

NEIGHBOURHOOD PLAN FOR CONGLETON

Regulation 16 Responses to Examiners First Round Questions



Let's Talk

#MyCongleton

Neighbourhood Plan

February 2019

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RESPONSES OF CONGLETON NEIGHBOURHOOD PLAN GROUP TO EXAMINER'S FIRST ROUND QUESTIONS

BACKGROUND

The responses of Congleton Neighbourhood Plan Group to the Examiner's first round questions are set out below. Each question by the Examiner is highlighted in grey tone. The CNP Group's response set out below the relevant question. This response document is supported by three other related documents:

Housing Update Note – which sets out in a number of tables the statistical analyses for housing completions, planning permission commitments and allocated site capacity without planning permission for both the Congleton Key Service Centre and for the CNP Area. The tables also provide details of housing mix (housing types/sizes and tenure).

Clarified Wordings Note – which sets out suggested clarified wordings relevant to the responses provided to the Examiner's questions.

Consolidated Evidence Summary for Sustainable Environment Policies – which provides a compendium of excerpts related to Congleton from the key evidential documents that have informed the development of the CNP Sustainable Environment policies and formed the basis for their related justifications.

The folder of documents that comprise the submission to the examination also includes a series of maps and schedules.

The CNP Group stands ready to deal with any follow-up questions that the Examiner may wish to raise in respect of this submission

SECTION 1 HOUSING POLICY H1 QUESTIONS 1 TO 6

QUESTION 1

Policy H1

By way of background, my understanding is that the Objective Assessment of Housing Need (OAHN) for the whole of Cheshire East is at least 36,000 homes over the Plan period, within which Congleton is expected to accommodate in the order of 4,150. This is the figure included in Policy PG 7 of the Cheshire East Local Plan Strategy (CELPS). However, the Neighbourhood Plan area does not extend over the whole of Congleton. In particular it does not extend over the whole of the Strategic Sites identified in Policies LPS 26 – LPS 32 of the CELPS, which together are intended to provide around 2,925 new homes: some are entirely outside the Plan boundary and some are bisected by it.

The Congleton Housing Needs Assessment (July 2015) (CHNA) takes the figure of 4,150 as the starting point, but acknowledges that much of this intended growth will be delivered in parishes adjoining the Civil Parish of Congleton - which is the area of the NP - and that a number of the strategic sites identified in the CELPS straddle the boundaries. Consequently, it also concedes that it is difficult to determine how much of the growth is proposed in each of the parishes affected. However, it states that *“known sites within the Parish of Congleton have the potential to deliver 1,342 dwellings, with the potential for additional sites to come forward over the Plan period”*. On this basis, the CHNA considers that *“in excess of 2,000 homes may be delivered in the adjoining Parishes, probably around the 2,500 mark, leaving 1,650 to be delivered within the Civil Parish of Congleton, with 1,342 already in the pipeline. Sites for an additional 300 homes would therefore be required”*. However, the CHNA also gives other figures: 2,526 new homes to be provided in adjoining parishes, with 1,624 to be provided for within the NP area, of which 1,053 already had planning permission and 289 coming forward on the CELPS strategic sites. Those figures result in an outstanding requirement for an additional 282 homes in the NP area.

In that context, Policy H1 of the NP is prefaced by a general objective for housing, amongst which is *“to meet the objectively assessed housing needs (OAHN) of Congleton”*; and the policy itself uses the phrase *“to meet the housing needs identified in the NP’s evidence base”*. The Justification for the policy states that *“the housing policies contained in the NP derive from evidence that was unavailable to the local planning authority when preparing the CEC Local Plan”*. However, neither the objective, the Policy nor the Justification provide any specific figures.

*1. Other than the CELPS and the CHNA (2015), what other evidence of numerical housing need for the NP area is available?

1.1 The version of NPPF relevant to this plan is the 2012 version. However it is noted that the 2018 version of NPPF paragraphs 65 and 66 may also be relevant to this question in clarifying Government's expectation of the relationship between LPAs and neighbourhood plan-making bodies:

'65. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations³⁰. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.

66. Where it is not possible to provide a requirement figure for a neighbourhood area³¹, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.'

1.2 The onus is therefore placed by Government upon the strategic planning authority to suggest the proportion of the Borough-wide housing figure based upon the OAHN for Cheshire East which our neighbourhood plan may wish to facilitate through its policies. Cheshire East has not thus far provided a figure for the CNP area, preferring to focus on the wider Congleton Key Service Centre as a whole ('the Congleton KSC', as now defined by the emerging SADPD) as a more meaningful planning area for the future of the settlement. The boundary of the KSC is different to the boundary of the CNPA as it extends into adjoining parishes and excludes the rural parts of Congleton parish.

1.3 The CNP Group has requested an apportioned minimum housing requirement figure for the CNP area on several occasions but to date CE has not provided one.

1.4 In the absence of a plan area-based strategic planning figure provided by the local planning authority the CNP Group has therefore undertaken its own statistical work to ensure that the CNP makes an adequate and positive contribution towards the housing development target proposed for the KSC by the adopted CELPS. Please see the accompanying Housing Update Note supporting this submission.

1.5 As the basis for this note the CNP Group has prepared an update to the initial housing needs assessment in the 2015 CHNA. The update includes a number of detailed tables providing up-to-date numerical information regarding the numbers

of dwellings granted planning permission, the number of completions (including by housing type and tenure, as far as can be determined) and the estimated capacity of allocated sites. These figures are provided for both the KSC and the CNP areas. In order to assist comparison and assessment figures are also provided for other parts of the KSC located in other parishes. These figures are based on planning application records available from the CE website.

1.6 There has been dialogue with CE planners to ensure that the figures contained in the Housing Update Note are verified as far as possible, including any detailed assumptions and points of interpretation regarding permitted developments and allocated sites located within the KSC (including figures for the individual parishes within the KSC) and within the CNP area but outside the KSC.

1.7 The CNP Group figures have also been cross-checked against the latest available monitoring information provided by CE at the beginning of February. It should be noted that the CE figures cover the period 1/4/2010-31/3/2018 and the CNP Group figures used as the basis for the Update extend the available analysis to 31/12/2018.

QUESTION 2

*2. What, numerically, are the housing needs which this policy intends should be met within the NP area? Do those figure(s) represent the OAHN for the area, or something different?

2.1 Given that:

- a) there is no evidence that additional site allocations are required within the plan period to 2030 to accommodate the quantitative housing requirement for the Congleton KSC set out in the CELPS with which the CNP must align;
- b) no further Congleton site allocations are to be made in this neighbourhood plan nor in the emerging CE Site Allocations and Development Plan Document (SADPD), and that
- c) no Regulation 16 objections have been raised in relation to the absence of further housing site allocations in this neighbourhood plan,

the CNP group submits that in the current planning circumstances for Congleton the most relevant and appropriate planning framework for the calculation of the relevant minimum housing requirement to be addressed in the CNP is the borough-wide CELPS strategic OAHN figure for Cheshire East. Of the CE borough-wide requirement a specific strategic requirement for 4150 dwellings is assigned to the Congleton Key Service Centre (KSC) in the CELPS.

2.2 Once the planned provision within those parts of the Congleton KSC in other parishes is taken into account an indicative housing requirement figure can be deduced for the CNP area. Apart from the brownfield redevelopment at Bath Vale just outside the Congleton KSC Settlement Boundary (140 dwellings) the housing provision made in rural parts of the CNP area since the start of the plan period in April 2010 has been minimal.

2.3 There is no national or local strategic planning policy requirement, neither in the NPPF nor within the CELPS, for the CNP Group to identify its own plan-area-specific OAHN and minimum housing target figure. The Group might consider that approach in the event that national or strategic policy required it or that the planning circumstances in Congleton had changed sufficiently to justify the town's NP including its own OAHN and housing target figure. However that is not the current position.

2.4 As part of borough-wide housing provision to meet the strategic OAHN figure, the Congleton Key Service Centre is required by the CELPS to provide for 4150 units of housing. This figure has been accepted as the basis for the NP's housing policies, which seek to contribute towards the overall KSC target in a proportionate manner whilst also operating within the planning constraints applicable to the NP area and seeking to meet non-housing requirements. The level of non-housing requirements (e.g. those for green space, local infrastructure and services) are strongly influenced by the housing growth proposed for the wider KSC as a whole as well as growth in the NP area itself.

2.5 The Group submits that it would be inappropriate to fragment planning for the wider KSC into four smaller parts based on the current parish boundaries. Planning for the KSC needs to be addressed in a more comprehensive and strategic fashion than could be achieved by reliance on administrative boundaries of historic origin that may be of limited relevance to the future of Congleton as a settlement. Nevertheless it is accepted that, in the interests of transparency, to enable effective monitoring of policy delivery and overall plan implementation and to provide a better understanding of the CNP's contribution to the overall development of the KSC, robust illustrative figures are needed.

