

# CHESHIRE EAST COUNCIL

## REPORT TO: PORTFOLIO HOLDER FOR STRATEGIC COMMUNITIES

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**Date of Meeting:** 1 May 2013  
**Report of:** Strategic Planning & Housing Manager  
**Subject/Title:** Cheshire East Local Plan – Additional site Options  
Proposed By Development & Land Interests -  
Consultation  
**Portfolio Holder:** Councillor David Brown

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### 1.0 Report Summary

- 1.1 This report follows the consultation on the Local Plan undertaken between 15 January and 26 February 2013. In response to this consultation a number of strategic sites have been proposed as potential development options, by developers and landowners. All of these sites have not previously been the subject of consultation (it should be noted that some sites are included where the scale of development that is proposed has changed) – either in the Town Strategies or Development strategy itself (as either an allocated strategic or “alternative” site). In addition other strategic sites have been brought to the attention of the Council in the past few months, as the plan making process has progressed. It should be noted that none of the sites have been suggested by Cheshire East Council.
- 1.2 The Next stage of the Local Plan will be the preparation of the final Submission Draft Core Strategy. To ensure robustness, it is proposed to carry out a short focussed consultation, with residents and stakeholders, to seek views on any “new” sites that have emerged in recent months. This report seeks consideration and approval of this process and those sites.

### 2.0 Decision Requested

- That the Portfolio Holder considers the comments of the Strategic Planning Board on the proposed list of sites and consultation methodology.
- That the Portfolio Holder for Sustainable Communities is recommended to approve the list of sites at Appendix 1 and 2 for Consultation as “Alternative Options”
- That the final form and wording of the Consultation Document be delegated to the Strategic Planning & Housing Manager in consultation with the Chairman of Strategic Planning Board and Portfolio Holder for Sustainable Communities

### **3.0 Reasons for Recommendations**

- 3.1 To ensure the robustness of the Local Plan, by ensuring that sites which have emerged through the consultation process are brought to the attention of the public and interested parties and so that continued progress is made with the preparation of the Local Plan.

### **4.0 Wards Affected**

- 4.1 The Local Plan affects all wards

### **5.0 Local Ward Members**

- 5.1 All Ward Members are consequently directly or indirectly affected

### **6.0 Policy Implications including - Carbon reduction & Health**

- 6.1 **Health:** The Local Plan can make an important contribution to the health and well being of the Borough. The plan will consider the new infrastructure requirements of the area – both existing and arising from new developments. This enables health provision to be made in the right places to serve future generations.
- 6.2 In addition the plan can help build healthier communities through the design of new villages and neighbourhoods. Provision of green infrastructure in particular can assist in promoting more active lifestyles – as well as contributing towards better mental health.
- 6.3 **Carbon reduction.** The Local Plan is a means of promoting more sustainable patterns of development – which in turn can reduce carbon dependency. The Policy Principles document also contain draft policies dealing with renewable energy. Cheshire East has a variety of opportunities for new renewable energy, including geothermal heating.

### **7.0 Financial Implications**

- 7.1 The preparation of the Local Plan is a time consuming and costly process. To ensure continued progress additional resources of £400,000 have been set aside within the 2013/14 budget. The failure to produce a local plan in a timely way would cost the Council in terms of potentially expensive appeals and lost CIL revenue.

### **8.0 Legal Implications**

- 8.1 The Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare Local Development Frameworks, now known as Local Plans. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the procedures to be followed in the preparation of such plans.

- 8.2 The proposed consultation will be prepared under Regulation 18 which requires Local Planning Authorities to engage with the community and businesses regarding the preparation of the Local Plan. Whilst the form of this consultation is not a statutory requirement it is nevertheless an important part of the Local Plan process and the results of the consultation will inform the preparation of the formal submission Core Strategy next year. It will enable the Council to demonstrate to the Inspector who conducts the public examination into the Core Strategy that extensive consultation has been undertaken and that all reasonable alternative strategies and sites have been considered; these considerations form part of the tests of soundness that the Inspector will apply.
- 8.3 The preparation of the plan is guided by the National planning policy Framework – and other related advice. The Localism Act 2011 imposes on local planning authorities, in preparing local plans, a duty to co-operate with neighbouring authorities and other parties on strategic issues of common interest.

## **9.0 Risk Management**

- 9.1 Cheshire East Council needs to ensure that it has followed and is able to demonstrate a robust and transparent process, in preparing the Core Strategy.
- 9.2 **Local Plan Examination** Following the publication and its final consultation, the Core Strategy will be submitted for examination. The key test of examination is one of 'soundness'. For a plan to be considered sound, it must be:
- Positively prepared
  - Justified
  - Effective
  - Consistent with National Policy
- Failure at examination has serious negative consequences for any Local Authority. By preparing and consulting on a draft Development Strategy, the Council is reducing the risk of this outcome.
- 9.3 **Planning Applications & Appeals.** The Council is currently experiencing a large number of planning applications for housing on sites that are not allocated in the development plan. Some of these are subject to appeal and or legal challenge.
- 9.4 An up to date Local plan will not only provide new policies that are fully compliant with the NPPF but it will also provide an ongoing supply of deliverable housing sites. Consequently completion of the local plan will greatly assist the processing and determination of planning applications in the Borough.

## **10.0 THE PROPOSED CONSULTATION**

### **Consultation & Evidence so far**

- 10.1 The proposed consultation on new sites emerging from the recent consultation on the Development Strategy is but the latest in a series of stages before a final Plan is prepared. Hence whilst the Local Plan has already been the subject of considerable consultation – it is important to ensure all potential options are explored – and especially – brought to wider public attention. This will build on the work already carried out to engage with the public. Cheshire East Council is preparing a strong Core Strategy. To ensure transparency and to be robust,

there is a need to examine the public's views on any new potential Strategic sites.

