

# Cheshire East Council

## Portfolio Holder

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<b>Date of Meeting:</b>	30 January 2017
<b>Report of:</b>	Director of Planning and Sustainable Development
<b>Subject/Title:</b>	Holmes Chapel Neighbourhood Plan - Decision to proceed to referendum.
<b>Portfolio Holder:</b>	Councillor Ainsley Arnold: Housing and Planning

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### 1. Report Summary

- 1.1. The Holmes Chapel Neighbourhood Development Plan (HCNDP) was submitted to the Council in August 2016 and, following a statutory publicity period, proceeded to Independent Examination. The Examiner's 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. Recommendation

- 2.1. That the Portfolio Holder accepts the Examiner's recommendations to make modifications to the Holmes Chapel Neighbourhood Plan as set out in the Examiner's report (at Appendix 2) and confirms that the Holmes Chapel Neighbourhood Plan will now proceed to referendum in the Holmes Chapel Neighbourhood Plan area.

### 3. Other Options Considered

- 3.1. That the Council do not accept the recommendations made by the examiner, and the plan should not proceed to referendum.
- 3.2. There are no reasons that the Council should not accept the examiners recommendations or proceed to referendum.

### 4. Reasons for Recommendation

- 4.1. 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.

- 4.2. Subject to the modifications set out in the Examiner's Report, the Holmes Chapel Neighbourhood Plan is considered to meet the statutory basic conditions and procedural requirements set out in Schedule 10, paragraph 8, of the Localism Act and as such it can now proceed to referendum.

## **5. Background/Chronology**

- 5.1. The preparation of the Neighbourhood Plan began in late 2014 with the submission of the Neighbourhood Area Designation which was approved in April 2015.
- 5.2. The location and extent of the Holmes Chapel Neighbourhood area is shown on the map in Appendix 1.
- 5.3. The final Neighbourhood Plan and its supporting documents were submitted to Cheshire East Council in August 2016.
- 5.4. The supporting documents included:
- The Holmes Chapel Neighbourhood Development Plan of the neighbourhood area
  - Basic Conditions Statement
  - Consultation Statement
  - Sustainability Statement
  - Screening Opinion the need to undertake Strategic Environmental Assessment
- 5.5. Cheshire East undertook the required publicity between 15<sup>th</sup> August 2016 to 26<sup>th</sup> September 2016. 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.
- 5.6. The Borough Council appointed Jill Kingaby BSc (Econ) MSc MRTPI as the independent Examiner of the Plan. The Examiner is a chartered town planner and former government Planning Inspector, with more than 15 years experience inspecting and examining development plans. On reviewing the content of the Plan and the representations received as part of the publication process, she decided not to hold a public hearing.
- 5.7. A copy of the Examiner's Report is provided at Appendix 2. A copy of the Neighbourhood Plan (as submitted to the Council prior to examination) is included at Appendix 3.
- 5.8. The Examiner's Report contains Jill Kingaby's findings on legal and procedural matters and her 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 and summarised in a

table appended to the report. The modifications are principally amendments to policy wording and the inclusion of additional maps and information to improve clarity.

- 5.9. Overall it is concluded that the Holmes Chapel Neighbourhood Plan does comply with the Basic Conditions and other statutory requirements and that, subject to recommended modifications, it can proceed to a referendum.

**5.10. Next steps**

- 5.11. 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 Holmes Chapel Parish Council 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.
- 5.12. 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 9<sup>th</sup> March 2017.
- 5.13. 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 Holmes Chapel to help it decide planning applications in the neighbourhood area?". There would be two voting options, 'yes' or 'no'.
- 5.14. 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 Holmes Chapel 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.

**6. Wards Affected and Local Ward Members**

- 6.1. Dane Valley Ward;
- 6.2. Councillor Les Gilbert; Councillor Andrew Kolker

## **7. Implications of Recommendation**

### **7.1. Policy Implications**

7.1.1. 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. 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.

### **7.2. Legal Implications**

7.2.1. 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.

### **7.3. Financial Implications**

7.3.1. The referendum is estimated to cost £9,500. This will be paid for through government grant (£20,000) and the service's revenue budget.

### **7.4. Equality Implications**

7.4.1. The neighbourhood plan has been prepared in a manner which has been inclusive and open to all to participate in policy making and establish a shared vision for future development in Holmes Chapel. The policies proposed are not considered to disadvantage those with protected characteristics.

### **7.5. Rural Community Implications**

7.5.1. Holmes Chapel is a Local Service Centre providing services and facilities to a large rural area. Whilst the neighbourhood area itself does not extend significantly into the rural areas, the Plan does address a

number of rural issues through its Countryside and Environment policies. The policies in the plan have been developed by the community, with opportunities for the rural community to participate in the plan making process.

## **7.6. Human Resources Implications**

7.6.1. None

## **7.7. Public Health Implications**

7.7.1. Neighbourhood plans are an opportunity to promote public health in the statutory planning framework and the Holmes Chapel neighbourhood plan contains policies on community and wellbeing and on health centre facilities.

## **7.8. Implications for Children and Young People**

7.8.1. Neighbourhood plans are an opportunity to promote the safety, interests and well being of children in the statutory planning framework and the Holmes Chapel Neighbourhood Plan introduces policies which support the wellbeing of children including access to safe play space, policies on education on the delivery of childcare facilities.

