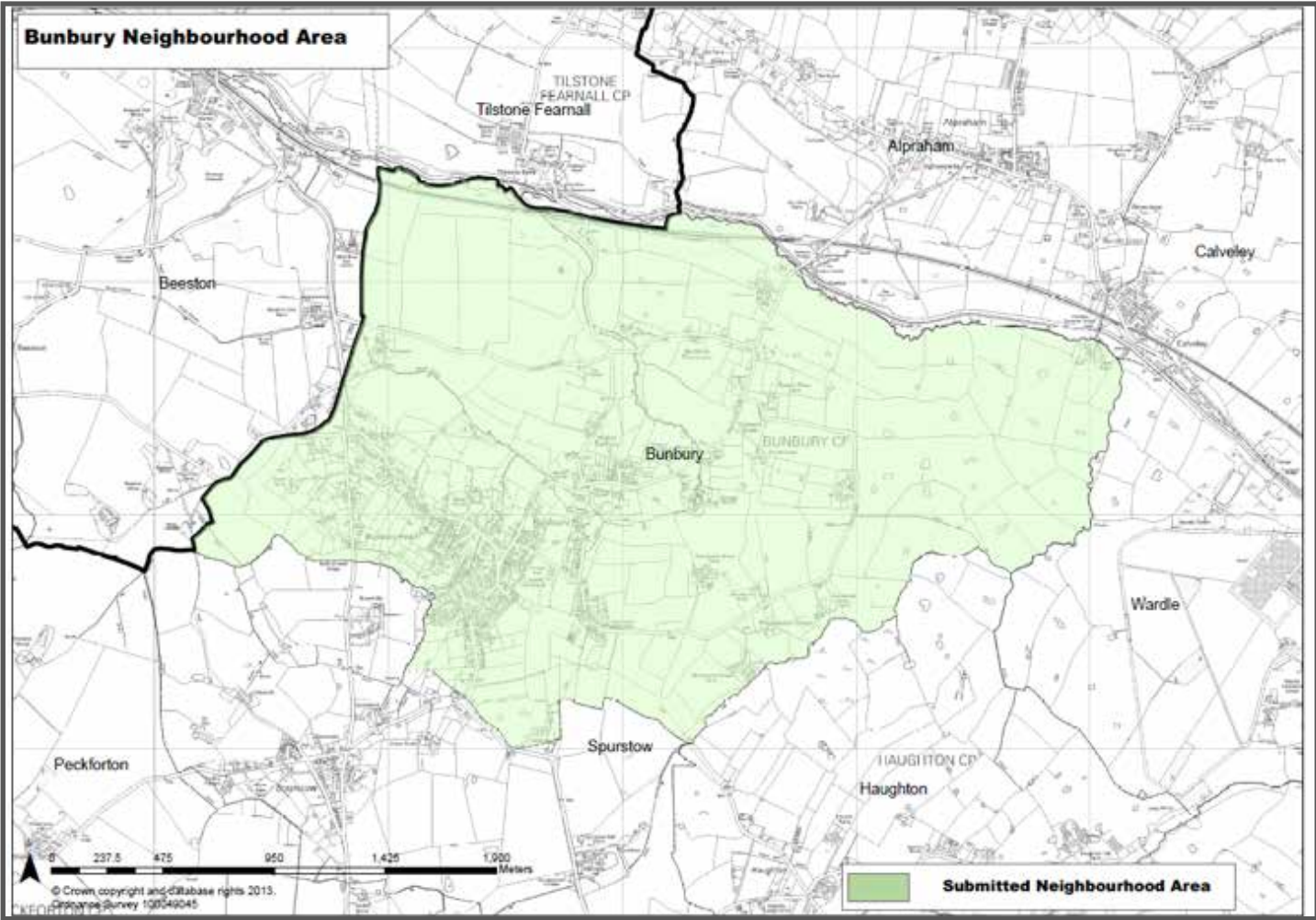
Cheshire East definitions of completions

A dwelling is regarded as completed when it becomes ready for occupation or when a completion certificate is issued whether it is in fact occupied or not.

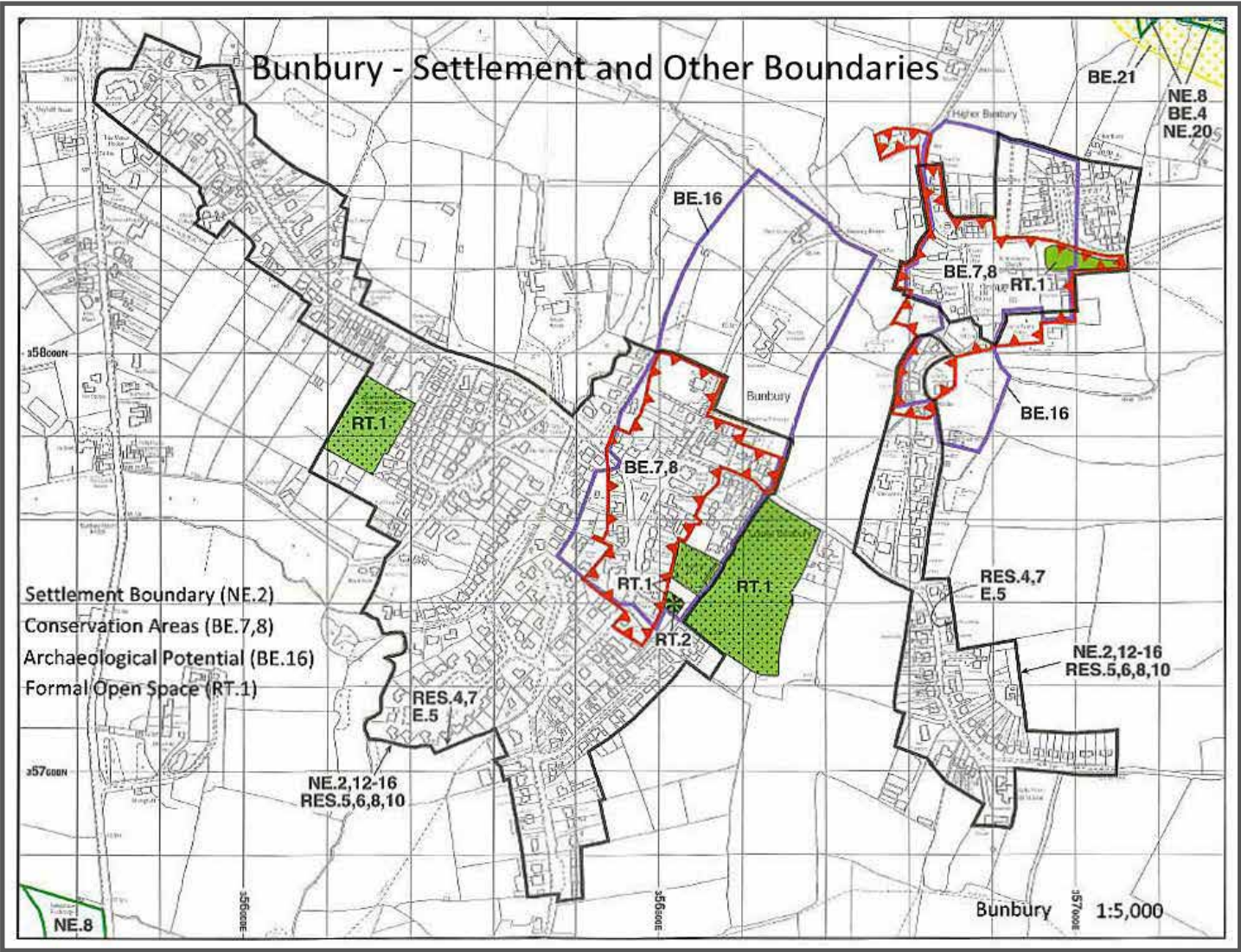
Only completions and permissions within the Bunbury Neighbourhood Plan Area can be taken into account.