2.6 To this end, illustrative figures have been provided in the Housing Update Note for both the KSC and the CNP area. Our figures are based on the planning register and on our understanding of the LPAs assumptions regarding the capacity of the site allocations and of permissions granted.

2.7 The effectiveness of the development plan's various housing policy documents relies upon the ability to monitor overall planning commitments in different categories together with housing mix and affordable housing figures. In the absence of such monitoring capability it would not be practicable to monitor delivery of policies that are very important to the future of the town in order to ensure that plans are kept up to date and that housing provision meets identified local needs, in line with the requirements of NPPF.

2.8 The fact that the strategic urban extension that will generate most of the housing growth in the Key Service Centre includes three large housing sites extending across more than one parish (and including Congleton parish which defines the CNPA) is of central importance in considering this particular question posed by the Examiner. At a practical level it has been a demanding task to determine precise figures for these allocations and also for sites with permission, due to the pace of development, flexibilities inherent in outline planning permissions, frequent amendments to reserved matters and re-submissions with amended housing layouts. However the CNP Group's Assessment has been carefully cross-checked against CE's Monitoring report details and we are confident that our figures are reliable and robust.

2.9 As a general point the Group observes that there has been a tendency for the figures attributed to initial housing allocations and specified in initial permissions to be exceeded as work on detailed planning schemes, amendments and re-submissions progresses. As indicated in the Housing Update Note it is anticipated that the ultimate total of housing completions will significantly exceed the 4150 strategic minimum targeted for the Congleton KSC.

QUESTION 3

*3. How many homes are intended to be provided on (a) the CELPS strategic sites within the NP area; (b) other sites with planning permission; and (c) on windfall sites.

3. For a full explanation please see the information set out in the tables to the [Housing Update Note](#) that supports this submission. These tables have been prepared to a base date of 31st December 2018. In the absence of building control completions notice data from CE, dwellings have been assumed to be completed where the relevant postal address is included within Royal Mail postcode records (an indication of occupation). If there is any discrepancy between this approach and the CE records for completions based upon BR Completions Notice records then the postcodes figures should be marginally lower, as there may be a very small number of dwellings that have been constructed but not as yet occupied. The post-coded completions figures can therefore be regarded as a robust and conservative illustration of delivery. Completions on major housing sites have also been checked on site in order to ensure that data is fully accurate and up-to-date. This process has required considerable volunteer time and effort since Christmas.

QUESTION 4

*4. By reference to what evidence have those figure(s) been calculated? (NB I cannot find the origin of any figures contained in the CHNA (2015) other than the overarching figure of 4,150.)

4. The statistical elements of the Urban Vision CHNA report have been superseded by the Group's [Housing Update Note](#) supporting this submission, which aims to reflect housing figures and progress with housing delivery up to the end of December 2018. The evidence, methodology and assumptions underpinning the Housing Update Note are included in the response to Q3 above, and should be clear from the note's tables, footnotes and commentary. The group is happy to respond to any further queries regarding methodological details.

QUESTION 5

*5. When were the figure(s) calculated; and what was the age of the evidence used? For example, the CHNA was published some three and a half years ago, and the figures are doubtless older. It is possible – even likely – that circumstances have changed in the interim by reason of planning permissions granted or altered. Does any more recent evidence exist?

5. As explained above the figures set out in the [Housing Update Note](#) have a base date of 1st April 2010 and cover the period to 31st December 2018. They take into account the most recent circumstances and planning permissions. Please see responses to Qs 3 and 4 above and the supporting Housing Update Note.

QUESTION 6

6. Please confirm that despite references to “allocations” in the policy, the NP does not itself allocate any new land for housing: rather it simply adopts the strategic allocations of the CELPS strategic sites and planning permissions already granted.

6. Following further consideration of the Examiner’s question and points made by Regulation 16 consultation respondents it is accepted that the references to allocations in H1 are confusing and that the wording of the policy and its related justification could helpfully be clarified in this regard. Please see the suggested replacement (clarified) wording for Policy H1 contained in the Clarified Wordings Note. [Clarified Wording Note](#). The Examiner is invited to consider the proposed clarification.

SECTION 2 HOUSING POLICY H2 QUESTIONS 7 TO 11

QUESTION 7

Policy H2 and Map 2

7. It is unclear whether the NP adopts the 2005 Congleton Local Plan Settlement Boundary or whether it is positively proposing a change to the boundary to reflect the CELPS strategic sites and other planning permissions granted outside the presently defined boundary. Please clarify, including that reference in the Justification to the policy to the map on page 21 should refer to page 24. Please note that Map 2 makes no reference to the strategic sites.

7.1 CNP Policy H2 does not formally 'adopt' the 2005 Congleton Local Plan Settlement Boundary as that would give the impression that the boundary depends upon or seeks to perpetuate an outdated plan. In fact the wording of the policy itself does not refer to the Settlement Boundary directly. On reflection the Group appreciates that this omission could also create confusion. Accordingly, and in the light of the Examiner's question, we consider that both the wording of H2 and the related justification could helpfully be clarified.

7.2 What we now appreciate is a slightly misleading reference to the 2005 Settlement Boundary in the justification was originally intended to explain the extent of and reasons for the settlement boundary changes for the benefit of members of the local community. It was felt that an explanation was needed in the justification because planning appeal decisions and other planning permissions outside the boundary have been highly controversial over a period of years prior to the finalisation of the submitted Regulation 15 Draft Neighbourhood Plan. The map supporting Policy H2 (Map 2) also illustrates the CELPS strategic site allocations within the CNP area and the planning permissions that have been granted.

New Policies and [Proposals Map 1](#) and Policies and [Policies and Proposals Map 2](#) (landscape) replace the old Map 2

7.3 More specifically, the information in the justification and related map was included in order to help the community understand some of the key factors contributing to the location of the proposed new CNP settlement boundary. These factors include development needed to meet the overall housing requirement and appropriate provision of land for amenity, green space, services, infrastructure and

other forms of development. As it would appear that the Examiner feels that the inclusion of information regarding the 2005 Settlement Boundary might lead to confusion in the interpretation and application of Policy H2 then the Group is happy for references to the 2005 Settlement Boundary to be removed in the interests of clarity and certainty. Our suggested clarification amendment takes this point into account. Please see the suggested clarified wording to Policy H2 and its related justification as set out in the attached [Clarified Wordings Note](#).

7.4 The Regulation 15 draft CNP did not show a Settlement Boundary for the whole Congleton KSC as sections of it would fall within other parishes outside the remit of the CNP. However, since preparation of the Regulation 15 draft CNP, CE has helpfully published a proposed Settlement Boundary for the whole of the Congleton KSC in the emerging Site Allocations and Development Policies [Document \(SADPD\)](#).

7.5 For all the work relating to the CNP the KSC Settlement Boundary now proposed in the consultation draft SADPD is the same as that shown on the CNP Policies and Proposals Map which replaces Map 2. It should be noted that The Group has raised two queries with CE regarding the boundaries relating to two sites – the proposed Bloor Homes development at Tall Ash Farm and the newly built Forge Lane housing scheme. Both schemes include extensive areas of landscaping on the periphery of the housing areas. The criteria applied by CE to the definition of KSC Settlement Boundaries indicate that such areas should be excluded from the settlement boundary. However the boundary shown in the emerging SADPD merely follows the relevant planning application boundaries.

7.6 For these reasons the CNP Group queries the boundary shown in the SADPD in relation to the Tall Ash and Forge Lane areas. Clarification is needed as to whether the Settlement Boundary needs to be adjusted to exclude the large landscape areas. At the time of writing a meeting has been arranged to discuss a number of mapping queries including this one and it is hoped that the matter can be readily resolved. Pending clarification of that point, for the purposes of this submission we have included the Settlement Boundary used for the draft SADPD.

7.7 The typographical error in relation to page numbering should be corrected as suggested by the Examiner (taken into account in the suggested clarified wording).

7.8 The extent of the strategic sites outside the CNP area was not shown on Map 2 because the area beyond Congleton parish falls outside the remit of this Neighbourhood Plan and because full information is provided in the CELPS with which the CNP must align.

7.8 Notwithstanding that initial position, following further consideration of the Examiner's question (and following publication of the draft SADPD's proposal for a Congleton Settlement Boundary incorporating the whole of the KSC) the Group is

happy for the strategic sites and major planning permissions in KSC areas outside Congleton parish to be shown, subject to ensuring clarity regarding the CNPA boundary. We feel that this would be helpful in order to aid public understanding of the overall planning position affecting the future of Congleton as a settlement.

7.9 A [New Policies and Proposals Map 1](#) and [Policies and Proposals Map 2](#) (landscape) incorporating this information has been prepared by CE as the CNP Group does not have any internal capacity for cartographical work and is reliant upon support from CE for this input. The new CNP Policies and Proposals Map replaces Map 2. (This is the first document in the Evidence Library found in the Themed Groups)

QUESTION 8

8. Please show and annotate on Plan 2 the area of the CELPS strategic sites and the boundaries of the other sites which have benefitted from planning permission, including recent permissions.