## **7.9. Other Implications (Please Specify)**

7.9.1. None.

## **8. Risk Management**

8.1. The decision to proceed to referendum and subsequently 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.

## **9. Access to Information/Bibliography**

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

## **10. Contact Information**

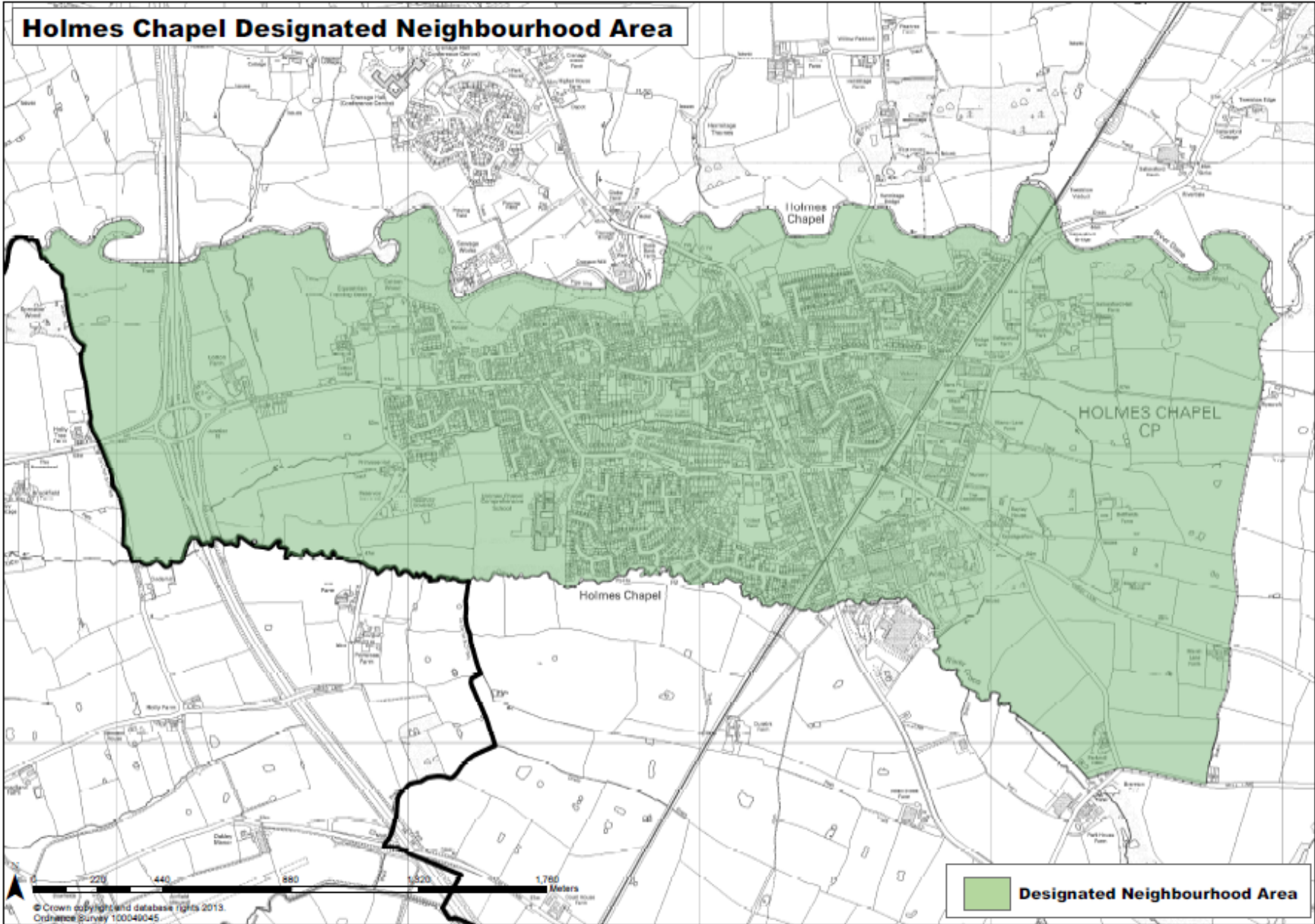
Contact details for this report are as follows:

<b>Name:</b>	<b>Tom Evans</b>
<b>Designation:</b>	<b>Neighbourhood Planning Manager</b>
<b>Tel. No.:</b>	<b>01260 383709</b>
<b>Email:</b>	<b><a href="mailto:Tom.Evans@cheshireeast.gov.uk">Tom.Evans@cheshireeast.gov.uk</a></b>

## **11. Appendices:**

- **Appendix 1: Holmes Chapel Neighbourhood Area**
- **Appendix 2: Holmes Chapel Neighbourhood Development Plan Examination Report**
- **Appendix 3: Holmes Chapel Neighbourhood Plan (as submitted)**

Appendix 1: Holmes Chapel Neighbourhood Area



**Appendix 2: Holmes Chapel Neighbourhood Development Plan  
Examination Report**



**Report on Holmes Chapel Neighbourhood Plan  
Final Version November 2016**

**An Examination undertaken for Cheshire East Borough Council with the support of the Holmes Chapel Parish Council on the August 2016 submission version of the Plan.**

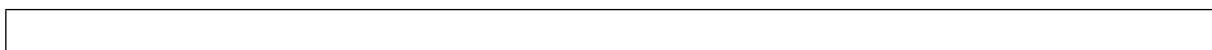
Independent Examiner: Jill Kingaby BSc(Econ), MSc, MRTPI

Date of Report: 23 November 2016



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## **Main Findings - Executive Summary**

From my examination of the Holmes Chapel Neighbourhood Plan and its supporting documentation including the representations made, I have concluded that, subject to the policy modifications set out in this report, the plan meets the Basic Conditions.

I have also concluded that:

- The plan has been prepared and submitted for examination by a qualifying body – Holmes Chapel Neighbourhood Plan Steering Group led by Holmes Chapel Parish Council;
- The plan has been prepared for an area properly designated – the Parish Council area shown in Appendix 1 Figure 1 of the Neighbourhood Plan;
- The plan specifies the period to which it is to take effect – from 2016 to 2030; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Holmes Chapel Neighbourhood Plan 2016 – 2030*

- 1.1 Holmes Chapel is a large village with approximately 5,800 residents. The village centre is about a mile east of Junction 18 on the M6 motorway and it is situated some 20 miles north of Stoke on Trent and 25 miles south of Manchester. Historically, Holmes Chapel developed at a cross roads on the main route north from London to Lancashire, catering for travellers at its inns and serving the surrounding farming community. Significant population growth occurred in Holmes Chapel between 1971 and 1991 when some large businesses relocated to the area and considerable new housing development took place. The village is located in a rural farming area, but there have been manufacturing industries in Holmes Chapel for a long time (Section 2.1 of the Neighbourhood Plan).
- 1.2 The Holmes Chapel Parish Council took the decision to sponsor the preparation of a Neighbourhood Development Plan and to engage the community as much as possible in its development in late 2014. Through a steering group and policy working groups it engaged with local residents, local businesses and other parties to produce the submitted Neighbourhood Plan.