Appendix C. Plans

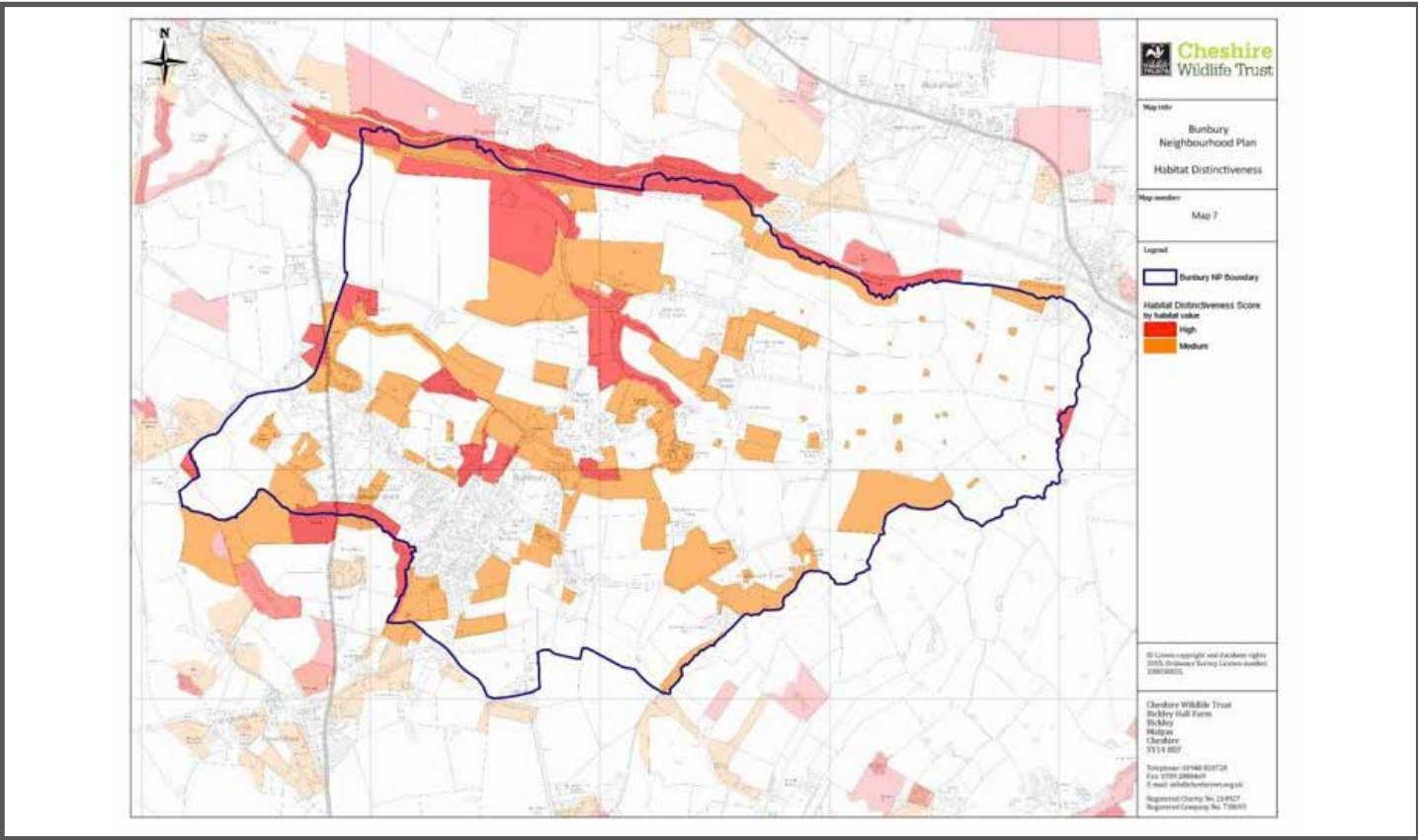
Parish Boundary/Neighbourhood Plan Area, Settlement Boundary, Wildlife Corridor (map 8), Habitat Distinctiveness (map 7), Protected Sites (map 1)