8. Please see the final paragraph of the response to Q7 above. The new CNP Policies and Proposals Map includes the information requested in relation to CELPS allocations. We also enclose a [Housing Database map](#) provided by CE which includes further mapped detail on the current pipeline position in relation to housing sites.

QUESTION 9

9. What age was the evidence relating to planning permissions in revising the Congleton settlement boundary?

Having regard to the latest housing position reflected in the housing update set out in the explanatory note supporting this submission, the Congleton Settlement Boundary shown in the new CNP Policies and Proposals Map remains relevant. The Boundary still reflects the latest position in relation to planning permissions confirmed in the appendices to the supporting explanatory note. As explained in relation to Q7 above it is suggested that the revised CNP Proposals Map should show the full KSC Settlement Boundary adopted in the SADPD Proposals Map where this relates to parishes outside the CNP area. Within the CNP area the CNP and emerging SADPD adopt a similar settlement boundary with the exception of Tall Ash Farm where the CNP settlement boundary excludes a large peripheral landscape buffer included in the SADPD boundary due to an oversight.

QUESTION 10

10. What evidence was used to define the Timbersbrook Village Core Boundary? What criteria were used?

10.1 Timbersbrook is acknowledged as a village by the relevant Ordnance Survey maps, by Cheshire East Council (which amongst other official documentary references provides a description of the historical development of the village on an information board located at its visitor car park in the village centre), in the Cheshire East Landscape Character Assessment and Strategy report 2018 and most importantly by the local community. It is a small low density cruciform settlement straggling along country lanes that intersect at the village crossroads which marks the village centre.

10.2 Due to its historical development (explained below), the location of woodlands and undulating topography, housing development - although generally of low density and dispersed - is of higher density within a few hundred metres of the village crossroads. The rural area in the eastern part of Congleton parish includes around 100 dwellings. Many of these are farm houses and former agricultural and quarry workers' cottages. Within this area Timbersbrook village lies at the break of the steep slope rising from the Cheshire Plain up to a well-defined wooded ridge comprising of The Cloud and Rainow Hill. The village includes around 40 dwellings and lies around a mile from the easternmost edge of the Settlement Boundary to Congleton town.

10.3 The denser area of development comprising the village core includes the terraced cottages associated with the two former silk mills and dye works, which were operational over many decades. These houses are located on Weathercock Lane close to the village crossroads. The disused Silver Springs Dye-works (formerly a silk mill originally established in the 18th century) was acquired and redeveloped by the former Cheshire County Council under derelict land powers in the 1970s. The reclaimed former industrial site now provides a heavily used visitor car park, picnic site, 'village pond' (a former reservoir providing the works' water supply) information point and wildlife area. An information board at the car park explains the history of the village. Some large 19th century houses are located in positions extending north and southeast from the crossroads up the two arms of Tunstall Road. More recently developed detached housing extends southwest from the crossroads along Under Rainow Road.

10.4 The facilities and services serving the village core include a bus shelter serving the weekday school bus service and a community library/public

information point housed in a former red telephone kiosk on the village green at the crossroads. Both the bus shelter and community library were funded and maintained by local community volunteers. The Methodist Church at the north-western edge of the village (a few hundred metres outside the village core down Weathercock Lane) has recently been renovated as a community project with support from Lottery and other grant funding. It has excellent off-street parking and now provides an important multi-purpose community centre space which is well used by local groups and for community meetings. The attractive Coach and Horses pub-restaurant at the southern edge of the village is located about ten minutes' walk from the village crossroads at the junction of Under Rainow Road and Reade's Lane. It acts as the local village pub.

10.5 The village core is served by mains utilities including mains gas, electricity and water and high-speed broadband telecommunications. The village highways are lit by modern street lamps maintained by Cheshire East.

10.6 The weekday school bus service runs to and from Congleton schools through Timbersbrook Crossroads from the Coach and Horses. Frequent bus services run every half hour between nearby Buglawton and Congleton's town centre bus station Monday-Friday (slightly less frequently during evenings and weekends). This service enables ready access to the wider public transport network (bus, rail and taxi) including rail services to Manchester and other important urban centres on the West Coast Main Line via the bus connection to Congleton Railway Station.

10.7 The Buglawton bus service extends relatively close to Timbersbrook village as Buglawton is only about a mile from Timbersbrook Village crossroads (around 20 minutes' walk). Timbersbrook is close enough to Congleton for residents to use taxi services economically rather than rely on a bus service. The village core lies only 6 minutes' drive from the crossroads to the town centre bus station and around 5 minutes from the rail station.

10.8 Buglawton provides a range of local shops within 20 minutes' walking distance of Timbersbrook including an 'Eight 'til Late' Co-op supermarket, a local post office, a hairdressers, a chip shop and a newsagents. In better weather Village residents also enjoy the 35 minute walk to the local shopping area at High Town near Congleton Railway Station, taking advantage of the well-used off-road pedestrian and cycle routes down the Biddulph Valley Way and the Macclesfield Canal towpath. High Town also offers two pub-restaurants, a post office/newsagent, hairdressers, chip shop, a local bakery and delicatessen, a newsagents, a hardware shop, pet supplies and an interesting variety of other retail services.

10.9 Timbersbrook village lies at the heart of a network of popular countryside recreational routes suitable for walkers, cyclists and horse riders. It adjoins The Cloud, an area of the upland ridge owned by the National Trust and heavily used

by visiting walkers as a beauty spot and viewpoint offering spectacular view across the Cheshire Plain to the Welsh mountains.

10.11 Of importance to the local community, recognition of the village core in this statutory development planning document would help to allay any misapprehension on the part of CE planners (some of whom appear to disagree with other parts of their authority on this point) that Timbersbrook is in fact a small village with a distinctive community identity and character as a rural settlement. Proper acknowledgment of this point in the CNP could also assist the community in its discussions with the Council in respect of day-to-day matters that do not fall directly within the remit of the development plan. For example matters raised with the Council in recent months include requests for enhanced street lighting in dangerous sections of the lanes in the village, more effective management of traffic flows through the village etc. The development plan status of Timbersbrook has been raised by CE officers as an influential factor in shaping the position adopted in discussions.

10.12 In relation to the methodology used in defining the Timbersbrook Village Core Infill Boundary, air photography assessment via Google Earth and on-site survey assessments were undertaken to map the boundary.

10.13 The criteria used to define this boundary included:

Green Belt – Timbersbrook village is ‘washed over’ by the Green Belt. 2012 NPPF paragraph 80 indicates one of the purposes of the Green Belt as safeguarding the countryside from encroachment. Paragraph 89 of the 2012 NPPF identifies the exceptions to the restriction on new buildings in Green Belt. The exceptions include

e) limited infilling in villages’ and

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would (**inter alia**) not have a greater impact on the openness of the Green Belt than the existing development.*

10.14 The location of the CNP’s proposed Timbersbrook village core infill boundary seeks to apply these policy principles by:

- following the edge of the denser village core so as to exclude any areas of agricultural land or woodland adjoining open countryside;
- including brownfield land and associated land surrounded by existing housing frontages and a substantial area of woodland.

10.15 It should be noted that the NPPF Green Belt policy allowing for limited infill of villages washed over by Green Belt does not require that any such village must be served by a minimum level or standard of facilities, amenities or services before infill proposals may be permitted. Neither does [the CELPS Settlement Hierarchy Policy](#) CELPS Policy PG2).

10.16 CELPS Policy PG2 sets out a hierarchy of settlements based on their size and range of facilities and services. In relation to the smallest rural settlements the policy specifies that:

'Other Settlements and Rural Areas

In the interests of sustainable development and the maintenance of local services, growth and investment in the other settlements should be confined to proportionate development at a scale commensurate with the function and character of the settlement and confined to locations well related to the existing built-up extent of the settlement. It may be appropriate for local needs to be met within larger settlements, dependent on location.'

10.17 In the case of Timbersbrook village the suggested village core infill boundary would strictly confine development to a low level but would enable consolidation of the core around the crossroads at the heart of the village, which is well-related to the denser parts of the settlement. It is submitted that the services and facilities already available within Timbersbrook are accessible on foot and appropriate to its character and function. These services and facilities are adequate to cater for the very limited scale of new development that could be accommodated within the village core infill boundary. The wide range of local services and facilities nearby (many within walking distance) mean that a broad range of local needs can be readily met within the locality.

10.18 The [CELPS Green Belt policy \(Policy PG3\)](#) also provides (*inter alia*) that:

'3. The construction of new buildings is inappropriate in Green Belt. Exceptions to this are:

- i. buildings for agriculture and forestry;*
- ii. provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- iii. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- iv. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or***
- vi. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'***
(our emphasis).