*The Independent Examiner*

- 1.3 As the plan has now reached the examination stage, I have been appointed as the examiner of the Holmes Chapel Neighbourhood Plan by Cheshire East Borough Council, with the agreement of the Holmes Chapel Parish Council.
- 1.4 I am a chartered town planner and former government Planning Inspector, with past experience inspecting and examining development plans and recent experience examining neighbourhood plans. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft plan.

#### *The Scope of the Examination*

- 1.5 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The examiner must consider:
- Whether the plan meets the Basic Conditions;
  - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the Local Planning Authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;
    - it does not include provisions and policies for 'excluded development';
    - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
    - whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum; and
  - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').
- 1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended), with one

exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### *The Basic Conditions*

- 1.8 The 'Basic Conditions' are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). In order to meet the Basic Conditions, the neighbourhood 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 and not breach European Union (EU) obligations; and
  - Meet prescribed conditions and comply with prescribed matters.
- 1.9 Regulation 32 of the 2012 Regulations prescribes a further basic condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

## **2. Approach to the Examination**

### *Planning Policy Context*

- 2.1 The Development Plan for this part of Cheshire East Council, not including documents relating to excluded minerals and waste development, is currently the Congleton Borough Local Plan First Review [2005]. The saved policies from this 2005 Local Plan provide the relevant strategic policy background for assessing general conformity. However, it should be noted that the Local Plan addressed the time period 1996-2011 and is now considerably dated. The Cheshire East Local Plan Strategy was submitted for examination in 2014, but the Inspector indicated that some elements including the overall housing figure would require further work. The examination is still underway, with latest hearings taking place in Autumn 2016. The latest published iteration is the Local Plan Strategy – Proposed Changes Version, March 2016.
- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. PPG makes clear that whilst a draft neighbourhood plan is not tested against the policies in an

emerging Local Plan, the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. It cites, as an example, that [up-to-date housing needs evidence](#) is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development<sup>1</sup>. On this basis, I make reference to the emerging Local Plan in this report.

### *Submitted Documents*

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Holmes Chapel Neighbourhood Plan Final Version, August 2016;
  - Figure 1 in Appendix 1 of the plan which identifies the area to which the proposed neighbourhood development plan relates;
  - the Consultation Statement [August 2016];
  - the Basic Conditions Statement [August 2016];
  - all the representations that have been made in accordance with the Regulation 16 consultation; and
  - the Statement on Sustainability Appraisal and Development, August 2016.

### *Site Visit*

- 2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 20<sup>th</sup> October 2016 to familiarise myself with it and visit relevant sites and areas referenced in the plan and evidential documents.

### *Written Representations or Public Hearing*

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the plan and presented arguments for and against the plan's suitability to proceed to a referendum.

### *Modifications*

- 2.6 Where necessary, I have recommended modifications to the plan (PMs) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have also listed these modifications separately in Appendix 1.

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<sup>1</sup> PPG Reference ID: 41-009-20160211

### 3. Procedural Compliance and Human Rights

#### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Holmes Chapel Neighbourhood Plan has been prepared and submitted for examination by Holmes Chapel Parish Council which is a qualifying body. The Neighbourhood Plan Area covering the whole of the Parish was designated by Cheshire East Borough Council on 13<sup>th</sup> April 2016.
- 3.2 It is the only Neighbourhood Plan for Holmes Chapel and does not relate to land outside the designated Neighbourhood Area.

#### *Plan Period*

- 3.3 The plan relates to the period from 2016 to 2030. In the interests of clarity, this should be stated on the front cover and in the introduction to the plan, so that the reader is certain as to when it is to take effect and over what time period. The vision for Holmes Chapel set out in paragraph 2.3 should also state that “**By 2030**, Holmes Chapel will be a vibrant ....”. Proposed modification PM1 would secure these alterations and should be made.

#### *Neighbourhood Plan Preparation and Consultation*

- 3.4 The Parish Council decided to sponsor the preparation of a Neighbourhood Plan and established a steering group in 2014, which regularly consulted planners at Cheshire East Council and Cheshire Community Action to obtain specialist support and guidance. The steering group circulated a pamphlet to all properties in the village in January 2015, explaining the Neighbourhood Development Plan process and issuing invitations to an open meeting. The pamphlet also included some preliminary questions about family, business, housing and general support for the idea of a Neighbourhood Plan. Just over 150 responses were returned, giving strong support for all the topics proposed for inclusion in the plan.
- 3.5 Volunteers were assigned to policy working groups according to their knowledge, skills and preferences. The steering group and policy working groups met many times throughout 2015 and 2016, as reported in the Neighbourhood Plan Consultation Statement August 2016. A neighbourhood plan questionnaire was sent out to all residences in August 2015 which elicited a high response rate of 75% (1,968 responses). Consultation also took place with local businesses and community organisations and meetings were held with property developers and adjacent parish representatives.
- 3.6 The draft plan was consulted on under Regulation 14 of the 2012 Regulations for six weeks starting April 2016. A variety of measures was used (online, paper and face-to-face) to publicise and elicit comments from residents, local organisations and statutory consultees. Responses were received from 86 parties, which were used to produce the ‘Final Version’ of the Neighbourhood Plan, published in August 2016. This was consulted on under Regulation 16 for six weeks in August and September 2016. I take account of the 15

responses then received in my assessment of the Plan. I confirm that the consultation process has met the legal requirements for procedural compliance on neighbourhood plans.

### *Development and Use of Land*

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the Town and Country Planning Act 1990 (as amended).

### *Excluded Development*

- 3.8 I am satisfied the Plan does not include provisions and policies for 'excluded development'.

### *Human Rights*

- 3.9 Section 4.4 of the Basic Conditions Statement states that the Plan has had regard for the fundamental rights and freedoms guaranteed under the European Convention of Human Rights and complies with the Human Rights Act 1998 ('the 1998 Act'). Those commenting on the plan, including Cheshire East Council, have not alleged that the plan breaches Human Rights and, from my reading of it, I am satisfied that the plan complies with the 1998 Act.