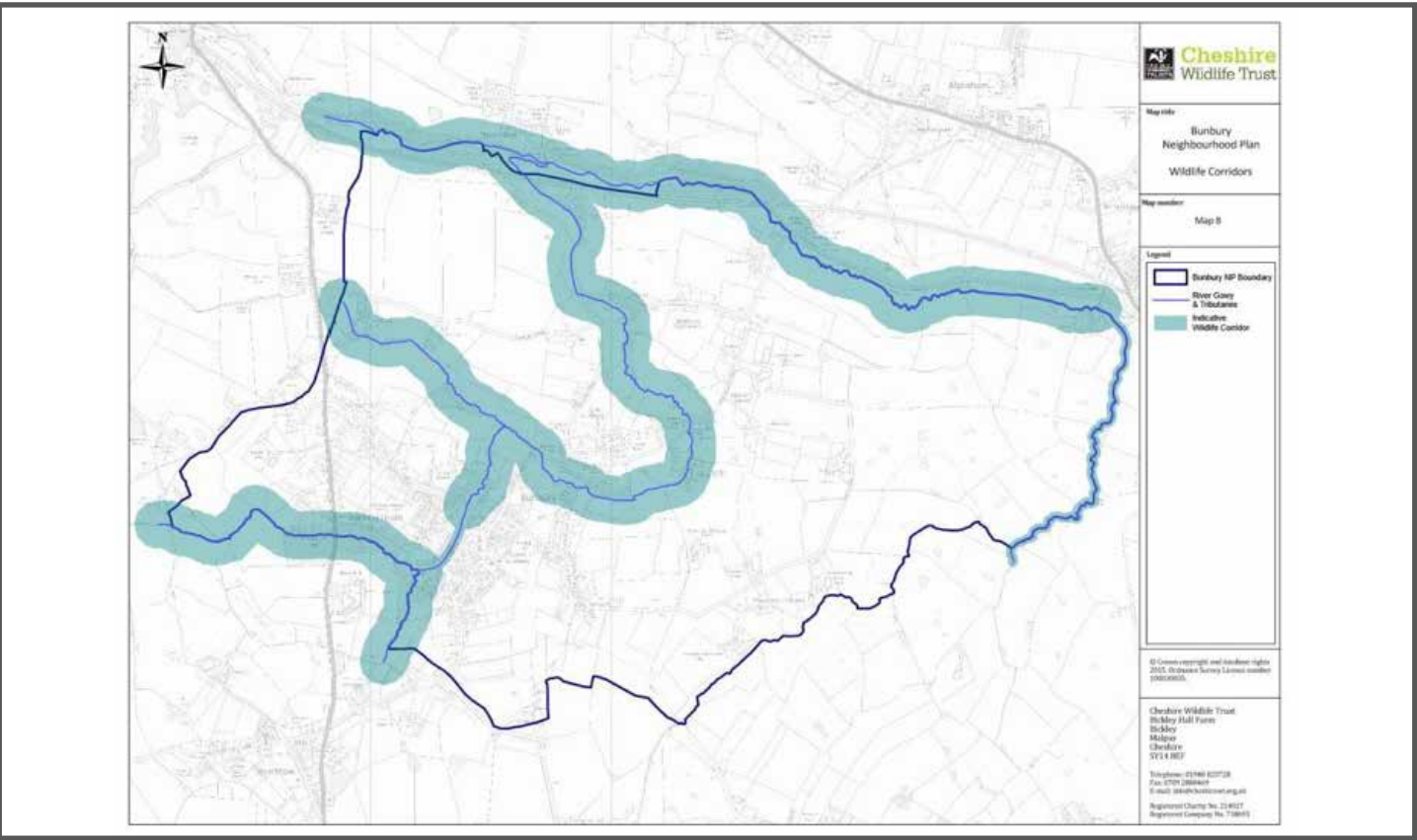
Bunbury Neighbourhood Plan Area



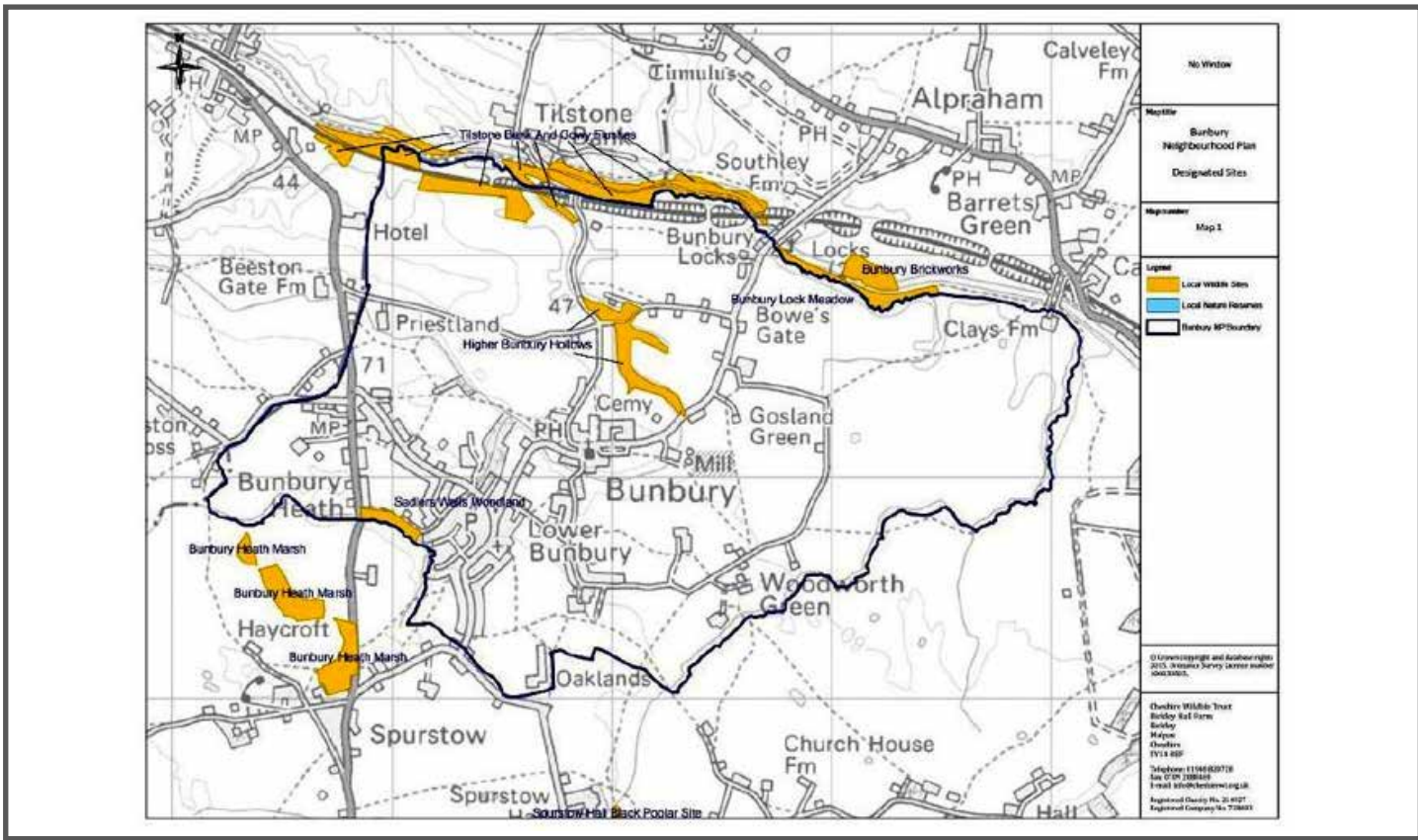
Bunbury Settlement Boundary



Map 7. Habitat distinctiveness



Map 8. Indicative wildlife corridors

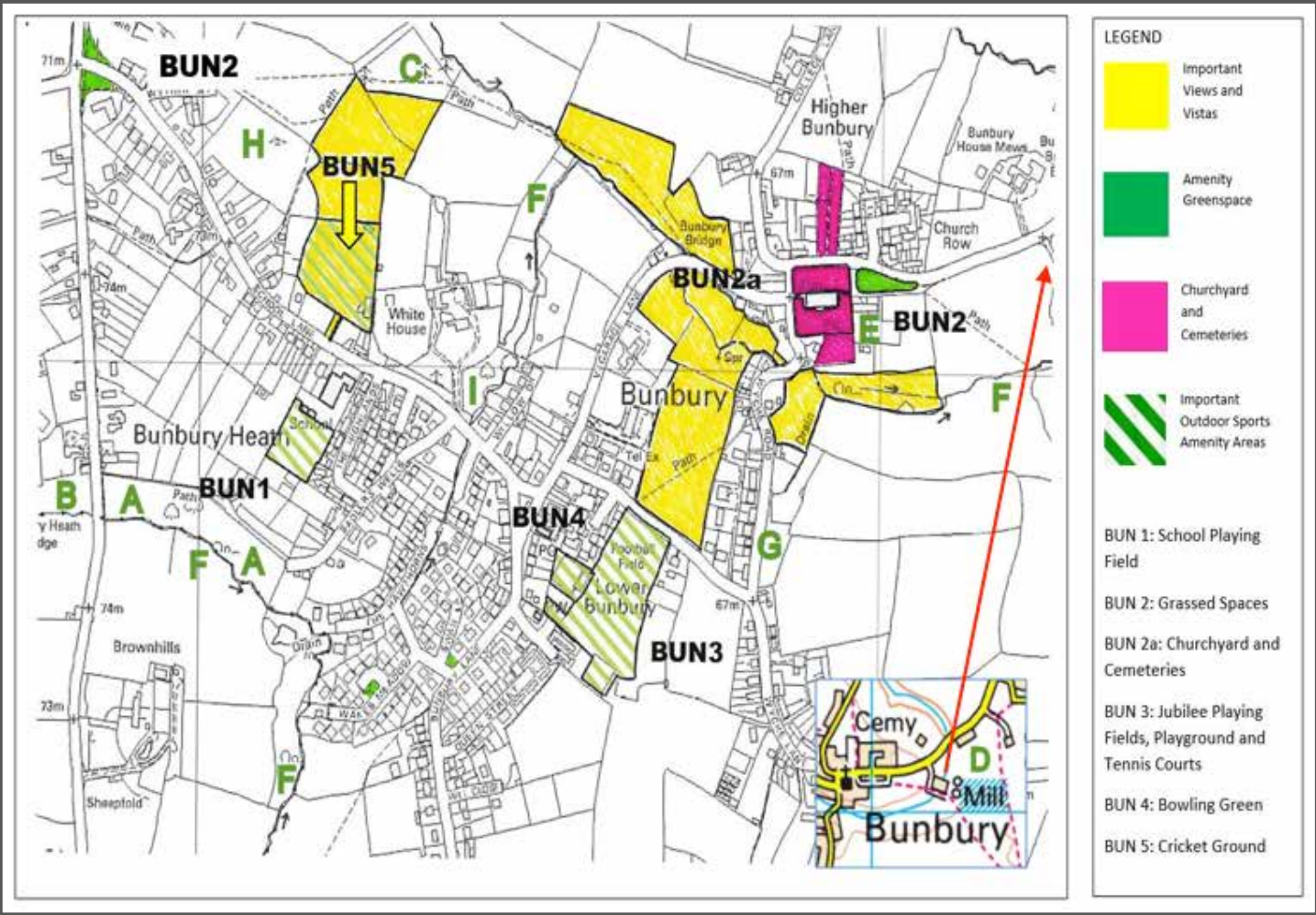


Map 1. Protected sites including Sites of Special Scientific Interest, Local Wildlife Sites

Appendix D. Delivery Plan

DELIVERY PLAN ITEMS	ACTION
Parking in the centre of village	Parish Council and Cheshire Highways
Small scale housing to meet local needs	Parish Council
Areas of medium distinctiveness (CWLT) reclassify as High distinctiveness	Cheshire Wildlife Trust
Ecological/Habitat Survey to be done at an appropriate time of the year in particular to verify that ‘medium value’ habitats have not been under or over-valued and to map an ecological network for Cheshire East Council	Cheshire Wildlife Trust
Sustainable growth of small businesses	Parish Council and local businesses
Work with the landowners along The Hawthorns to ensure wildlife corridor is improved.	Cheshire Wildlife Trust