10.19 The Timbersbrook Village Core Boundary has been drawn up to ensure that the provisions of these strategic policies are met in full. Any infill development completed within the proposed village core infill boundary could only be very limited in extent and number of dwellings. The redevelopment of the brownfield site located on Under Rainow Road together with a small area of adjoining paddock bounded by the brownfield site, housing development and woodland would not have *'a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'* given that the principal roadside frontage is occupied by the former smithy and associated access together with storage of parts, equipment and vehicle parking.

10.20 The emerging [SADPD](#) seeks to limit infill in 'washed over' villages to a list of villages which does not include Timbersbrook. However it is understood that the relevant draft policy (SADPD Policy PG10) has been the subject of a significant range of objections during the consultation process on the draft plan. These objections include adverse submissions from a large number of parish councils and other interests in villages across Cheshire East.

10.21 Given that:

- a) the proposal for a Village Core Infill Boundary for Timbersbrook is entirely aligned with the NPPF Green Belt Policies (including paragraphs 80 and 89 quoted above), and that
- b) the SADPD remains at a relatively early stage of preparation and that policy PG10 is subject to a number of objections

it is submitted that no weight should be given to any argument that Timbersbrook village is unsuitable for the adoption of a village infill boundary.

10.22 It is submitted that any infill housing permissible within the proposed boundary would be of small scale and entirely focussed upon limited consolidation within the village core. 2018 NPPF paragraph 29 confirms that it is the role of neighbourhood plans to enable local communities to shape the settlements in which they live:

'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.'

10.23 The Government's guidance on Neighbourhood Planning (2014) describes the process of Neighbourhood Planning as follows:

'Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development

for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.'

10.24 The adoption of an infill boundary for Timbersbrook would shape, direct and facilitate appropriate, limited and gradual consolidation and improvements to the heart of the village.

a) Location – To strictly limit any infill opportunities to locations along the roads intersecting at the main village crossroads, and to locations within the most densely built part of the settlement. The tight boundary selected around the village core ensures that any infill would be restricted to low-key small-scale schemes suitable for individually designed small self-build or custom-build housing rather than large volume-builder housing estate developments. In this way the boundary selected is designed to ensure compliance with the 2012 NPPF paragraph 89 restriction of infill in villages washed over by Green Belt to 'limited infill'.

b) Highway frontage – Ensuring that any areas with infill potential have frontage to a hard surfaced and lit public highway in order to avoid inappropriate 'backland' development, to respect the linear form of the village and pay due regard to public safety given the absence of pedestrian pavements in the village and the relatively narrow width of the highways concerned.

c) Site size – Apart from one piece of land close to the centre of the village core the very limited unbuilt areas included within the boundary would accommodate no more than two dwellings (and in most cases only one). The slightly larger site within the village core is fronted by brownfield land. This site comprises a run-down former smithy and related access and storage land now only in intermittent use for window repairs. It also includes a small associated paddock. This prominent part-brownfield site is enclosed by existing housing frontages and by the edge of a woodland. The village would benefit from its sympathetic redevelopment with well-designed custom-build or affordable housing built at relatively low density sympathetic to the village's rural setting.

d) Geographical and landscape features – The Village Core Infill Boundary selected follows well-defined geographical and landscape features such as highways, woodland edges, the edge of existing built development curtilages and long-established boundary walls.

QUESTION 11

11. Map 2 refers to “River Valley Project Areas”. I cannot find any reference in Policy SE4 to such a designation. Please explain what it is and how it is intended to relate to areas and designations referred to in Policy SE4 and Map 10.

11.1 The Clarified Wordings Note supporting this submission includes further explanation, clarification and updated work in relation to Policies SE2, SE3 and SE4, including clarified wording suggested for the policies and justification sections. Please refer to the response to question 23, to the [Wording Clarification Note](#) and to the supporting Consolidated Evidence Summary for relevant details.

11.2 We are grateful that the Examiner has drawn our attention to this matter. The wording of reference to river valleys in Map 2 is a presentation error arising from earlier stages of work. It was intended to change the relevant wording in Map 2 as the policies and map content evolved as the assessment work progressed. However it appears that the need to revise the map wording was overlooked in the rush to meet the targeted deadline for submission of the Regulation 15 draft CNP.

11.3 Given the character and purpose of the project areas identified under Policy SE4 the title of the Policy and the associated wording referenced in the new CNP Policies and Proposals Map which we are providing to replace Map 2 should now read ‘*Green Infrastructure Project Areas*’. ‘Green Infrastructure’ is a helpful term used both in CELPS policy and also in the 2012 NPPF paragraph 114. The Government’s policy regarding green infrastructure is detailed further in 2018 NPPF.

11.4 ‘Green infrastructure’ (GI) is defined both by the Landscape Institute by the CELPS and by Annex 2 (Glossary) to the 2018 NPPF as follows:

‘Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.’

The Group draws on this helpful definition and upon [CELPS Policy SE6 Green Infrastructure Policy](#) in shaping clarified and updated wording and justification for CNP Policy SE4. Please see the [Clarified Wordings Note](#) which sets out the suggested replacement wording in order to clarify Policy SE4 and its associated justification.

SECTION 3 HOUSING POLICY H3 QUESTIONS 12 TO 13

QUESTION 12

12. What is the evidential basis of the requirements set out in Policy H4:

- 20% of units to be bungalows;
- 75% of the bungalows to be 2 bedroom units;
- 25% of the units to meet accessibility etc. criteria;
- the provision of a 30 unit “extra care” scheme;
- 360 units of sheltered and advanced sheltered housing;
- 30 places of C2 accommodation.

12.1 Paragraph 50 of the 2012 NPPF sets out Government policy, requiring that:

‘50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- *plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)*
- *identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand*
- *where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time’.*

12.2 **20% of units to be bungalows** – At the super output level (sub-ward level) the [OPCS analysis of the 2011 Census](#) figures for Congleton compared to those for Cheshire East and England revealed that responding households in Congleton lived in a significantly lower proportion of bungalows and terraced stock than was the case for respondents in CE as a whole or in England as a whole.

12.3 The CNP [Congleton Estate Agents Survey](#) results confirmed that by far the greatest unsatisfied demand for specific house-types is for bungalows and that this high level of demand has been maintained consistently over a number of years. The agents confirmed that the principal reason for this was that the existing stock includes a very small proportion of bungalows. Yet, despite the high level of unmet demand for this type of accommodation from the local community, housebuilders are not responding by building more bungalows. [Table L in the Housing Update Note](#) supporting this submission demonstrates that only 25 new

bungalows have been built within the Congleton KSC as a whole from the start of the plan period in 2010 to the end of December 2018.

12.4 It is very clear that more bungalows are needed in the mix to cater for the needs of the community. The latest Census profiles confirm that Congleton's existing population has an older profile than other parts of Cheshire East, which in turn has one of the oldest demographic profiles in England. The CELPS population projections and the CE Vulnerable, Disabled and Older People's Housing Strategy (VDOPHS) also confirm that the older population cohorts over 65 and in particular those over 75 are projected to grow at a higher rate than projected for other parts of CE.

12.5 The estate agents' responses confirmed that failure to meet demand for housing of this type has resulted in pent-up demand to the point that the very small number of bungalow schemes coming forward are normally sold 'off-plan', even before schemes are formally brought to market. The provision that 20% of any new units should be built in the form of bungalows is based on:

- a) a judgement based upon assessment of the high level of expressed needs and demands identified by the Congleton estate agents balanced against viability considerations, and
- b) assessment of the opportunities for providing bungalows of appropriate size and design in sufficient numbers to satisfy the very high level of demand reported by the agents.

12.6 In relation to b) above, the NP housing update figures included in the explanatory note confirm that of the 4150 dwelling minimum housing requirement for the Congleton KSC as a whole 4686 dwellings are now either completed, committed through a planning permission or proposed on allocated sites which do not have the benefit of planning permission as yet. Of these 1345 dwellings have already been completed. A further 3083 dwellings have planning permission (mostly in outline) but remain to be completed. An additional 260 dwellings are proposed on allocated sites which do not as yet have planning permission.

12.7 The opportunities to provide bungalows to meet the identified needs and demand are restricted primarily to:

- the unbuilt sites allocated in the CELPS (capacity 260), which lie outside the CNPA;
- unallocated sites, some of which already have the benefit of a planning permission that may be revised, or
- unidentified windfall sites that may come forward during the balance of the plan period.

12.8 CELPS Policy SC4 Residential Mix provides that:

(Explanation)

‘12.30 A neighbourhood with a mix of housing tenures, types and sizes

will be more able to meet the changing needs and aspirations of its residents, through changing life stages, household shapes and sizes or changes in income. Providing greater housing choice increases the opportunities for households to remain within their communities and promotes social equality and inclusion by easing geographical constraints on the search for appropriate homes.’