## **4. Compliance with the Basic Conditions**

### *EU Obligations*

- 4.1 The Strategic Environmental Assessment (SEA) Screening Opinion prepared in July 2016 referred to an earlier version of the Neighbourhood Plan (pre-Reg 14 version dated 3<sup>rd</sup> May 2016) which had included an identified growth location and policy proposals for the delivery of a link road. Applying the precautionary principle, Cheshire East Council found that, because of the lack of detail in that plan, it was not possible to determine whether a significant effect on the environment would result; a full SEA was recommended. However, the August 2016 Final Version of the Plan which has been submitted for examination has been modified. Policies on preferred growth locations and delivery of a link road have been removed. The Neighbourhood Plan was re-screened for SEA by Cheshire East Council, which found that it was unnecessary to undertake SEA and that it was unlikely to have a significant effect on the environment. The screening opinion was submitted to English Heritage, Natural England and the Environment Agency who raised no objections to it. I support the conclusion that full SEA is not required.
- 4.2 Holmes Chapel Neighbourhood Plan was further screened for Habitats Regulations Assessment (HRA), which also was not triggered. The Neighbourhood Plan Area is not in close proximity to a European designated nature site which might be affected by proposals in the Neighbourhood Plan.

Natural England had no objections to the plan and I have no reason to conclude that HRA should have been undertaken.

## **Main Issues**

4.3 Having regard for the Holmes Chapel Neighbourhood Plan, the consultation responses, my site visit and other submitted evidence, I consider that there are three main issues relating to the Basic Conditions for this examination. These are:

- Whether the plan makes satisfactory provision for new housing development having regard for national planning policy and guidance and the need to be in general conformity with the strategic policies of the development plan, with reference to the intended housing numbers and locations for new development and bearing in mind Holmes Chapel's status as a Local Service Centre (LSC);
- Whether the plan's policies for other development including for economic and employment development, new infrastructure and services will contribute to the achievement of sustainable development and be supportive of the policies for housing development and Holmes Chapel's status as a LSC. In particular, whether policies for traffic and transport will address potential problems of road safety and congestion appropriately; and
- Whether the plan is sufficiently protective of the countryside and the environment whilst also paying careful attention to viability and costs for new development, having regard for national planning policy and the strategic policies of the development plan.

### *Issue 1 – Housing*

4.4 The Neighbourhood Plan Policies section begins with Policies HO1 to H06 which concern housing, thereby indicating that the plan gives due prominence to the provision of new housing. The NPPF, paragraph 47 onwards, is clear that local planning authorities should boost significantly the supply of housing and ensure that Local Plans meet the full objectively assessed needs for market and affordable housing in their housing market area. The Congleton Borough Council Local Plan First Review [2005] took a more restrictive view of housing requirements and its Policy PS5 for villages, including Holmes Chapel, sought new development only within settlement zone lines. As explained above, Cheshire East Council does not have an up-to-date adopted Local Plan but the emerging Local Plan Strategy 2016 adopts a more positive approach to encourage new housing development. Its Policy PG1 states that the full objectively assessed need for Cheshire East Borough is at least 36,000 homes between 2010 and 2030. Page 14 of the Neighbourhood Plan refers to this latest estimate of objectively assessed need for the Borough.



4.5 As I am required to assess both general conformity with the adopted Local Plan and have regard for the NPPF and PPG, this creates some internal tension in assessing the Basic Conditions. The adopted out of date housing policies are more restrictive than those in Section 3 of the Neighbourhood Plan and in my view, are at odds with the requirements of national policy. As such I have taken a practical approach to reconciling the assessment of general conformity with the adopted plan and have had regard for the NPPF, noting:

- (i) In terms of general conformity, the adjective 'general' is there to introduce a degree of flexibility<sup>2</sup>. 'General conformity' does not require conformity with every strategic policy in the adopted plan<sup>3</sup>;
- (ii) The NPPF is clear that Neighbourhood Plans should be evidence based. In this instance, there is more up-to-date evidence pointing to different needs than those provided for in the adopted local plan housing policies;
- (iii) That the policies in Section 3 of the Neighbourhood Plan have had regard for national planning policy and guidance, and reflect up-to-date evidence of housing need from the emerging Cheshire East Local Plan Strategy; and
- (iv) That there is a further Basic Condition requiring the Plan to contribute to the achievement of sustainable development.

Therefore, whilst there is clearly some departure from the housing policies in the adopted local plan, I consider the approach in the Neighbourhood Plan, which is well evidenced, to be justified and appropriate.

4.6 Policy PG2 of the emerging Cheshire East Local Plan Strategy defines a settlement hierarchy for the Borough beginning with Principal Towns (Crewe and Macclesfield) followed by Key Service Centres (9 in total including Congleton), LSCs (Holmes Chapel and 12 others), and Other Settlements and Rural Areas. Small scale development will be supported in LSCs where it would contribute to the creation and maintenance of sustainable communities. The emerging Local Plan expects the LSCs collectively to provide at least 3,500 new homes between 2010 and 2030. Page 14 of the Neighbourhood Plan explains the strategic policy.

4.7 Figure 4 in Appendix 2 of the Neighbourhood Plan is headed "Cheshire East Local Plan – Local Service Centres Housing Development Allocation". It

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<sup>2</sup> See paragraph 26 of the judgement in [Persimmon Homes \(Thames Valley\) Ltd & Ors v Stevenage Borough Council \[2005\] EWCA Civ 1365 \(22 November 2005\)](#), where the Court of Appeal considered the meaning of the words 'general conformity' in the context of the requirement for a local plan to be in general conformity with a structure plan.

<sup>3</sup> See paragraph 29(ii) of the judgment in [Crownhall Estates Ltd, R \(on the application of\) v Chichester District Council & Ors \[2016\] EWHC 73 \(Admin\) \(21 January 2016\)](#).

shows how 3,500 new homes could be distributed proportionately across the thirteen LSCs, with Holmes Chapel contributing 382 new dwellings. Sites with full and outline planning permission since 2010 are expected to deliver 613 new homes in the Parish or immediately adjoining it in Brereton Parish. Cheshire East Council queried the reference on Page 14 of the Neighbourhood Plan to a “proposed method” for allocating new development among the LSCs. The Council has no firm position on distribution at this stage, and advises that a Site Allocations and Development Policies Document (SADPD) (Local Plan Stage 2) will address the approach, on completion of the Cheshire East Local Plan Strategy (Stage 1). Cheshire East Council commented in its consultation response in September 2016 on the Holmes Chapel Neighbourhood Plan *“should the Local Planning Authority be required to allocate additional development land in the neighbourhood area through the SADPD, the Council will seek to work closely with the community to identify the most suitable locations ....”*