Improve pedestrian safety, address speed issues, upgrade broadband and create additional footpaths	Parish Council and Cheshire Highways
Landowners to be given notice of green space designation	Parish Council, local agencies and landowners
S106 – improvements to community infrastructure	Parish Council

Appendix E. Locally Important Green Spaces



Areas within the Village to be protected for environmental reasons

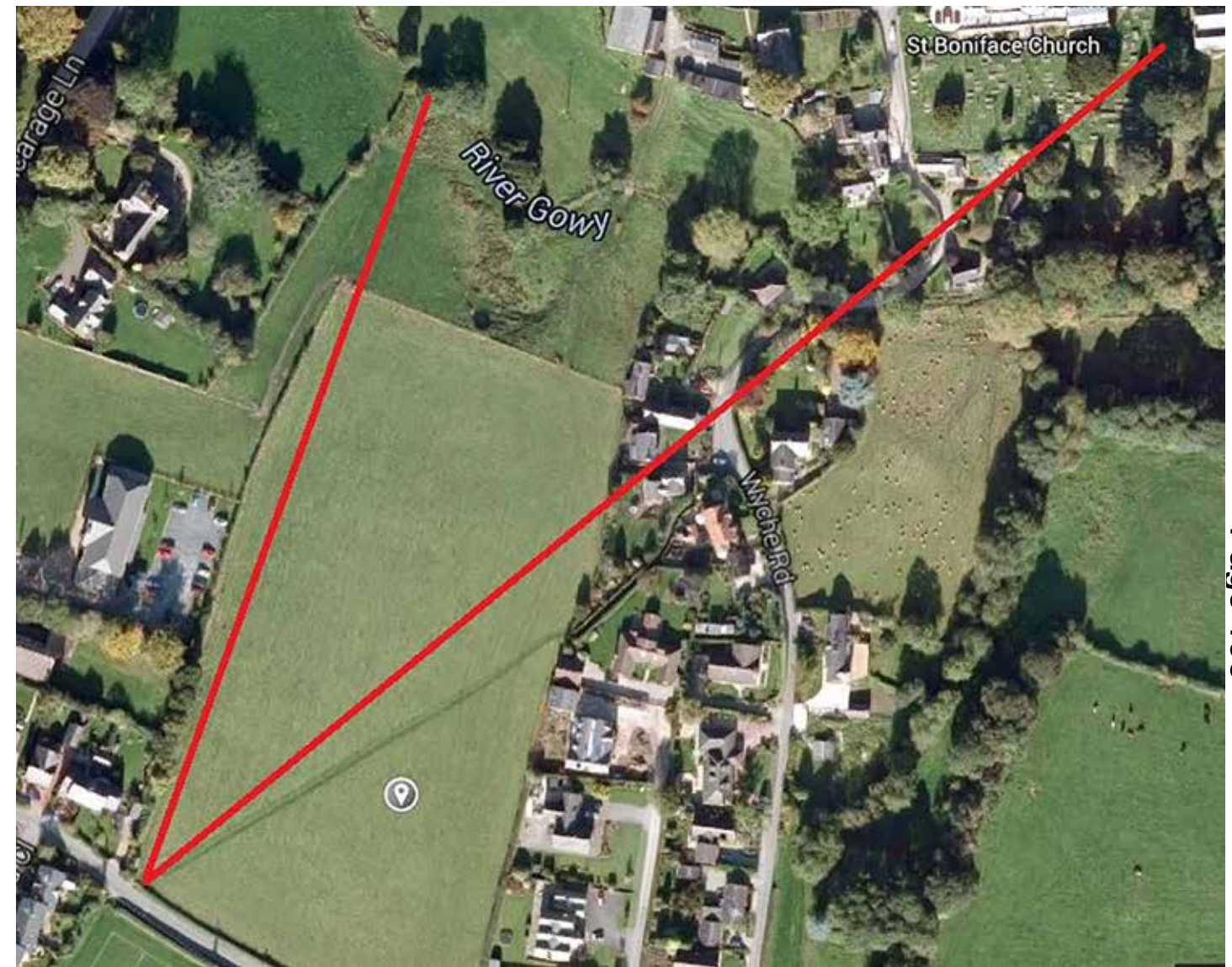
- A. Sadlers Wells Wood – Registered Local Wildlife Site and also subject to an overall group Tree Preservation Order.
- B. Woodland to the west of the A49 adjoining Firbank being a westerly extension of Sadlers Wells Wood.
- C. Woodland to the north of The White House, School Lane.
- D. Bunbury Mill and adjoining pool.
- E. St Boniface churchyard.
- F. The banks of the River Gowy and its feeder streams including remnants of ancient woodland and other natural habitats
- G. The pool and adjoining areas to the east of Wyche Road.
- H. Marshy area to the north of School Lane running in an easterly direction from the A49 past Within Street
- I. Woodland on the northerly side of School Lane