(Policy)

‘Policy SC 4: Residential Mix

1. New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. This could include Key Worker Housing and people wishing to build or commission their own home.

2. To meet the needs arising from the increasing longevity of the borough’s older residents, the council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people. This would include the provision of a variety of dwelling types and other measures to support Health and Wellbeing and independent living through new developments that recognise the needs of older people, those with dementia and other vulnerable people; this will include developing dementia-friendly communities.

3. Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.’

(Justification)

‘12.33 Facilitating more balanced communities, comprising a range of ages, household types and incomes may also help achieve wider social policy goals, such as reducing concentrations of income poverty and social exclusion.

12.34 The council will work in partnership, with developers and registered providers, to provide accommodation with a greater range of tenure options that is of good quality and good design, offering longevity and flexibility for the changing needs of ageing. Appropriate sites to meet this specific housing need will be identified within the Strategic Sites of the Local Plan Strategy and the Site Allocations and Policies Development Policies Document. The council may also seek a proportion of the overall housing land target to be developed as bungalows or houses suitable for older person households.

12.35 In the interests of sustainability and to ensure that new housing provision is sited in the most appropriate location, the council will require proposals for the elderly and/or specialist housing accommodation to be supported by evidence that there is a proven need for such accommodation.

12.36 The council will encourage the completion of Building for Life Assessments to ensure high quality residential development that meets the needs of all.

12.37 Neighbourhood Plans can play an important role in securing an appropriate housing mix. Their policies can reflect more local evidence regarding the need for particular types of housing.'

'Key Evidence

- 1. Ageing well in Cheshire East Programme - A Plan for People aged 50 and over (2012-2017)*
- 2. Cheshire East Joint Strategic Needs Assessment: Population Projections, (2010)*
- 3. Cheshire East Health and Wellbeing Strategy (2014-2016)*
- 4. Building for Life Assessments*
- 5. Cheshire East Health Impact Assessment Policy*
- 6. Five Year Forward View (NHS, October 2014).'*

12.9 This strategic policy provision in CELPS has not as yet been followed up by CE in specifying a housing mix appropriate to the needs of individual settlements identified in its settlement hierarchy. The emerging SADPD policy document does not specify the proportion of housing of particular types appropriate to specified settlements or local market areas within CE. The justification to the CELPS policy (including paragraph 12.37 above) recognises that Neighbourhood Plans can reflect more local evidence regarding the need for particular types of housing in the relevant NP area.

12.10 Notwithstanding this acknowledgement in the CELPS, to our knowledge no other neighbourhood plans in the areas in and adjoining the Congleton KSC other than the CNP seek to specify a housing mix including provision for bungalows, sheltered accommodation, independent living accommodation, different types of affordable housing etc for the parishes that contribute to development of the KSC area. Indeed the [Somerton NP](#) ('made' in 2018) suggest that the housing requirements of the residents of the parish in the vulnerable, disabled and elderly groups will most likely be met by housing within Congleton's urban area.

12.11 Having regard to the recorded performance of the house builders active in Congleton since the start of the plan period, it appears likely that very few new bungalows will be provided elsewhere in the KSC area outside the CNPA unless CE changes its current approach to housing mix in planning decisions relating to the KSC.

12.12 The very high demand noted for the existing bungalow stock in Congleton is therefore likely to grow as the demographic profile of the households in the strategic sites area ages. If this situation continues, and unless CE changes its stance to require specific provision for bungalows across the uncommitted balance of the KSC strategic sites area and in relation to resubmitted schemes, the limited

stock of bungalows located in the Congleton NP area is therefore likely to attract that unmet demand in addition to demands arising directly from the CNP area. Existing pressures of market demand noted in the Estate Agents' Survey conclusions will therefore be exacerbated.

12.13 Most allocated sites within the CNPA have already received planning permission but it is acknowledged that unallocated 'windfall' sites are likely to come forward. The [CNP Housing Update Note](#) supporting this submission estimates around estimates that 550-750 dwellings may be permitted on windfall sites over the balance of the plan period of which 330-450 are likely to be completed. Even if 20% of the housing units likely to be completed on these windfall sites were to take the form of bungalows then only around 65-90 new bungalows would enter the Congleton market over the balance of the plan period to 2030. Bearing in mind:

- a) the scarcity of this house type in the current stock
- b) the very high levels of need and demand reported by the estate agents and
- c) the housing needs identified in the SVDOPH

there can be little doubt that the local market could support a substantially higher figure. Nevertheless the CNP Group understands that the housing needs of other demographic cohorts and groups (such as young single people, young couples and families) must also be met by the housing to be provided.

12.14 The Group seeks to exercise a degree of caution in considering the cumulative planning policy requirements to be placed upon housing schemes. It is nevertheless important to ensure that a reasonable level of appropriate provision is made in the local housing market for this under-represented house-type and that unnecessary planning battles are avoided or minimised. Accordingly in our view the figure of 20% represents a reasonable and pragmatic compromise that will significantly improve the current unsatisfactory housing mix position whilst catering for other requirements.

12.15 Given the high level of committed but undeveloped sites benefitting from detailed permissions it is clear that the housing mix policy will need to be applied to scheme revisions wherever possible and not merely to newly submitted schemes. This approach will only be practicable where the terms of any outline permission enable the LPA to exercise an influence over the final mix of house types to be constructed at the reserved matter/details stage.

12.16 It is proposed to monitor the level of demand for bungalows as part of the process of monitoring and reviewing this neighbourhood plan by means of repeating the Estate Agents' Survey periodically. That measure will enable the effectiveness of the policy to be monitored in relation to market signals as recommended by the 2018 NPPF. Should the level of demand start to fall due to a change in the balance of demand and supply once a higher number of bungalows come to the market then the policy can be reviewed accordingly.

12.17 75% of new bungalows to be 2 bedroomed – This figure reflects the views of the majority of Estate Agents expressing a view regarding the demand for different sizes of bungalows (defined by number of bedrooms). They confirmed that most of the demand of this kind is for 2 bedroomed bungalows - a conclusion noted in the [Estate Agents Survey report](#).

12.18 25% of new units to meet accessibility criteria etc – The relevant policy wording provides flexibility for the developer to determine the mix of properties that are built to Part M or equivalent standard whilst providing an element of housing consumer choice and flexibility not currently available to in the local housing market. For example this provision would allow the 20% of dwelling units required to be built as bungalows to be designed to meet relevant ‘Part M’ criteria or similar. In addition it would also allow for the fact that some households may include members who would prefer two-storey accommodation rather than single storey accommodation (a point raised by one of the surveyed estate agents).

12.19 Provision of a 30 unit ‘Extracare’ scheme, 360 units of sheltered and advanced sheltered housing and 30 places of C2 accommodation – The 2015 SVDOPH includes a quantitative assessment of the housing needs for different types of accommodation and includes a tabulated estimate of needs based on demographic projections and assessment of the existing stock and types of accommodation available in each part of CE. The CNP draws on this information as the basis for specifying these requirements.

12.20 A review of the [SVDOPH by CE](#) is currently expected to be published around the end of 2019. It is anticipated that as the CE housing strategy relevant to specified settlements is reviewed then the numbers specified in Policy H4 may need to be adjusted through periodic policy reviews to ensure that local housing needs are fully addressed by the planning policies for the town. It is important that such housing needs are identified and that progress towards meeting such needs is monitored on a periodic basis through the plan period in order that:

- appropriate projects can be encouraged and supported, and that
- any changes can be accommodated through the process of plan review.

12.21 As for other housing figures set out in the CNP, the figures specified in Policy H4 represent the minimum provision necessary to meet the identified need.

QUESTION 13

13.1 The [SVDOPH](#) was published in May 2014. The following progress can be reported

- a) Since commencement of the plan period in April 2010, while 25 bungalows of all tenures have been completed, which includes a small number of affordable social housing bungalows for rent, no planning applications have been submitted for schemes providing units of 'sheltered' or 'advanced sheltered' housing for older people and the Group is unaware of any proposals of this type in the pipeline. On the basis of the evidence currently available this area of specialist housing provision remains a pressing unmet need.
- b) Apart from the Astbury Mere Nursing home (c60 places) no schemes for C2 units have been constructed during the plan period. Planning permission was granted for a C2 nursing home scheme of c80 places at the Vale Business Park (not yet constructed) and a further 120 place scheme on a site off Priesty Fields has also secured permission. The latter site is on well located brownfield land close to the town centre. The site is in the process of being cleared of industrial buildings but construction on the nursing home has yet to commence. The Group is aware of a planning application for a 'supported living' scheme for 7 places relating to the site of the Queens Head public house near Congleton station. The application has been submitted and is currently under consideration by CE. It appears that this particular proposal relates to accommodation for vulnerable people rather than for older people. At the time of writing the application remains to be determined.