- 4.8 The Council’s data for 2010-2016 give slightly different figures for completions and commitments of 619 (net) for Holmes Chapel and 13 (net) for neighbouring Goostrey LSC, and indicative proportional targets of 382 and 252 respectively. The Council and Parish Council helpfully provided detailed information on housing applications for the period 2010-2016. I recognise that the precise figures will change constantly over time; for example, the Secretary of State has very recently granted permission on appeal for up to 190 new houses at London Road, Brereton. Whilst the figures in Figure 4 need not be changed, it should be amended to reflect more accurately Cheshire East Council’s position on planning for the LSCs and provide better information on the times and sources of the data. The reference to ‘proposed method’ on Page 14 and ‘potential housing target’ in the objective to Policy H01 should also be modified, as in proposed modifications PM2 and PM3 (below) and PM9:

**Page 14 - “Figure 4 in Appendix 2 shows how many houses might be developed in each LSC (listed above) over the period 2010 to 2030. The precise method for allocation has not yet been decided, and will be developed through the CEC Local Plan Stage 2. Figure 4 shows that Holmes Chapel ....”**

**Policy H01: Housing Type and Mix – Objective**

**Omit “(which exceeds the current potential housing target total of 382 for Holmes Chapel as a Local Service Centre)”.**

- 4.9 Although 613, 619 (net) or 619+190 is considerably higher than the proportionate figure of 382 dwellings by 2030, I agree with those who contend that this does not mean that Holmes Chapel should necessarily resist future new housing provision on other sustainable sites, for the following reasons:

- Policy PG1 of the emerging Local Plan aims to provide “at least 36,000 new homes between 2010 and 2030” (my emphasis), and does not seek to “cap” development levels;
- The text supporting Policy PG2 of that plan expects Holmes Chapel to accommodate most of the needs of Goostrey LSC, because Goostrey is affected by the Jodrell Bank Radio Telescope’s operations, and Holmes Chapel is a larger LSC. The indicative proportional target for Goostrey (see Cheshire East Council consultation response September 2016) is for an additional 252 dwellings between 2010 and 2030; and
- It is not uncommon for the implementation of sites with planning permission to be delayed, or for sites to achieve lower numbers than had been granted permission. Therefore, some allowance for contingency planning and additional sites is desirable and good practice.

- 4.10 Paragraph 3 on page 15 of the Neighbourhood Plan states that the draft Cheshire East Local Plan Part 2 is expected to examine the housing targets for individual LSCs in more detail and allocate sites, acknowledging that the target for Holmes Chapel may need to be higher than 382. I have considered the argument that the Vision and Strategic Focus for Holmes Chapel, in paragraph 2.3 of the plan, should be amended to align more closely with the Local Plan Strategy proposed changes March 2016, and include a vision “*To support sustainable housing growth that meets locally arising needs*”. However, the Vision and Strategic Focus have been developed by the Parish Council and Holmes Chapel Partnership and have been subject to consultation with local people. As Holmes Chapel is a Local Service Centre, not a Principal Town or Key Service Centre where significant and substantial housing development should be provided, I consider the Vision and Strategic Focus to be appropriate. Policy PG6 of the draft Local Plan supports this view.
- 4.11 My attention has also been drawn to the background paper for the emerging Local Plan, Determining the Settlement Hierarchy. This found Holmes Chapel to be borderline as a LSC with potential to become a Key Service Centre in the future. The final paragraph on page 16 of the Neighbourhood Plan recognises this position and sets out an approach to monitor the settlement’s position over the longer term. The Holmes Chapel Neighbourhood Plan Statement on Sustainability Appraisal and Development states that the Planning Inspector examining the emerging Cheshire East Local Plan has accepted the proposed settlement hierarchy and Holmes Chapel’s classification as a LSC. In the light of this, it would be inappropriate in my opinion for this Neighbourhood Plan to treat Holmes Chapel as a Key Service Centre rather than a LSC.
- 4.12 Paragraph 8.34 of the draft Cheshire East Local Plan quoted on Page 15 of the Neighbourhood Plan and Appendix 2, Figure 4 explain adequately that Holmes Chapel is expected to contribute towards meeting the development needs of Goostrey. However, paragraph A of Policy H01 on page 18 is more restrictive. I consider that it should be re-written to provide more flexibility

over future housing proposals having regard for national planning policy, although I recognise the concerns over the provision of supporting infrastructure set out in the “conclusion” to section 2 of the plan on page 17. Proposed modification, PM3, should ensure that Policy H01 contributes to sustainable development and will also reflect the emerging Cheshire East Local Plan:

**“A. Further small scale housing development, beyond the existing approvals of 613 homes, will be supported to meet the needs and priorities established in this plan, and to meet any target number of houses for Holmes Chapel as a Local Service Centre established through the Stage 2 CEC Local Plan.”**

- 4.13 Paragraph C of Policy H01 expects housing developments of 10 or more dwellings to include one third as detached properties, and the justification text explains that the settlement already contains an above average, high proportion of 3-5 bedroom detached properties. This was noticeable at my site visit and I support the Parish’s aim to secure a more diverse mix in future developments. I have seen no evidence that this policy would make development in Holmes Chapel unviable.
- 4.14 Policies H02 and H03 of the Neighbourhood Plan set out clear policies in support of low energy design and meeting the infrastructure needs for new housing development. Policy H03 has regard for scheme viability and the need for contributions to mitigate adverse impacts resulting from a proposed development. The policies are supplemented by justification text and cross-references to evidence documents, and should contribute to the achievement of sustainable development.
- 4.15 As explained above, no target has been set so far for housing in Holmes Chapel by the Council through its draft Local Plan Strategy. Having regard for advice in the PPG, Paragraph A of Policy H04 should be amended and two sentences in the policy justification should be deleted to reflect the emerging Local Plan. PM4 would secure this. I agree with representations that paragraph B of Policy H04 is unclear and recommend that it is amended. Paragraphs C and D should be modified to avoid applying a ‘blanket’ density across the Parish, having regard for the NPPF’s requirement that careful attention be paid to viability and costs (paragraph 173), and taking account of the fact that all sites will have their own characteristics. Some sites are likely to relate closely to existing built development, whereas others could have a more rural setting and these factors would influence decisions as to the optimum density. Housing for elderly people might justify a higher residential density than a more mixed development scheme.
- 4.16 I have had regard for the observation that Policy H04 of the Neighbourhood Plan Final Version does not explicitly support development west of Holmes Chapel. Some parties argue that it should, because the Site Assessment Report (ref SG89) gave much higher scores to locations west of the settlement than those to the east. I have also considered the arguments of

another party who argued that development on the east side of the village should not be discounted; new development to the east would have to provide adequate access and could be the means to increase the number of routes into the village, possibly through a link road connecting the A50 and A54 around the Sanofi site. The Local Plan remains an emerging document and will give no strategic steer as to the precise quantity or position for growth in Holmes Chapel until Stage 2 is reached. Whilst a neighbourhood plan can allocate sites<sup>4</sup> I am satisfied in this instance that the Neighbourhood Plan need not allocate sites (or reserve sites), or include a policy directing all new development to the western side of the settlement. Having regard to all the above, I consider that Policy H04 should be modified to read as follows (PM4):