Amenity areas and open spaces

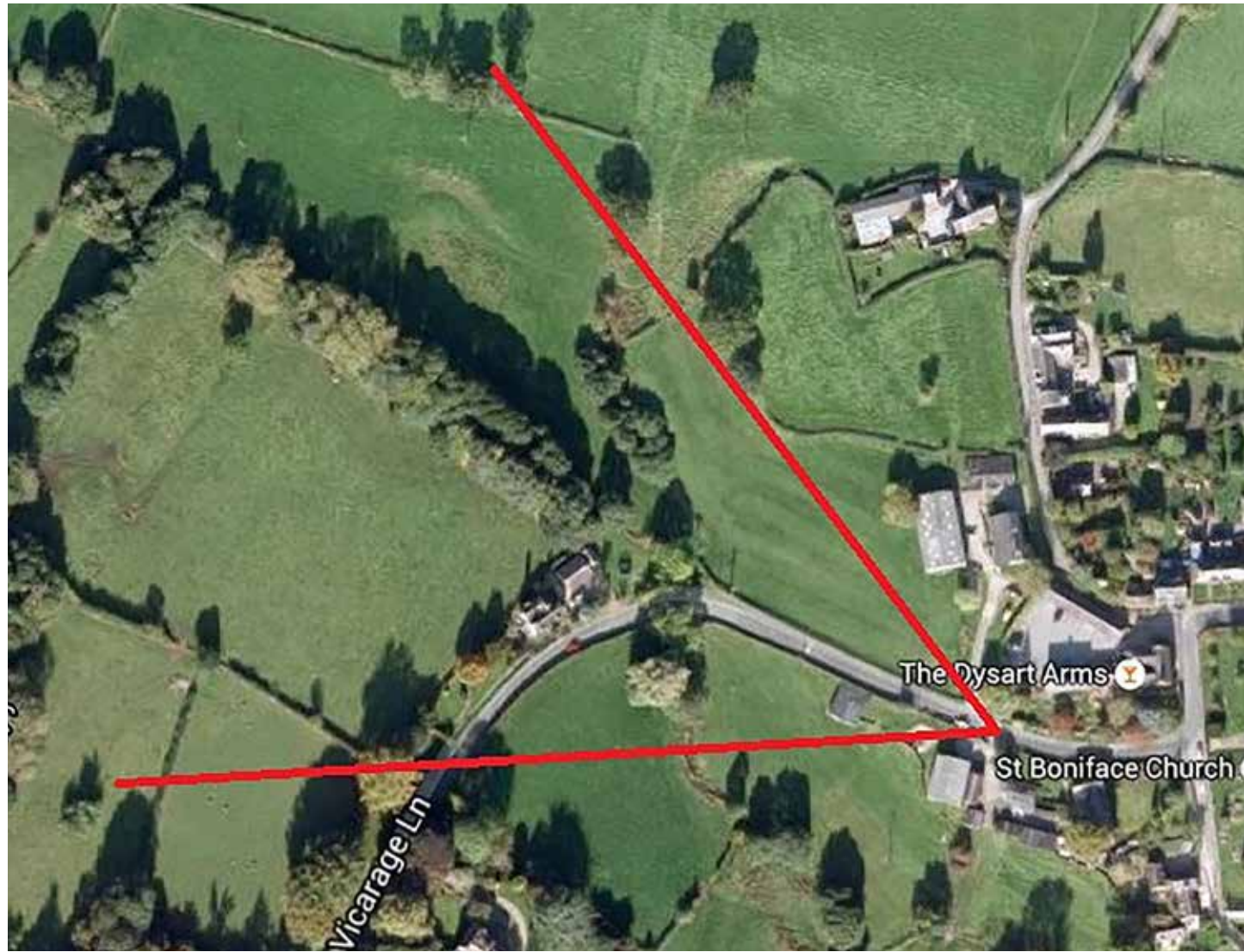
- a. Jubilee playing fields including the Bowling Green, tennis courts and play area.
- b. Cricket pitch.
- c. The school playing field.
- d. Open spaces such as The Green adjacent to St Boniface's Church in Bowes Gate Road & the junction of the A49 and School Lane.
- e. Open spaces created as part of previous developments at Darkie Meadow and Wakes Meadow.

Important local views and vistas to be protected

- i. The view of the Church over the Town Field to the north of Wyche Lane.
- ii. The open views on the north/west and south/east sides of Vicarage Lane between the Old Vicarage and the Church which maintain the separation of the conservation areas of Higher Bunbury and Lower Bunbury and which were identified by the former Crewe & Nantwich Borough Council as having archaeological potential.
- iii. The view north from School Lane over the cricket field.
- iv. The view east from Wyche Road.



Important Views and Vistas - View over Town Field from Wyche Lane



Important Views and Vistas – Open Views West from Vicarage Lane



Important Views and Vistas – View over Cricket Field



Important Views and Vistas – View East from Wyche Road

Appendix F. Mitigating the impact of development

Section 106 Agreements

Section 106 Agreements are made under Section 106 of the Town and Country Planning Act 1990 (as amended). They are legally binding agreements that are negotiated between the Planning Authority and the applicant/developer and any others that may have an interest in the land (landowners). Alternatively applicants can propose them independently, this is known as a ‘unilateral undertaking’.

They are attached to a piece of land and are registered as local land charges against that piece of land. Section 106 Agreements, also sometimes referred to as planning obligations, enable a council to secure contributions to services, infrastructure and amenities in order to support and facilitate a proposed development and are intended to make unacceptable development, acceptable.

Section 106 Agreements are generally used to minimise or mitigate the impact of development and to implement the Council’s planning policies through:

- Prescribing the nature of development (e.g. by requiring a proportion of affordable housing); securing a contribution from a developer to compensate or provide loss created by development (e.g. open space);
- Mitigating a development’s impact on the locality (e.g. contribution towards infrastructure and facilities). Developers can either pay a contribution to the council or deliver the benefit themselves. It is a legal requirement that Section 106 agreements meet three tests as set out in the Community Infrastructure Levy Regulations. These tests are that the obligations in the Section 106 Agreement must be:

- A. Necessary to make the development acceptable in planning terms
- B. Directly related to the development
- C. Fairly and reasonably related in scale and kind to the development

If an obligation does not meet all of these tests it cannot in law be taken into account in granting planning permission, they have to be fair and reasonable. Planning officers will not ask for any contribution unless it relates fairly to the development. It would not be fair to expect a developer to contribute towards existing service deficiencies such as a shortage of school places or library facilities, or repairs to the highway, where no additional need would arise from the development. However, it would be fair to expect them to contribute to limiting the impact of their own development on the local area.

If a developer offers any unrelated contribution, that does not meet the three legal tests, as an inducement, planning officers will disregard this when determining the application.

On receipt of an application for development the Council undertakes a consultation exercise, and whether the Parish Council support or object to a proposal, they have the opportunity to put forward suggestions, which could potentially, inform any negotiated S106 agreement.