13.2 It is hoped that the Government's forthcoming review of policy in relation to care for elderly, disabled and vulnerable people will lead to greater progress in relation to these requirements in the balance of the plan period. The CNP Group has a strong interest in encouraging the provision of new housing suitable for the elderly, disabled and other vulnerable groups and is considering how best to encourage active delivery of such schemes once the plan is 'made'. We are aware that at least one NP Group in another part of Cheshire have been very successful in promoting a substantial 'Extracare'/independent living scheme in its area.

SECTION 4 HOUSING POLICY H6 QUESTIONS 14 & 15

QUESTION 14

14. What is the evidential basis for the requirement set out in Policy H5 for 15% of housing units to be 2 bed entry-level homes, in addition to affordable homes?

14.1 It appears to the Group that the Examiner intends this question to refer to Policy H6 rather than Policy H5 as referenced and this response is provided on that assumption.

14.2 The latest OPCS sub-output area data release following analysis of the 2011 Census results indicate that Congleton appears to have a smaller proportion of terraced houses and bungalows than CE as a whole and that in turn CE has a smaller proportion than that recorded for England as a whole. The Congleton Estate Agent's Survey report identifies high levels of demand for smaller new two-storey houses, both for rent and to buy, including demand from people who wish to move into their first home. The agents confirmed that while the town's existing inner urban stock includes some older terraced housing suitable for couples and single people seeking a first-time home the choice of new 'entry-level' homes is limited.

14.3 According to the latest CE completions monitoring report 13.75% of the new housing completed between 1/4/2010 and 31/3/2018 took the form of 1-bedroom dwellings (the substantial majority of which were market housing) and a further 29.76% were 2-bedroom dwellings. Thus a total of 43.51% of the completed new stock is in the form of smaller units. Affordable housing comprised 27.16% of the dwellings completed, of which 66.44% were affordable rented dwellings, 12.11% shared ownership, 5.88% intermediate tenure and 2.42% subsidised sale. Therefore the mix of new housing under construction is providing a mix of affordable housing in broad terms.

14.4 A key issue is the extent to which it is providing choice of 'entry level' housing for single people and couples wishing to move into their first home. The CNP Group has undertaken additional analysis of the available data regarding this issue. Please see the [Housing Update Note](#) Tables I, J and K and the related commentary for more detailed analysis. While some 2 bedroom affordable units have been provided within new developments since the start of the plan period the choice of new 1 and 2 bedroom new market homes appears to remain quite limited.

14.5 The wording of CNP Policy H6 was prepared prior to publication of the 2018 NPPF. On closer examination of the detail of the latest NPPF that document's housing policies use two relevant categories of accommodation – 'starter homes' and 'entry-level housing'. 'Entry-level homes' are described in paragraph 71 of the 2018 NPPF as homes that are '*types of affordable housing defined in Annex 2 of this Framework*'. 'Starter homes' are defined by the NPPF Glossary in Annex 2 as a specific sub-set of affordable homes, as defined in Sections 2 and 3 of the Housing and Planning Act 2016.

14.6 The statutory definition of 'starter homes' set out in the Act is highly prescriptive and involves at least a 20% discount against local market value together with several other very specific statutory requirements. The Group considers that in assessing the range of housing that may be needed to cater for households wishing to move into their first home 'entry-level housing' is a more appropriate term to use in relation to the purpose of Policy H6. This term allows greater flexibility to adapt to the planning circumstances of any development scheme to which such policy may be applied. The term also refers to a much wider range of accommodation types and tenures which may therefore be suitable to meet a wider range of housing needs.

14.7 Strong demand for entry-level homes of various tenures has been identified by the local estate agents. The wording of Policy H6 should therefore provide a clear indication that the LPA will look for an appropriately balance of affordable housing that includes substantial provision for entry-level housing need to be accommodated within the mix of affordable homes. The provision of draft policy H6 that 15% of the new housing should be in the form of entry level housing reflect a judgement based on the results of the relevant 2011 Census data, Cheshire East Local Plan population projections and Estate Agents' Survey findings referred to above.

14.8 When considering all housing mix requirements specified in CNP Policy H6 it must be noted that the sites within the CNP plan area that remain without detailed planning permission are very limited in extent. Therefore the effect of this policy is likely to be small relative to the scale of need and may focus more upon negotiations around scheme re-submissions and amended schemes rather than on original schemes. Nevertheless it is important that the CNP does what it can to address the needs of the area within the significant constraints applicable to the planning position.

14.9 In the light of the Regulation 16 consultee responses the CNP Group has also given further consideration to the policy wording included in the Regulation 15 draft CNP. The group suggests that it may be helpful to adopt a clarified wording that takes into account points raised by the consultation respondents. Please find the Group's suggestion for a revised policy and justification wording relating to Policy H6 in the [Word Clarification Note](#).

QUESTION 15

15. What is the specified proportion of affordable and entry level houses referred to in the policy Justification?

See response to Q14 above.

SECTION 5 HOUSING POLICY H6 QUESTIONS 16

QUESTION 16

16. What, numerically, are the identified housing need(s) referred to in the policy?

16.1 Having regard to CE's work on broad Borough-wide plans at the strategic and non-strategic level, in the Group's view the distinctive contribution that can be made by a neighbourhood plan is to identify and address needs that can be identified as specific to our neighbourhood. We do not seek to duplicate Borough-wide policies and initiatives as that would amount to an unnecessary waste of resources and effort. The local specialist housing needs identified in the [2015 VDOPHS Strategy](#) and the wider market demand and needs for bungalows and entry-level homes are explained elsewhere in this response.

16.2 The justification to the CELPS housing mix policy SC4 explains that the local planning authority's approach to housing mix is to be addressed in a supplementary planning document and in the SAPDPD. At the time of writing we have not been notified by CE regarding the publication of a supplementary planning document dealing with housing mix. In drafting the regulation 15 version of the CNP the Group has therefore worked pragmatically, having regard to the evidence and analysis available. The Group has had regard to the tabulated needs projections for Congleton identified in the SVDOPH and has sought to address these needs directly in drafting the neighbourhood plan's policies.

16.3 In addition we have identified high levels of unmet demand for new bungalows and for entry-level housing through the results of the Estate Agents' Survey as explained above. Having regard to the nature of the completions and planning commitments identified in the Housing Update Note and CE's latest monitoring figures the CNP Group accepts that some of the high demand for semi-detached houses is being met on the strategic sites, although the premium charged for new dwellings may well inhibit take up by local people due to Congleton households' low income levels relative to the sale prices being sought on the strategic sites.

16.4 Having reviewed the mix coming forward on the new housing sites our judgement is that the much of the need for market family housing as a proportion of Congleton's provision for the wider sub-regional market in CE is being broadly addressed by the schemes being implemented. The main qualification we would add to this acknowledgement is that the inclusion of a higher proportion of semi-detached houses rather than detached houses would render these schemes more accessible by and relevant to the needs of a significant proportion of the local community rather than the wider sub-regional market.

16.5 The [Congleton Estate Agents Survey](#) noted that the greatest demand for family accommodation is for 3 bedroom semi-detached houses built to a generous space standard with a garage and off-street parking and decent gardens suitable for families with children. Many newer homes built by volume builders in Congleton were described by local estate agents as being provided with more bedrooms but smaller rooms, smaller gardens and less parking and set within a cramped layout. Some of the garages being provided for these homes are regarded by estate agents as being too cramped to meet normal needs for domestic storage and for the parking of modern vehicles.

16.6 Congleton has lower average household incomes than communities further north whence a high proportion of new home purchasers considering homes built on the strategic sites seem to be originating. We have noted that some schemes within the KSC strategic sites area, e.g. the Bloor Homes scheme at Alderley Gate off the A34, have been amended to include more semi-detached houses. There is therefore evidence that some volume builders (although not all) are seeking to adjust their schemes to better align with local market conditions. However, these new homes are still priced at a relatively high price point relative to existing houses in Congleton of similar type. The Group welcomes housing scheme amendments of this kind subject to ensuring a high quality of design and a housing mix that meets the policies of the CNP.

16.7 We note that a 'cut and paste' error in the justification has included wording that should have been included in the justification for Policy H8 rather than H7. Accordingly the Group suggests rewording of the H7 justification. Please see revised justification detailed in the [Clarified Wording Note](#). The revised wording is being drafted so as to refer to any finalised CE work specifying the affordable housing mix to be sought by the LPA.

16.8 It is intended that the mix of new housing being provided within the CNP area will be carefully monitored against the development plan policy requirements. Should the delivery of those requirements in the NP area fall short in any way it is intended that work will be undertaken to determine any adjustments required to policy in the next round of non-strategic planning work, including any review of the neighbourhood plan.

QUESTION 17

17. What is the evidential basis for the dimensions of a garage given in the Justification to this policy?

17.1 The CE recommended minimum standards for clear dimensions of a single domestic garage are 2.7m x 5.5m. However some of the Congleton estate agents surveyed by the CNP Group suggested that in a number of newer developments in Congleton the garages are too small to accommodate the family car which leads to cars parked on verges and on footpaths. We understand that this position is also similar in some other parts of CE. Most households occupying dwellings on new housing developments have at least two cars. In Congleton, as in many of the towns and villages across Cheshire East, there is very little or no public transport provision.