#### **“Policy H04: Size, Scale and Density of New Developments**

##### **Objective (as before)**

##### **Policies**

**Proposals for development greater than 10 dwellings outside the current Settlement Boundary but within the boundary of the Holmes Chapel NP will be supported if they are consistent with:**

##### **A The target ..... (as before)**

##### **B Meeting the established needs and priorities of the Plan area;**

**C A density per hectare which is appropriate to the site and its surroundings and does not exceed the density of adjoining residential development (existing or permitted), unless special circumstances can be demonstrated.**

**D Improvements to the village infrastructure and facilities where these are necessary to serve occupants of the new development and mitigate any harm to existing infrastructure and facilities.**

##### **Justification (omit the first sentence)”**

- 4.17 Policy H05 encourages early discussion of all planning proposals, but it is unclear with whom the “active agreement” before formal submission should be reached. Whilst there is a right to submit a planning application without prior agreement with the decision-maker, I consider that paragraph A of the policy should be clarified so that it has regard to national policy and guidance (and complies with planning law and regulations). It should be modified as follows (PM5):

**“A Before formal submission of an application, early consultation with Cheshire East Council and Holmes Chapel Parish Council on design, access and all other matters that affect infrastructure.”**

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<sup>4</sup> PPG Reference ID: 41-042-20140306

- 4.18 Policy H06 addresses affordable housing and has been drafted to be consistent with the emerging Local Plan so that it should not add complexity to the planning process, as some representors suggested. Although it was argued that paragraph B might be too prescriptive, I consider it reasonable that developers should provide viability data or a specific housing needs survey, if they wish to provide a different tenancy mix.
- 4.19 A number of potential housing sites have been put forward by parties commenting on the Neighbourhood Plan. These include Broad Lane and land south and north of Middlewich Road. Land outside the Parish boundary off London Road, Brereton, has recently been given permission for housing development and the site clearly has a functional relationship with Holmes Chapel. However, I see no need to refer to any specific sites at this stage or the potential for extension southwards of the Parish, nor to make any consequential alterations to the Neighbourhood Plan or the maps in Appendix 1 showing settlement boundaries.
- 4.20 Providing the above-mentioned modifications are made, I conclude on the first issue that the plan makes satisfactory provision for new housing development, with reference to likely intended housing numbers and locations for new development and bearing in mind Holmes Chapel's status as a LSC. As noted in paragraph 4.5, there are tensions between general conformity with the policies in the adopted 2005 Local Plan and the need to have regard for national planning policy and guidance, (including the PPG advice on emerging Local Plan policy) and contributing to the achievement of sustainable development. I have taken a pragmatic view and consider that the modified housing policies, on balance, meet the Basic Conditions.

## *Issue 2 – Employment and Economic Development, Infrastructure, Traffic and Transport*

- 4.21 Section 3.4 of the Neighbourhood Plan addresses Employment and Skills and reports that a survey of all local businesses was undertaken in preparing the plan. This has provided very useful baseline information for planning as set out on Pages 44-46. Policy ES1 aims to maintain the commercial heart of the village centre and should promote a positive and competitive town centre environment. This reflects the thrust of paragraph 23 of the NPPF on ensuring vitality in town centres, in my view. The policy ES1 justification appropriately refers to the draft Local Plan's town centre first approach to retail and commerce and its Policy EG5 which is supportive of LSCs.
- 4.22 Policy ES2 encourages the establishment and growth of new employment opportunities recognising that Holmes Chapel lies within the Cheshire Science and Technology Growth Corridor and is near to the M6. In the longer term, the settlement could benefit from the HS2 development at Crewe. This positive policy which also seeks, if possible, to reduce residents' travel to work time should contribute to the achievement of sustainable development as

defined in national planning policy. It is in general conformity with the thrust of saved economic policies in Chapter 6 of the adopted Local Plan and reflects Policy EG1 – Economic Prosperity in the emerging Local Plan which supports employment growth in LSCs. I consider it unnecessary to quote from Policy PS6 of the emerging plan that the LSCs should collectively accommodate 7 hectares of employment land 2010-30. The Neighbourhood Plan policy does not allocate new employment sites, but it expresses a preference for new development on the west side of the village close to Junction 18 where road transport links are very good and new housing development is being promoted.

- 4.23 Section 3.2 of the Neighbourhood Plan on Community and Wellbeing recognises the need for expanding education and healthcare facilities so that the increasing population of Holmes Chapel and nearby settlements will be properly served. Policies CW2 to CW5 adopt a proactive approach to planning for future schools, childcare and healthcare provision based on specific local circumstances. Due account has been taken of saved policies from the Congleton Borough Local Plan. Policy CW1 protects existing outdoor play and recreational areas and seeks provision of new facilities from developments of 10 or more dwellings, where viable. Holmes Chapel has a shortage of such spaces compared with the Cheshire East standard, justifying the approach of Policy CW1. The emphasis given in the Neighbourhood Plan to outdoor play and recreational areas also reflects the emerging Cheshire East Local Plan's Policies SC1 & SC2. It is unnecessary for the plan to comment on the contribution to public open space which a development site off London Road outside the parish boundary might make to the Neighbourhood Plan Area.
- 4.24 Traffic and transport policies in section 3.5 are prefaced by Page 51 which describes the existing road network and traffic conditions. It explains the problems which can arise when the M6 is congested and traffic is diverted through the village. Both east/west roads through the Parish are restricted in width where they cross the railway line and I am informed that HGVs are unable to pass each other over the bridge by the railway station. The schools generate additional pedestrian and road traffic and the village's footpath network is poor in places giving rise to concerns about safety. Policy TT1 expects proposals for new development to improve transport and safety and I am satisfied that it has had regard for section 4, Promoting Sustainable Transport, in the NPPF.
- 4.25 Inadequate car parking is perceived locally as a problem and Policy TT3 seeks to retain existing provision and encourage the provision of additional parking for business development and commuters using the M6 or railway station. I consider the approach and the use of objectively defined parking standards from the Planning Service report, to be consistent with sustainable transport planning.