- 10.2 The Issues & Options Stage of the Local Plan set out high level choices for the scale and location of future growth in Cheshire East. This suggested options ranging between 1150 homes / 350 jobs per year through to 1600 homes / 950 jobs each year. Different options for the pattern of growth were also set out – with development either being concentrated in the south of the Borough and the main towns – or to a more even spread, including the option of Green belt adjustment in the north. A rural variant with greater dispersal of growth was also consulted on. Overall the option for higher growth received the greatest support, although comments were made in favour of all proposals. Further detail is contained within the appended Strategic Planning Board report.
- 10.3 The Council also produced Town Strategies for each of the eleven largest towns in Cheshire East. These were prepared in conjunction with the relevant town or Parish Council (apart from then unparished Crewe & Macclesfield) and frequently also involved existing town partnerships or similar bodies. The model for these documents was provided by the neighbourhood planning 'Front Runner' project, funded by the CLG. The first phase of strategies were subject to consultation earlier in 2012, with the final six strategies consulted on during September of that year.
- 10.4 The Town Strategies for Alsager, Middlewich, Congleton and Sandbach (in part) have now been signed off by the respective town councils. The Report of Consultation on the remaining was included with the report to the strategic Planning Board on 6 December 2012. The Town Strategies are intended to inform the Cheshire east Local Plan; consequently the later stages of the Plan will endeavour to reflect the approved documents and consultation responses as far as is possible.
- 10.5 The Development strategy was also supported by a strong evidence base. Key studies and areas of work within this include:
- Strategic Housing Market area assessment
  - Strategic Housing Land availability assessment
  - Employment Land review
  - Open Space & Green Infrastructure assessments
  - Renewable Energy Assessments
  - Strategic Flood Risk Assessment
  - Landscape Character assessment
  - Transportation Studies
- These are published on the Council's web site
- 10.6 The development Strategy was the subject of Consultation between 15 January and 26 February 2013. It is this consultation that has produced further sites for consideration
- 10.7 The Development strategy identified 'preferred options' for land for development. This falls into several categories:
- Strategic site – where the boundaries of the site are clearly defined

- Strategic locations – where the broad locality is known – but where further work may be necessary to specifically identify the appropriate site boundaries
- Areas of Search. This applies to the need to identify development land well into the future. It may be most appropriate to bring forward detailed proposals through the Site Allocations document or possibly an area action plan.

10.8 The strategic Sites are located for the most part within the Principal towns or the Key Service Centres. It is these towns that have the infrastructure and facilities that are best able to support new jobs, homes and other development. These larger towns have also been the subject of the preceding 'Town strategies' each prepared according to neighbourhood planning principles. Consequently the vast majority of strategic sites have already been the subject of consultation as part of the Town Strategies.

10.9 Where a town Strategy has already been approved by the relevant town council the Development strategy wherever possible reflected the preferred sites or options set out in that strategy. However, in some cases the related consultation process also threw up new sites for consideration; accordingly a few of these were included within the Development Strategy

10.10 In just the same way, the Development strategy Consultation has also allowed yet more strategic sites to be proposed. These have not previously been the subject of consultation in any of the preceding stages. At the same time further sites have also been proposed directly – either via the planning application process or the SHLAA call for sites. The Council has made no decision as to the merits of these sites at this stage; however in order that they may brought to full public attention it is proposed that these sites be now identified as potential alternative options and so be subject to a period of consultation and comment.

## **Consultation Methodology**

10.11 The Development plan Regulations provide broad scope for the nature of consultation undertaken before the final submission draft Core Strategy plan is prepared. It is proposed that the alternative sites consultation therefore takes place within the sphere permitted by Regulation 18. The Consultation is intended to be short and focussed – with the single objective of highlighting options that may subsequently fall under consideration in the preparation of the final draft.

10.12 As the Council are not consulting on a Draft Development Plan Document it is proposed that the consultation extends to a period of four weeks - commencing Friday 3 May and ending on Thursday 30 May 2013. The Consultation will be based on a short document centred on the site maps and a brief description of the site, its location and possible uses.

10.13 This document will be available online, with limited numbers in libraries and Council offices. Hard Copies will also be sent to the relevant Parish / Town Council – and all Parishes will be notified of the process by letter and e-mail. In addition all individuals registered on our e-mail database will also be informed

10.14 The Council does not proposed these sites at this stage – but identifies them merely as possible options for consideration. Comments on the merits of the sites are therefore invited on that basis. Should any of the sites be thought possess

potential for subsequent inclusion within the plan, then additional work would need to be carried out to further assess their suitability.

## **The Alternative Options Sites**

10.15 The list of proposed alternative site options is set out in the schedule at Appendix 1 with accompanying maps at Appendix 2. These do not represent all of the sites that have emerged through the consultation process, but rather those that are considered to be strategic in size, sustainability and impact. Included within the list are some sites already identified previously, but where a significantly larger area of development is now proposed. Smaller, non strategic small sites which have been brought to the attention of the Council will be considered in the more detailed stages of the Local Plan process, including the Site Allocations document.

10.16 In most cases the attached schedule sets out the proposed use of the site and the scale of the development involved. In other cases site promoters have not provided further details and so it is assumed that the site could be developed for a variety of purposes.

10.17 All sites previously considered as part of the town strategies or other stages of the Plan process are not included in the list; these sites have already been brought to public attention and remain under consideration.

## **11.0 Access to Information**

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

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## **Appendices:**

### **Appendix 1            Report to Strategic Planning Board 1 May 2013**

<http://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=279&MIId=4976&Ver=4>