17.2 In a report published in 2013 by URBED, University of Edinburgh and Design for Homes entitled "[Space to Park](#)" they found that the average level of car ownership was 1.47 cars per household and that 75% of property owners were unhappy or very unhappy about car parking. One reason is the fact that a quarter of the parking capacity is in garages many of which are not used for parking, not least because they are too small.

17.3 In contrast to CE's rather tight garage minimum internal dimensions standard North Somerset Council single garage minimum internal dimensions are 3m x 7m.

17.4 Finally, it is interesting to note the dimensions of a range and number of popular cars;

Car	Height	Length	Width
Audi A3	1404	4332.	1785
Audi A6 Avant	1470	4939.	1886
Land Rover Discovery	1888.	4970.	1990
Skoda Octavia Saloon	1461.	4670.	1814
Nissan Qashqai.	1590.	4394.	1806
BMW X1.	1612.	4439.	1821

17.5 It can be seen from the dimensions above that the CE minimum standards make no significant allowance for opening both doors (0.9m) of any of the above typical family vehicles nor for any storage within the garage of bicycles or other household ephemera. We would suggest that the North Somerset minimum internal standard of 3m x 7m is more appropriate having regard to the increased size of modern family vehicles and the need to store other things within the garage. If the garage is impracticable for vehicular parking it will be used for solely domestic storage, resulting in cars being parked on the road where the driveway cannot accommodate the parking required. Layouts in new housing schemes tend to provide that a significant proportion of new dwellings are only able to accommodate one vehicle on the driveway, especially for units where only a single garage is available.

QUESTION 18

Policy TC2 and Map 5

18. What is the evidential basis for the definition of the proposed Growth Zones? What factors were taken into account in defining their location and extent?

18.1 The proposed Town Centre Growth Zones are within the town centre boundary ([see Map 5](#)) and are immediately adjacent to the existing primary and secondary shopping frontages.

18.2 Congleton has a wide catchment area for retail and leisure purposes in the central area of the Borough of Cheshire East. It is a Key Service Centre in the settlement hierarchy where the policy focus is upon the improvement of the convenience and comparison retail offer. There is potential to strengthen and enhance the retail offer as well as encourage diversification of less successful retail space to other uses such as offices, services, leisure, cultural and residential. There are 4150 new homes proposed on the strategic site immediately to the north of the town as well as development that is currently taking place within the CNP area. This new development over the plan period is likely to produce in excess of 11,000 new residents to the town and, if we wish to retain their spend within the town as well as creating a more sustainable community, improvements to the quality and quantity of the town centre offer will be required.

18.3 In 2018 [WYG Report](#) updated the quantitative retail requirements throughout the Borough, providing an up to date assessment of the future capacity for additional convenience and comparison floorspace taking into account:

- policies within the Local Plan Strategy July 2017,
- the population growth forecasts and
- the updated retail commitments and completions to December 2017,

18.4 Congleton is identified as one of the most appropriate centres whence to direct potential new comparison retail development in the longer term. Accordingly it is anticipated that these retail requirements will be met by the two growth zones identified in the plan.

18.5 The Growth Zone West site is based around the Scarborough Developments redevelopment proposals which already have planning consent. Additionally the zone extends slightly beyond the areas covered by the previous Scarborough proposals along Mill Street to include the gateway into the town centre from the

A54. The current scheme with planning includes a mix of retail floorspace, open market stalls, car parking, public toilets and other town centre uses.

18.6 The Growth Zone East site includes various parcels of land currently in public ownership including the bus station, police station, the site of former Council offices, the Fair Ground car park, market square and Back Park Street car park. It also includes the privately owned North Rode Timber Yard where land owners have indicated willingness to consider participation on a wider scheme. The majority of this land is in public ownership and a significant proportion is vacant or surface level car parking. The Police wish to relocate their facilities and any new scheme would be required to accommodate a new bus station and library facility as well as providing an important frontage to Mountbatten Way.

SECTION 8 SUSTAINABILITY POLICY SE2 QUESTION 19 TO 20

QUESTION 19

19. Please provide plans showing the extent of the areas (a) – (c) identified as landscape areas and features.

19.1 Please refer to CNP [Local Landscape Designation Areas Map](#) map included with this submission.

QUESTION 20

20. What is meant by the expression “special weight” and “safeguarded from development” in the policy?

20.1 CNP Policy SE2 states:

‘POLICY SE2 THE LANDSCAPE SETTING OF THE TOWN

All new development should respect and enhance the local landscape character and its quality, ensuring that important views and vistas into, out of and across the town relating to the landscape areas and features referenced below are maintained and enhanced.

In particular, the following landscape areas and features should be given special weight and safeguarded from development and its impacts:

- (a) the open sections of the River Dane valley, including the fingers of the green valley space extending into the heart of the urban area of Congleton as well as those extending through the strategic site allocations west of the existing built-up area of the town and those located in open countryside outside the Settlement Boundary shown in Map 2 Proposals Map on page 24*
- b) wooded escarpments within and outside the town, including those related to the Town Wood, Dane Valley and The Cloud/Timbersbrook/
Congleton Edge*
- c) the Meres to the northwest and south of the town.*
- d) the Moss Rooms.’*

20.2 The content of the Examiner’s question suggests that the wording of this policy is not as clear as might be desirable. The Group has considered this matter further in the light of national policy set out in both the 2012 NPPF and 2018 NPPF and in the light of relevant CELPS policy.

20.3 2018 NPPF paragraph 28 helpfully sets out the Government's policy in relation to the tasks expected of non-strategic plans including neighbourhood plans:

'Non-strategic policies

28. Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.'

20.4 2012 NPPF paragraphs 113, 114, 117 and 118 set out national policies in relation to planning for landscape and wildlife habitat matters:

'113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites¹, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

114. Local planning authorities should:

- *set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'...*

'117. To minimise impacts on biodiversity and geodiversity, planning policies should:

- *plan for biodiversity at a landscape-scale across local authority boundaries*
- *identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation*
- *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*
- *aim to prevent harm to geological conservation interests*
- *where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.*

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*
- *proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest*
- *development proposals where the primary objective is to conserve or enhance biodiversity should be permitted*
- *opportunities to incorporate biodiversity in and around developments should be encouraged;*
- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.'*

20.5 2018 NPPF paragraphs 170 and 171 provide the relevant national policy context in relation to planning for the environment including local landscapes:

'170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve

local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁵³; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'

20.6 The CELPS includes the following relevant policy:

'Policy SE 4: The Landscape

1. The high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.

2. Development will be expected to:

i. Incorporate appropriate landscaping which reflects the character of the area through appropriate design and management;

ii. Where appropriate, provide suitable and appropriate mitigation for the restoration of damaged landscape areas;

iii. Preserve and promote local distinctiveness and diversity;

iv. Avoid the loss of habitats of significant landscape importance;

v. Protect and / or conserve the historical and ecological qualities of an area;

3. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting. Where development is considered to be acceptable in principle; measures will be sought to integrate it into the landscape character of the area by:

i. Protecting, restoring and enhancing the character and appearance of the local area through suitable planting, landscape and / or woodland;

ii. Making suitable provision for better public access to, and enjoyment of, the Local Landscape Designation Areas;

4. Where development may affect a local or national⁽⁶⁴⁾ designation a full understanding of the context, characteristics and significance should be provided and informed by the Cheshire East Landscape Character Assessment, Historic Landscape Assessment and the Local Landscape

Designation Study. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance.'

20.7 It is important to note that neither the CELPS policy SE4, any other CELPS policy nor the NPPF precludes the designation of a Local Landscape Designation Area in a neighbourhood plan. The head of planning in Cheshire East has recognised in meetings with representatives of the CNP Group that the LPA's forward planning resources are limited and that neighbourhood plans are appropriate in providing a level of detail in planning policy and proposals that would be impracticable for the Council to provide in its current circumstances. In the CNP Group's view, however, it is appropriate to distinguish the designation as originating from the neighbourhood level of statutory plan-making. We take this point into account in framing the suggested clarified wording and justification of Policy SE2 (see suggested wording in [Clarified Wordings Note](#)).

20.8 The process of preparing the policies and proposals of the CNP has taken into account the information contained within the weighty Environmental Statement supporting the recently adopted CELPS, air photography and cartographic assessment of topographic and landscape features and site inspections to confirm the assessment and to identify appropriate plan boundaries related to relevant NP SE policies including Policy SE2.