It is therefore incumbent on communities to identify those areas where there are weaknesses in social and physical infrastructure to which contributions could be sought from new development, provided that the contribution relates in scale and kind to the development. For example, affordable housing, sheltered accommodation, open space and local environmental improvements.

Section 106 agreements are expected to continue as a planning tool for ensuring more general infrastructure deficiencies are dealt with. A new tool, the Community Infrastructure Levy, can be used by the Unitary Authority and Parish Councils to mitigate specifically identified infrastructure issues. It is anticipated that S106 and the CIL will run side by side.

Community Infrastructure Levy

CIL regulations have changed the developer payment landscape by introducing the levy and also by changing when Councils can seek S106 obligations. CIL provides a mechanism for developer contribution to contribute towards infrastructure needed to support the development of the area. It is not to remedy existing deficiencies unless the new development will make it worse. CIL is not mandatory Councils must develop a policy to support the imposition of CIL and must spend the income on infrastructure.

Cheshire East Council does not yet have a CIL in place as this has to be based on an approved Local Plan, evidence of the infrastructure gap and the potential impact on viability. However, once this is in place a Parish Council with a ‘made’ Neighbourhood Plan can claim 25% of the Levy, uncapped, paid to directly to the Parish. CIL can be paid ‘in kind’, as land or infrastructure, as well as by cash, if the charging authority (i.e.Cheshire East Council) chooses to accept these alternatives. However, the relevant percentage of cash value of levy receipts must be passed on to Parish Council in cash.

What can CIL be spent on?

- The provision, improvement, replacement, operation or maintenance of infrastructure eg play areas, parks, green spaces, transport, schools, health and social care facilities, cultural and sports facilities;
- Anything else that is concerned with addressing the demands that development places on an area, e.g. at Parish level, affordable housing.

As with the S106 agreements it is incumbent on communities to identify those areas where there are weaknesses in social and physical infrastructure

to which contributions could be sought from new development (provided that the contribution relates in scale and kind to the development).

Appendix G. Rationale for Settlement Boundary

The justification and criteria for defining a ‘settlement boundary’ is a key component of the housing policies of the Bunbury Neighbourhood Plan.

The land use policies in the Bunbury Neighbourhood Plan, once approved, will become a material consideration for Cheshire East Council when determining planning applications. As such Bunbury Neighbourhood Plan represents an important opportunity to influence the delivery of appropriate future housing development. There are two alternative approaches:

- Reactive: have no spatial definition of areas where new housing might be permitted in the Bunbury Neighbourhood Plan and leave it to market forces and Cheshire East Council to determine where development should take place or,
- Proactive: interpret the policies in the emerging Cheshire East Local Plan and decide how they should be defined and applied in Bunbury Neighbourhood Plan policies.

We have chosen the proactive approach. For the Bunbury Neighbourhood Plan to be approved, it will have to demonstrate to Cheshire East Council and the Examiner that its policies conform to national and local planning policies, which include encouraging sustainable development. Whilst the Crewe and Nantwich Local Plan is the current Development Plan, this policy context is about to change as Cheshire East Council seeks approval from Government for its new Local Plan. Prior to its approval, and because the Cheshire East Council area has less than a 5 Year supply of housing land, the default position is National Planning Policy Framework (NPPF) with its presumption in favour of development, including the possibility of infill sites and rural exception sites in rural areas. Also Part 2 of the Cheshire East Local Plan preparation could involve identifying housing allocations in towns and ‘local service centres’ in rural areas including Bunbury. The Bunbury Neighbourhood Plan provides the opportunity to develop proposals to be adopted by the Cheshire East Local Plan which meet the local housing needs of Bunbury.

Bunbury, is an attractive housing market and presents numerous opportunities for housing applications which could potentially be approved under emerging planning policies.

It is therefore felt that the Bunbury Neighbourhood Plan has to be proactive in defining policies to be able to influence the location, phasing and scale of housing approvals in the village.

Emerging CE Local Plan Housing Policies

Cheshire East Council is expected to gain approval of Part One of the Local Plan in 2015. As this LP goes through this process it will carry increasing weight in determining planning applications and once approved will become the new Development Plan against which all planning applications are considered. The Cheshire East Local Plan has a key policy area in relation to housing developments in Local Service Centres which looks to modest growth in housing and employment to meet local objectively assessed needs, to reduce the level of out commuting and secure their continued vitality. The Local Plan goes on to describe the form of development that could take place as an appropriate level of small scale infill that reflects the function and character of the village. The emerging Local Plan Strategy currently apports a minimum of 80 new houses for Bunbury between 2010 and 2030.

The Bunbury Neighbourhood Plan now has the opportunity to define the settlement/built up part of Bunbury by developing criteria and mapping a ‘settlement boundary’. It is important to appreciate that this approach does not identify specific sites for development, but adds local interpretation of Cheshire East Local Plan policies which should provide a positive planning policy framework for Cheshire East Council to determine future planning applications.

We already have a settlement boundary for Bunbury which is included in the Crewe and Nantwich Local Plan 2005 and which we intend to adopt in the Bunbury Neighbourhood Plan. This boundary is shown on the settlement boundary plan in Appendix C. We accept that there are limited opportunities for infill and the redevelopment of brownfield sites within this settlement boundary and that the majority of new housing development will have to be accommodated on greenfield sites. We also accept that in accordance with the NPPF these sites must be available, deliverable and viable.

With this in mind and the requirement to accommodate a number of new houses over the plan period, in consultation with the local community, it has been agreed that small developments of up to 15 new houses will be acceptable, subject to compliance with all the policies in the Bunbury Neighbourhood Plan, on a greenfield site immediately adjacent to the settlement boundary.

Once planning permission has been granted the settlement boundary will be extended to include this new development, joining the previous settlement boundary at the nearest points, however the Bunbury Neighbourhood Plan will not then allow another new housing development immediately adjoining that development in the plan period up to 2030.

Recommendation and Way Forward

The Bunbury Neighbourhood Plan Steering Group have consulted with the

community about the number of new houses that need to be accommodated over the plan period, the maximum size of any new development being limited to 15 new dwellings and how these new homes can be accommodated immediately adjacent to the existing settlement boundary. The majority of the community support this approach (see the Statement of Consultation).

Appendix H. Developer Day Feedback Results

(from an event where developers were invited to show their proposed development plans to the community – November 2013)

1	Do you support any development YES	119	70%
2	Do you support any development NO	45	26%
3	Rural Housing Trust (Bowes Gate Road)	52	30%
4	McCormack – The Grange (Wyche Lane)	45	26%
5	Bird (School Lane)	38	22%
6	Bloor (off School Lane)	24	14%
7	Goodyer (Bunbury Lane)	29	17%
8	Harding/Ryder (Bunbury Lane)	15	9%
9	How many houses are needed over 20 years? (this was average number of houses suggested on the feedback forms)	45	–
10	Number of bedrooms 5 and above	10	6%
11	Number of bedrooms 4	54	32%
12	Number of bedrooms 3	96	56%
13	Number of bedrooms 2	103	60%
14	Number of bedrooms 1	41	24%
15	Are apartments needed	38	22%
16	Are bungalows needed	95	56%

17	Is there a need for housing for older people	139	82%
18	Is there a need for affordable housing	117	69%
19	Will you attend a public meeting	163	96%

Appendix I. Glossary

Affordable Housing – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning

The sequence of allocating affordable housing will be to those with a Bunbury connection then to those in adjoining parishes and finally to the remaining Cheshire East area.