- 4.26 Policy TT2 strongly opposes new development that would increase the volume of heavy goods vehicles through the village, but allows for mitigating circumstances and contributions towards road safety and road improvements to be taken into account. The justification for the policy explains that there are large numbers of heavy goods vehicles travelling through Holmes Chapel and there is much local support for a relief road/ bypass to the settlement. Saved policies of the Congleton Borough Local Plan referred to the traffic problems in Holmes Chapel and to a potential bypass for the longer term in the former County Council's programme. However, I have seen no evidence that a relief road or bypass is planned for the time period of this plan. It is not included in the highway schemes listed in paragraph 14.18 of the draft Local Plan, nor referenced in Cheshire East's Infrastructure Delivery Plan, 2014. I note that Highways England plans to introduce a Smart Motorways scheme for part of the M6 between junctions 16 and 19, which should help reduce congestion in Holmes Chapel as traffic flows will be disrupted less on the motorway.
- 4.27 I have considered the argument that a "strategic location" policy reinforcing the case for new development to the west of the village (reflecting the findings of the Site Assessment Report) would ensure that any future development would facilitate the construction of a relief road in the event that it were progressed. For the reasons given in paragraph 4.16 above, I do not propose the inclusion of such a policy. I appreciate concerns that development proposals for new housing and employment should not be prevented on the grounds that a relief road might be delivered at an undetermined date in the future. Details of the possible route, funding or timing of delivery of a relief road are not available, so the scheme remains aspirational only at present. Nevertheless, I am satisfied that Policy TT2 should retain the reference to the relief road. It does not conflict with the Basic Conditions for neighbourhood planning, in particular with the pursuit of sustainable development.
- 4.28 I conclude on the second issue that the Neighbourhood Plan's policies for other development, including economic and employment development and new infrastructure and services, are supportive of its policies for housing development and status as a LSC and should contribute to the achievement of sustainable development. The policies for traffic and transport should help address potential problems of road safety and congestion. Cheshire East Council commented that policies on employment and skills and community and well-being in the Neighbourhood Plan would contribute to achieving Strategic Priorities 1 and 3 of the emerging Local Plan Strategy. The policies on transport, highway safety and parking should contribute to the delivery of Strategic Priority 4. These policies satisfy the Basic Conditions for neighbourhood plans.

### *Issue 3 – Countryside and the Environment*

- 4.29 Although Holmes Chapel has approximately 5,800 residents and a history of manufacturing industry, it is a village in a rural setting with farming activity near the settlement centre. Page 34 describes the key issues for the Parish



regarding protection of the countryside “whilst accepting that some further development will occur” and highlights the need to safeguard the Conservation Area at the heart of the village. This introduction to section 3.3 sets out a clear and balanced overall strategy which has regard for sections 8, 11 and 12 of the NPPF.

- 4.30 Policies CE1 and CE2 promote improved access to the countryside and through the plan area, including to the village centre and other infrastructure services. The Neighbourhood Plan points out that these policies are supported by paragraphs 35 and 75 of the NPPF. The plan mentioned in Policy CE1 as “in Appendix 4” should refer to Appendix 3, Figure 6. Proposed modification PM6 corrects the reference. Background information for the Neighbourhood Plan showed the lack of a co-ordinated footway system and a strong desire in the community for good access to the countryside. The plan points out that recent developments in the village have given insufficient attention to linkages to the rest of the village giving rise to ‘island’ estates. Although some parties argued that “where viable” should be added to paragraph B of Policy CE1, I consider this to be unnecessary; sustainable development should not block or prevent the functioning of footpaths. Policy CE2 paragraph A takes account of practicality and viability when separate routes for pedestrians and cyclists from motor traffic are sought in new developments and has regard to paragraphs 173-177 of the NPPF.
- 4.31 Policy CE3 seeks to ensure that accessible open space is available to all village residents and requires compliance with the emerging Cheshire East Local Plan policy for provision of open space in new developments. I consider that it would clarify paragraph B and have regard for national policy to add “ **where justified by policy and in accordance with the CIL Regulations**”. Proposed modification PM7 would secure this.
- 4.32 Policy CE4 to protect and add new mature trees in new developments (in line with emerging Local Plan Policy SE5) aims to address the relative shortage of large trees in the estates built in the 1970s and 1980s. Policy CE5 expects high standards of design following the latest design guidance from Cheshire East and Policy CE6 aims to protect the heritage and historical assets of Holmes Chapel. I propose a modification, PM8, to Policy CE6 paragraph C to state that “**Any proposal ....harmonising change that will conserve and enhance the character or appearance of the Conservation Area....**” This will reflect, ‘*Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management*’, which provides assistance in implementing historic environment policy in the NPPF and guidance in the PPG. It will ensure compliance with the Planning (Listed Buildings and Conservation Areas) Act 1990. Appendix 8 helpfully shows the village centre with The Square and St Luke’s Church which include some fine old buildings, but in the interests of clarity it would help readers if the boundary of the Conservation Area were shown in the plan. Proposed modification PM10 would achieve this.

- 4.33 Providing the above modifications are made, I conclude that the plan will be sufficiently protective of the countryside and the environment of the village and its heritage assets, whilst also paying careful attention to viability and costs for new development. The policies in this part of the plan have regard for national planning policy and guidance and should contribute to sustainable development. They are in general conformity with saved policies from the Local Plan for open space provision, the natural environment and resources and built environment and heritage.

