

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

The emerging Bunbury Neighbourhood Plan (BNP) contains a series of policies that seek to deliver sustainable development and include positive approaches to planning across a range of issues from landscape and environment to housing, biodiversity and the local economy. There are areas that would benefit from further policy development and from the preparation of further evidence to support the position already preferred by the parish council.

The points raised below refer to key recommendations that Cheshire East Council feels are necessary to address to deliver a neighbourhood plan that is supported by evidence, complies with national planning policy and does not conflict with the strategic aims of the emerging Local Plan Strategy for Cheshire East. The recommendations outlined below are intended to assist the Parish Council toward submission of a neighbourhood plan that meets the Basic Conditions as outlined in the Neighbourhood Planning (General) Regulations 2012).

Key issues:

- Evidence to support housing requirement
- Definition of settlement boundaries
- Landscape evidence to support references to 'vistas/views/setting'
- Further evidence to support sites of 15 developments or less

Vision

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

Supportive overall – recommend some consideration given to removing text that does relate directly to stating the vision of the plan:

Recommendation:

The following amended text is suggested:

'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 will aim to sustain and promote local businesses and a range of community activities and facilities. The neighbourhood plan will support, enhance and build upon a strong sense of community, quality of life and flourishing natural environment that currently exists in Bunbury.

The neighbourhood plan will maintain and, where appropriate, improve the range of community facilities that currently exist. Local businesses are also important and the neighbourhood plan will support these as well as attract new enterprises, provided they are in keeping with the area.

The community recognise the need for small scale housing development in the village over the period of the Plan and will support such development where it is carefully controlled, where the design of any housing is in keeping with the character of the settlement, and where the environmental sustainability of the plan area is enhanced'

The last two paragraphs of the proposed Vision begin to deal with the detail of policy delivery and may sit more comfortably within the justification and evidence section related to Housing Policy

Housing Policy Justification and Evidence:

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

Bunbury Parish Council (BPC) seeks to introduce a policy that addresses the total quantum of housing required within the neighbourhood area. It is therefore recommended that proportionate evidence is submitted with the plan to support this policy position. As the emerging Local Plan Strategy for Cheshire East Council is currently under examination and not yet adopted the figures referred to that relate to the quantum of development appropriate to Local Service Centres may be subject to change through the process of examination. Should these figures change, there will be an impact on housing requirements across Local Service Centres, including at Bunbury.

Recommendation:

Continue to develop the evidence base to justify the policy positions

Policy H1

Comment:

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Should BPC seek to rely on the existing settlement boundary for Bunbury as identified in the Crewe and Nantwich Local Plan (2011) (C&NLP) they should be aware that 1) this is likely to be subject to alteration via the local plan process and that 2) where a local planning authority cannot demonstrate a five supply of land for housing, those policies related to the restriction of housing supply (including settlement boundaries) cannot be afforded full weight for decision making purposes.

Therefore, the policy as proposed will be subject to change outside the remit of the neighbourhood plan. If the intention of the policy is to retain control over such changes at the neighbourhood plan level, further work is recommended.

Recommendation:

Should BPC seek to rely on a defined settlement boundary for the purposes of neighbourhood plan policies, BPC should introduce an additional policy specifically relating to Settlement Boundaries and identifying the extent of the settlement boundary for the village. This would remove any doubt over the relationship between BNP and the C&NLP (and any future alterations that may be made via the Local Plan process).

If such a policy is introduced, supporting evidence to justify the decisions reached on the extent and limits of such boundaries should be provided to support the policy position.

Comment:

The inclusion of reference to delivery of a minimum of 80 new homes within Bunbury is supported and allows flexibility should a review of the CEC Local Plan Strategy result in higher requirements for housing across the Local Service Centres.

Recommendation:

The provision of further detailed evidence to support the requirement of 80 new homes in Bunbury is advised and may be associated with work undertaken as part of the Local Plan process or independently by sourcing a housing needs study.

Policy H2

Comment:

No conflict with existing or emerging strategic Development Plan Policies for CEC.

The policy is positive in support of new development subject to proposals meeting certain criteria.

Restrictions on size of developments to 15 dwellings or less inevitably will have implications for the delivery of contributions to local infrastructure and services.

Recommendation:

Submit further evidence to justify the conclusion that limiting sites to 15 dwellings is appropriate for Bunbury.

Consideration could be given to the introduction of an exception to para. A) of the policy, for example where a clearly identifiable community benefit, identified via the neighbourhood plan, can only be delivered by a site that can accommodate more than 15 homes.

Policy H3

Potential conflict with other legislation relating to the provision of Affordable Housing

Comment:

The allocation of affordable housing is a statutory responsibility of the Local Planning Authority under the Housing Act 1996 (amended by the Localism Act 2011). Housing authorities are required by s.166A(1) to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14)). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken. In the Secretary of State's view, qualification criteria form part of an allocation scheme.

All housing authorities must have an allocation scheme, regardless of whether they own housing stock and whether they contract out the delivery of any of their allocation functions. When framing or modifying their scheme, authorities must have regard to their current tenancy and homelessness strategies (s.166A(12)).

Policy H3 establishes criteria that seek to allocate affordable housing in Bunbury. This must comply with the CEC Affordable housing allocations policy.

Recommendation:

Alteration to the policy text to insert as per the below:

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.**

Policy H6

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

The requirement for Bunbury to accommodate 80 homes is not finalised or evidenced via the Local Plan and may be subject to change.

Recommendation:

Should BPC seek to assert the need to deliver 80 homes in advance of evidence completed via the Local Plan process, further evidence to support this assertion should be provided to support the policy position (as per comments on Policy H1).

Policy LC2

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

No evidence available to support the policy position.

Recommendation:

Provision of evidence to justify the policy position reached.

Policy ENV2

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

The policy refers to 'exceptional circumstances', it is unclear what is meant by the term. Reference is also made to 'character', 'open views' and 'rural setting'. To justify the policy such issues would benefit from further evidence, particularly on landscape value.

Recommendation:

Define the meaning of exceptional circumstances for the purposes of applying the policy.

Policy BIO1

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

Reference is made to 'core sites' but it is unclear where such sites are located.

Recommendation:

Depict the location of 'core sites' on an associated map.

Policy T2

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

The policy refers to submission of a 'connectivity statement'. There is no requirement for such a statement to be submitted as part of any planning application.

Recommendation:

A change to the policy wording to state that a 'connectivity statement' should be made within the Design and Access Statement submitted with any development proposal.

Policy T4 – Parking

No conflict with existing or emerging strategic Development Plan Policies for CEC.

Comment:

The second paragraph of the policy refers to implementation and build and cannot be assessed up front as part of a development proposal. A planning condition may be attached to a consent that would seek to achieve the same outcome.

Recommendation:

Alter policy to state that development applications will be expected to fully address the implication of off-road parking and have regard to factors 'including design, local character, car use/ownership levels and available public transport provision'.