Amenity – An element that contributes positively to the overall character or enjoyment of an area.

Backland Development – The Development of ‘landlocked’ sites behind existing buildings such as rear gardens and private open space, usually within predominantly residential areas. Such sites often have no street frontages.

Biodiversity – A measure of the number and range of plants and animals and their relative abundance in a community.

BREEAM Quality Mark – The Home Quality Mark is a rigorous and relevant standard for new homes, using a simple 5–star rating to provide impartial information from independent experts on a new home’s design and construction quality and running costs.

It will also show the impact of the home on the occupant’s health and wellbeing, as buildings become more airtight, respiratory conditions rise and our population gets older. It will demonstrate the home’s environmental footprint and its resilience to flooding and overheating in a changing climate. In addition, the Mark will evaluate the digital connectivity and performance of the home as the speed, reliability and connectivity of new technology becomes ever more critical.

The Home Quality Mark will enable housing developers to showcase the quality of their new homes, and identify them as having the added benefits of being likely to need less maintenance, cheaper to run, better located, and more able to cope with the demands of a changing climate.

The Mark has been developed by BRE, the UK’s leading building science centre, based on years of building standards experience. It is part of the BREEAM family of quality and sustainability standards.

Brownfield Land – Previously developed land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

Building for Life 12 – This is the industry standard endorsed by government for designing new homes in England, based on 12 key criteria.

Cheshire East Council – The Local Authority for Bunbury

Code for Sustainable Homes – The Code for Sustainable Homes is the national standard for the sustainable design and construction of new homes. This is a voluntary national standard for new homes; it assesses rates and certifies the environmental performance of new homes on a scale of zero to six, with six being a design and construction that minimises environmental impact.

Co–location – New housing developments should be built in geographically separate parts of the village, in order that existing

local communities and infrastructure are not adversely affected by a combination of new developments. No single area of the village should be subject to a large development that has resulted from smaller developments being built close to or accessed from each other.

The separation between developments may be maintained by a significant distance, geographic features or visual segregation or a combination of these elements. A new development should not share an access road with another new development.

For the purpose of this co–location definition a small development is one of 15 houses or less and this definition applies to all new houses built within the neighbourhood plan period 2015–2030 (see the glossary definition of new development and Policy H2A).

Community Facilities – Facilities providing for the health, welfare, social, educational, spiritual, leisure and cultural needs of the community.

Community Infrastructure – The basic facilities, services and installations needed for the functioning of a community or society. It includes community buildings and halls, leisure facilities, cultural facilities, education services, and healthcare facilities.

Community Infrastructure Levy (CIL) – A charge allowing Local Authorities to raise funds from owners and developers of land who undertake new building projects in their area.

Community Right to Build – The Community Right to Build gives groups of local people the power to deliver the development that their local community wants, with minimal red tape.

Communities may wish to build new homes or new community amenities, and providing they can demonstrate overwhelming local support, the Community Right to Build will give Communities the powers to deliver this directly.

Curtilage – The area of land, usually enclosed, immediately surrounding a dwelling house.

Delivery Plan – A plan which will be prepared after the Bunbury Neighbourhood Plan has been ‘made’, that sets out a strategy for delivering and monitoring the policies in the Neighbourhood Plan. It includes the infrastructure and initiatives associated with the plan area. This is a ‘live’ document that will be updated throughout the plan period.

Deregulation Act 2015 – The Deregulation Act provides for the removal or reduction of burdens on businesses, civil society, individuals, public sector bodies and the taxpayer. These include measures relating to general and specific

areas of business, companies and insolvency, the use of land, housing and development, transport, communications, the environment, the regulation of child trust funds, education and training, alcohol, sport and entertainment, the administration of justice, public authorities and legislative reform. The Act also provides for a duty on those exercising specified regulatory functions to have regard to the desirability of promoting economic growth. In addition, the Act repeals legislation that is no longer of practical use.

Design and Access Statement – A report accompanying and supporting a planning application. The Local Planning Authority requires it for most development proposals apart from householder applications. These reports explain the design thinking behind a planning application.

Development – Defined under the 1990 Town and Country Planning Act as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any building or other land. Most forms of development require planning permission.

Development Plan – A plan comprising the Development Plan Documents contained within the Local Development Framework This includes adopted local plans and neighbourhood plans, and is defined in Section 38 of the Planning and Compulsory Purchase Act 2004.

Dwelling Mix – The mix of different types of homes provided on a site. A mix may typically include a range of house types from 2 to 5 bedroom houses.

Employment Land – Development of land for employment uses, public and community uses and main town centre uses (but excluding housing development).

Evidence Base – The researched, documented, analysed and verified evidence for preparing the Bunbury Neighbourhood Plan. It consists of many documents produced over a period of years by the Local Authority as part of the process of developing its Core Strategy.

Examination – An independent review of the Neighbourhood Plan carried out in public by an independent examiner.

Exception Sites – see definition of Rural Exception Site.

Fabric First Approach – Like the 2010 building regulations, L1A 2013 requires new dwellings to meet a defined target for carbon emissions (the ‘target emission rate’, or TER). Unlike the 2010 regulations, there is an added emphasis on the basic fabric of the building, and in order to comply with L1A 2013, a new dwelling will also have to meet a ‘target fabric energy efficiency’ (TFEE).

‘Fabric First’

A building’s fabric is intended to be the longest standing part of the construction, so the adoption of a fabric first approach is designed to ensure long-term performance that will help reduce energy demand to the lowest possible level, and provide the energy in the most cost-effective way. SAP 2012 software calculates the TFEE for a dwelling by taking into account:

- Building fabric U-values
- Thermal bridging
- Air permeability
- Solar gains
- Internal heat gains

Previously, a dwelling could achieve compliance by paying little attention to the fabric but taking advantage of costly renewable technologies such as heat pumps and photovoltaic arrays. Now, the aim is to reduce energy use and cost, reduce CO2 emissions, increase comfort, and rely less on those renewable technologies.

To achieve this, the calculation method rewards improved insulation standards and well-designed construction details that limit thermal bridging and air leakage. The overall intention is for L1A 2013 to result in a 6% reduction in CO2 emissions across the new homes build mix compared to L1A 2010 (although changes in the calculation methodology make it difficult to quantify the exact percentage).

For L1A 2013, the ‘limiting fabric parameters’ (essentially, the highest permissible U-values for individual building elements) from L1A 2010 remain. Designing to these values will not result in compliance and the building specification will need to be considerably better.

Green Corridors – Green spaces that provide avenues for wildlife movement, often along streams, rivers, hedgerows or other natural features. Green corridors connect green spaces together.

Greenfield – Land on which no development has previously taken place.

Gross Density – The number of dwellings per hectare when the calculation of the site area includes the whole site.

Habitat Regulations – The European Union Habitat Directive aims to protect the wild plants, animals and habitats that make up our diverse natural environment. The directive created a network of protected areas around the European Union of national and international importance. The protected areas are called Natura 2000 sites. If a development is likely to affect a Natura 2000 site, an assessment under the Habitat Regulations is required.