## **5. Conclusions**

### *Summary*

- 5.1 The Holmes Chapel Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on this Neighbourhood Plan and the evidence documents submitted with it.
- 5.2 I have examined the Plan focussing on three main issues. I have concluded that recommendations should be made to modify a few of the policies and text to ensure the plan meets the Basic Conditions and other legal requirements.
- 5.3 The Neighbourhood Plan has been prepared and examined before adoption of the emerging Cheshire East Local Plan and it will be desirable for the Parish Council to monitor progress on that two stage plan. The Neighbourhood Plan includes a number of “Supporting Actions to be taken” eg. on Page 17 where it references “Beyond 2030 – A Community Strategic Plan for Holmes Chapel” and Page 50 where it proposes future actions and priorities to aid the generation of new employment opportunities. The Plan is, in my view, commendably forward looking and it should include sufficient flexibility to shape and direct sustainable development in the area. The Parish Council has put forward a positive vision, strategic focus and objectives to meet local needs. The Plan seeks to take into account the fact that there will be future growth in the village in housing, commerce and other services reflecting the direction of draft policies in the emerging Local Plan. I recommend that the plan, once modified, proceeds to referendum.

### *The Referendum and its Area*

- 5.4 I have considered whether or not the referendum area should be extended beyond the designated area to which the plan relates. The Holmes Chapel Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the plan

boundary. I recommend that the boundary for the purposes of any future referendum on the plan should be the boundary of the designated Neighbourhood Plan Area.

- 5.5 The Holmes Chapel Neighbourhood Plan is a highly readable document which articulates the concerns and aspirations of the local community very well. In preparing the Neighbourhood Plan, the Parish Council and its working groups have collaborated with Cheshire East Council and I note the Council's complimentary remarks in its Regulation 16 consultation response which I endorse: *"The Borough Council congratulates the Parish Council on preparing a clear and comprehensive Neighbourhood Plan and for the way in which the Plan has been prepared, closely involving the local community. The Plan is the product of a very significant amount of hard work by volunteers and continuous engagement with the local community which has clearly shaped the content of the Plan ....."*

*Jill Kingaby*

Examiner

## Appendix 1: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Front cover  Page 2, para 1.1 2 <sup>nd</sup> sentence  Page 13, para 2.3, Vision	Holmes Chapel Neighbourhood Plan Final Version (2016-2030)  The Holmes Chapel Neighbourhood Plan ('the Plan') provides a vision for the future of the village and a set of policies to support this vision from now (2016) until 2030.  <u>By 2030</u> , Holmes Chapel will be a vibrant and prosperous ....
PM2	Page 14	<del>Figure 4 in Appendix 2 shows a proposed method that may be used to allocate the number of houses to how many houses might be developed in each LSC (listed above) over the period 2010 to 2030 if 3,500 were divided proportionately according to existing settlement size. The precise method for site allocation has not yet been decided, and will be developed through the CEC Local Plan Stage 2.</del> Figure 4 shows that Holmes Chapel has housing applications approved since 2010 that already subsequently exceed the projected allocation for the Plan period <u>figure</u> of 382 homes by 231 (61%).....
PM3	Page 18, Policy H01:	Policy H01: Housing Type and Mix  Objective  To provide for possible additional development beyond the total planning applications already approved of 613 homes as at July 2016 <del>(which exceeds the current potential housing target total of 382 for Holmes Chapel as a Local Service Centre)</del> and to meet .....  <i>Delete A. and replace with:</i>  <u>A.Further small scale housing development beyond the existing approvals of 613 homes will be supported to meet the needs and priorities established in this plan, and to meet any target number of homes for Holmes Chapel as a Local Service Centre established through the Stage 2 CEC Local Plan.</u>

PM4	Page 22, Policy H04	<p>Policy H04: Size, Scale and Density of New Developments</p> <p>Objective (<i>as before</i>)</p> <p>Policies</p> <p>Proposals for development greater than 10 dwellings outside the current Settlement Boundary but within the boundary of the Holmes Chapel NP will <del>only</del> be supported if they are consistent with:</p> <p>A The target ..... (<i>as before</i>)</p> <p>B <del>delete and substitute</del> Meeting the established needs and priorities of the Plan area;</p> <p>C <del>delete and substitute</del> A density per hectare which is appropriate to the site and its surroundings, and does not exceed the density of adjoining residential development (existing or permitted), unless special circumstances can be demonstrated.</p> <p>D &amp; E <del>delete and substitute</del> Improvements to the village infrastructure and facilities where these are necessary to serve occupants of the new development and mitigate any harm to existing infrastructure and facilities.</p> <p>Justification <del>delete the first sentence.</del></p>
PM5	Page 24, Policy HO5	<p>Policy H05: Early Consultation</p> <p><del>Delete A. And substitute</del></p> <p>A. <u>Before formal submission of an application, early consultation with Cheshire East Council and Holmes Chapel Parish Council on design, access and all other matters that affect infrastructure.</u></p>
PM6	Page 35, Policy CE1	<p>Policy CE1: Footpaths and Cycleways</p> <p>Policies</p> <p>A. The provision of additional footpaths as proposed in Appendix 4- <u>3</u> will ....</p>
PM7	Page 37, Policy CE3	<p>Policy CE3: Open Spaces</p> <p>B. Should further development take place ..... and children's play facilities, <u>where justified by policy and in accordance with the CIL Regulations.</u></p>
PM8	Page 42,	Policy CE6: Heritage

	Policy CE6: Heritage	<p>C. “Any proposal ....harmonising change that will <u>conserve and</u> enhance the character <u>or appearance</u> of the Conservation Area....”</p> <p>Such proposals must .....</p>
PM9	Page 68, Appendix 2	<p>Appendix 2, Figure 4, new title: Cheshire East – Local Service Centres Potential Housing Development</p> <p>4<sup>th</sup> column heading – Est. proportionate figure for each LSC (3,500 overall)</p> <p>5<sup>th</sup> column heading - Commitments (Full &amp; Outline 2010 - July 2016)</p> <p>6<sup>th</sup> column heading – Difference required to meet proportionate figure</p> <p>New Note 3 – CEC currently has no adopted position on the distribution of development across the LSCs and Rural and Other settlements, and a full range of relevant factors will be assessed, which may constrain or inflate the figures on a local basis, through the preparation of the SADPD.</p> <p>New Note 4 – the housing commitments will change over time as decisions on planning applications are progressed.</p>
PM10	Page 81, Appendix 8	<p>Appendix 8, new Figure 14.</p> <p>Add map showing the boundary of Holmes Chapel Conservation Area</p>