Independent Examiner – Anyone with appropriate qualifications and skills and who meets certain requirements set out in the Localism Act. This could be a planning consultant or other planning professional, an employee of another local authority or a planning inspector.

Infill Development – Infilling is defined as the filling of a small gap (with up to 2 dwellings) in an otherwise built-up frontage in a recognised settlement.

Infrastructure – the ancillary works and services which are necessary to support human activities, including roads, sewers, schools, hospitals etc.

Intermediate Housing – See definition under Affordable Housing.

Lifetime Homes – The Lifetime Homes standard is a set of 16 design criteria that provide a model for building accessible and adaptable homes. Each design feature adds to the comfort and convenience of the home and supports the changing needs of individuals and families at different stages of their lives.

Local Green Spaces – see Open Space.

Local Wildlife Sites – Sites with ‘substantive nature conservation value’, they are defined areas identified and selected locally for their nature conservation value based on important, distinctive and threatened habitats and species with a national, regional and local context.

Localism Act – An Act of Parliament that became law in April 2012. The Act introduces a new right for local people to draw up ‘Neighbourhood Development Plans’ for their local area.

Local Housing Needs – See Appendix A

Local Plan – The plan for the future development of the local area, drawn up by the local planning authority, in consultation with the community. In law this is described as the development plan document adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies which, under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

Low Cost Market Housing – Private sector housing that will be available to local residents who cannot afford to buy houses generally available in the open market.

Market Housing – Properties for sale or rent where prices are set in the open market.

Mixed use – Development where more than one use is proposed. A site could have houses, shops and community facilities for example. One building could be used for different purposes such as offices over shops.

National Planning Policy Framework – The National Planning Policy Framework (NPPF) was published by the Government in March 2012. It sets out the Government’s Planning policies for England and how these are expected to be applied.

Neighbourhood Plan Group – A group of local people representing the Parish Council, community groups and businesses that informed and guide the work on the Bunbury Neighbourhood Plan.

Neighbourhood Plan – The full title in the Localism Act is ‘Neighbourhood Development Plan’. It is a plan document for a defined area subject to examination and approval by local referendum. It will be used in the determination of planning applications.

Net Density – The number of dwellings per hectare, when the calculation of the site area excludes features such as open space, landscape buffers and access roads.

New Development – In the Neighbourhood Plan the term new development refers to housing development built during the plan period 2010–2030 and is directly related to the reference to co-location in Policy H2A restricting new developments being built next to each other and exceeding the 15 new houses allowed within Policy H2.

New Homes Bonus – The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use. The New Homes Bonus is paid each year for 6 years. It’s based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes.

Open Countryside – The area outside the settlement boundary.

Open Space – All spaces of public value, including public landscaped areas, playing fields, parks and play areas and areas of water such as rivers, canals, lakes and reservoirs, which may offer opportunities for sport and recreation or act as a visual amenity and a haven for wildlife.

Open Vista – A view into, out of or across the village of open countryside and the surrounding area.

Plan Period – The period for which the Bunbury Neighbourhood Plan will set policy for Bunbury. This will be from the adoption of the Plan until 2030 by agreement between Bunbury Parish Council and Cheshire East Council.

Public Open Space – see Open Space above

Referendum – A general vote by the electorate on a single policy question that has been referred to them for a direct decision. In the case of the Bunbury Neighbourhood Plan, the referendum will decide whether or not to adopt the Plan.

Registered Social Landlord – Independent housing organisation registered with the Tenant Services Authority under the Housing Act 1996. Independent, not-for-profit housing providers regulated by the government, and also known as Housing Associations. They offer homes for rent or shared ownership for people in housing need.

Residential Amenity – The quality of the living environment for occupants of a dwelling house including its associated external spaces

Rural Exception Site – Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.

Section 106 Agreements – Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as 106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development.

Settlement – Settlements may be defined as cities, towns, villages and small settlements. The precise definition of which category each settlement falls into, will be part of the development plan process for each locality.

Settlement Boundary – This defines the limits of development and makes clear where development will and will not be allowed, regardless of other constraints.

SSSI – Site of Special Scientific Interest.

Statement of Consultation – A statement of consultation accompanying the Bunbury Neighbourhood Plan is required by the Localism Act. The statement of consultation must explain how the community were consulted and how this informed the Neighbourhood Plan.

Strategic Environmental Assessment – Assessments made compulsory by a European Directive (the SEA Directive). They are to be implemented in planning through Sustainability Appraisals of Development Plan Documents and Neighbourhood Plans.

Sustainable Development – Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The UK Sustainable Development Strategy Securing the Future set out five ‘guiding principles’ of sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Sustainability Appraisal – This is a process of appraising policies for their social economic and environmental effects which must be applied to all Development Plan Documents.

Swales – Shallow broad and vegetated channels designed to store and/or convey runoff and remove pollutants. They can be designed to promote infiltration where soil and groundwater conditions allow.

Wildlife Corridor – Strips of land, for example along a hedgerow, conserved and managed for wildlife, usually linking more extensive wildlife habitats.

Windfall sites – Sites not allocated for development in the Bunbury Neighbourhood Plan that unexpectedly come forward for development.

Appendix J. Contacts

- Cheshire East Council
- Cheshire Wildlife Trust
- Cheshire Community Action

Appendix K. Regulation 14 Consultees

REGULATION 14 CONSULTEES	
1.	United Utilities
2.	Sport England
3.	Cheshire East Council – all departments
4.	Cheshire West and Chester Council – planning department
5.	Cheshire Police
6.	Environment Agency
7.	Highways Agency
8.	National Health Service – local and national
9.	National Grid
10.	Natural England
11.	Coal Authority
12.	English Heritage
13.	Network Rail
14.	Chambers of Commerce – national and local
15.	Tarporley PC
16.	Spurstow PC
17.	Haughton PC
18.	Alpraham PC
19.	Beeston and Tilstone Fernal PC
20.	Seddon Homes
21.	Barton Wilmore
22.	GVA
23.	Reaseheath College
24.	Barratt Homes
25.	Emerson Property Group
26.	NFU
27.	Bellway Homes
28.	Boughey
29.	Cheshire and Warrington LEP
30.	Persimmon Homes
31.	Bellway Homes
32.	Cheshire Association of Local Councils

33.	Cheshire Wildlife Trust
34.	Age Concern
35.	North West Transport
36.	Campaign for better Transport
37.	Canal and Rivers Trust
38.	Groundwork Trust
39.	Cheshire Community Action
40.	Autism networks
41.	Sustrans
42.	National Trust
43.	CPRE
44.	Age UK
45.	Energy Projects Plus
46.	Land Access and Recreation Association
47.	Nantwich Civic Society
48.	Youth Parliament
49.	East Cheshire Ramblers
50.	Travel Watch Northwest
51.	Crewe YMCA
52.	Shropshire Union Canal Trust
53.	Cheshire East Cycling Campaign
54.	National Federation of Gypsy Liaison Groups
55.	Church Commissioners
56.	Disability Information Bureau
57.	Gladman Developments
58.	Macbryde Homes
59.	Bloor Homes
60.	CB Properties
61.	Wulvern Homes
62.	Bentley
63.	CBRE
64.	Christian Concern
65.	Red Cross
66.	Cheshire Fire Service
67.	Carers Federation

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