20.9 The Group has had regard to the character area assessments and strategy recommendations included in the 2018 [Cheshire East Landscape Character Assessment and Strategy](#) and CE Local Landscape Designation Study. Some of the areas of open land valued by the local community including green wedges along river valleys and green corridors along urban fringe brooks penetrating or immediately adjoining the urban area of the town were not assessed in these reports. They include:

- a) the Timbers Brook valley and environs,
- b) the Howty Brook valley, Loachbrook and environs, and
- c) the Dane Valley east of the line of the proposed Congleton Link Road.

20.10 Fortunately all these areas were assessed in the earlier Chris Blandford Associates (CBA) [Congleton Landscape Assessment](#) report and recommendations for the then Congleton Borough Council. The report recommended the inclusion of the Dane Valley close to Congleton within in the local landscape designation applied by the Congleton Local Plan (i.e. Area of Special County Value ASCV)) and recommended the designation of the Timbers Brook Valley, Bath Vale and environs and the Howty Brook area and environs as Areas of Special Local Environmental Value. (ASLEV) The Dane Valley was recommended as being of equivalent landscape value to the other parts of the Dane Valley ASCV and the other two areas were recommended for designation as ASLEVs on the basis of the balance of landscape value and their contribution towards local amenity, including informal recreation and visual amenity.

20.11 The CBA report identifies both these recommended ASLEV areas as valued green wedges. It also describes the function of the Howty Brook valley and environs (described in the report as the Howey Hill and Lamberts Lane ASLEV) as a *'strategic gap necessary to maintain Congleton's characteristic settlement boundary'*.

20.12 In the light of this available evidence the CNP Group reviewed and accepted the assessments and recommendations made in both the Land Use Consultants LUC and CBA reports. It was noted that the LUC report is neither as extensive nor as detailed in its geographical coverage around the edges of the urban area of the town. As a result the Group reviewed the older CBA report and considered whether its assessments and recommendations remained relevant in the light of any changes to the landscape or other circumstances.

20.13 Following site inspections and comparison of the study recommendations with the position on the ground, in the Group's judgement the landscape structure, conditions and character of these two areas remain broadly unchanged since the CBA assessment. However the Group's review of the assessment did take account of the planning permissions granted for the Bloor Homes Tall Ash Farm housing scheme and Seddon Homes Canal Road housing scheme (the latter is under construction at the time of writing). Accordingly the housing within these schemes is included within the proposed Congleton Settlement Boundary rather than within the CNP Local Landscape Designation Area (LLDA). The extent of the relevant CNP LLDA is shown on the map included with this submission and it is suggested that the final agreed boundaries should be shown in the new [Policies and Proposals Map 1](#) and [Policies and Proposals Map 2 \(landscape\)](#) which the group suggests should replace Map 2. (This is the first pdf in the Evidence Library found in the Themed Group section)

20.14 In making its assessments of landscape value the CNP Group has taken account of the valuation factors identified in NPPF and referred to in the LUC study: intrinsic aesthetic value, historic landscape and habitat value and amenity value to the local community. The Group noted that the aesthetic value of the areas concerned are adequately assessed in the reports. The historical associations of Priesty Fields, the Howty Brook Valley and Lamberts Lane with the origins of Congleton's development from the medieval period and earlier are not picked up in either report despite their long-established recognition by local historians and the local community. All the area provide valued public access, local visual amenity and informal recreation facilities together with areas of valued wildlife habitat identified by Cheshire Wildlife Trust (CWT) in their [Wildlife habitat Assessment Report](#) for the CNP area.

20.15 In the light of the Examiner's question the CNP Group has given careful consideration to the clarity of the wording of Policy SE2. It is accepted that the wording could be clearer. Indeed it is important that any uncertainty is resolved in order to ensure that the policy is capable of effective implementation through the planning system. Accordingly clarified wordings of both the Policy and its related

Justification are suggested in the [Clarified Wording Note](#). The Examiner is invited to consider the suggested wording.

SECTION 9 SUSTAINABILITY POLICY SE3 QUESTION 21 TO 22

QUESTION 21

21. Is the expression “Green Spaces” in this policy intended to equate to “Local Green Space” in the sense set out in paragraphs 77-78 of the 2012 National Planning Policy Framework (NPPF)? If some or all of the Green Spaces are intended to be “Open Green Spaces”, please provide plans, maps and justifications for each.

21.1 In relation to green space the 2018 NPPF states:

Open space and recreation

96. *Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.*

97. *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) 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*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

98. *Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*

99. *The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

100. *The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

101. *Policies for managing development within a Local Green Space should be consistent with those for Green Belts.'*

21.2 The CELPS policy on Green Spaces draws upon [CE's Open Space Assessment \(CEOSA\)](#) as a key part of the evidence base underpinning the LPS Green Infrastructure Policy SE6. The updated CNP policy in relation to Green Space also draws upon the CEOSA together with mapping information available from Congleton Town Council. The CEOSA includes a summary assessment of each of the open space assets identified against the criteria specified in paragraph 100 of NPPF. The CNP Group has reviewed that assessment (made in 2012) in order to check whether any changes in the intervening period might be of significance to the assessment. No changes of significance have been identified and therefore in the Group's consideration the evidence base remains robust and relevant to the Local Green Space designation process.

CELPS Policy SE6 states that:

'Policy SE 6: Green Infrastructure

Cheshire East aims to deliver a good quality, and accessible network of green spaces for people to enjoy, providing for healthy recreation and biodiversity and continuing to provide a range of social, economic and health benefits. This will be done by:

1. Linking the various assets of Cheshire East's unique landscape – its upland fringes, Cheshire Plain, lowland heath, parkland estates, rivers, canals and watercourses, valleys and cloughs, meres and mosses, trees and woodland and wildlife habitats and its distinctive towns and villages and their urban fringe.

i. This network of green infrastructure assets should be safeguarded, retained and enhanced through the development of green networks/wedges and corridors.

ii. Areas identified as having a shortage or opportunities for the provision of green infrastructure should be a particular focus for enhancement.

iii. Any development should contribute to the creation of a good quality, integrated and accessible multi-functional network of green spaces.

2. Safeguarding green infrastructure assets to make sure that:

- i. Development does not compromise their integrity or potential value;*
- ii. Developer contributions are secured wherever appropriate in order to improve their quality, use and multi-functionality; and*
- iii. Opportunities to add to the green infrastructure network are maximised through partnership working.*

3. Working with partners, to support the potential of strategic green infrastructure assets to contribute to the aims of the wider green infrastructure. The strategic green

Infrastructure assets⁽⁶⁵⁾ identified in Cheshire East are:

- i. Weaver, Bollin, Dane and Wheelock river corridors including cloughs and floodplains*
- ii. Macclesfield, Shropshire Union (including the Llangollen and Middlewich branches) and Trent and Mersey canals*
- iii. Meres and Mosses Nature Improvement Area and Local Nature Improvement Areas*
- iv. Heritage town parks and open spaces of historic and cultural importance*
- v. Public rights of way, cycle routes and greenways*
- vi. Country parks and estate parklands*
- vii. Peak Park Fringe*
- viii. The Cloud, Congleton Edge and Mow Cop upland fringe (connected by the Gritstone Trail)*
- ix. Sandstone Ridge*
- x. The ecological network of habitats identified in Policy SE 3*

4. Strengthening the contribution that sport and playing fields, open space and recreation facilities make to Cheshire East's green infrastructure network by requiring all development to:

- i. Protect and enhance existing open spaces and sport and recreation facilities;⁽⁶⁶⁾*
- ii. Encourage multiple use and improvements to their quality;*
- iii. Provide adequate open space (as outlined in Table 13.1);*
- iv. Contribute to the provision of outdoor sports facilities in line with Policy SC2;*
- v. Create or add to the networks of multi-functional Green Infrastructure;*
- vi. Secure new provision to help address identified shortages in existing open space provision, both in quantity, quality and accessibility;*
- vii. Locate open space facilities in appropriate locations, preferably within developments; and*
- viii. Promote linkages between new development and surrounding recreational networks, communities and facilities.'*

21.3 We note that the Examiner refers to the 2012 NPPF. This national policy has subsequently been updated and expanded in 2018 NPPF paragraphs 96-101 although the thrust of the policy has not been changed by Government. As in the case of some of the questions posed by the Examiner in relation to other policies, given the apparent uncertainty over interpretation we have given further consideration to the clarity and consistency of the wording of this policy and justification.

21.4 As a start-point for this process of re-consideration we have gone back to our evidence base and reviewed it in order to clarify and confirm the schedule of sites which meet the NPPF tests for 'Local Green Space' designation. The suggested clarification wording of the policy and justification included in the Clarified Wordings Note now makes entirely clear which of the green spaces included in the assessment is included in the schedule of 'Designated Local Green Spaces' ([Schedule A](#)). These should be protected from inappropriate development as specified in the NPPF and CELPS policies. Other Green Spaces that do not fully meet the criteria for LGS designation but which in the Group's assessment meet **some** of the criteria in respects that are important to the local community are shown in [Schedule B](#). In the case of these Other Green Spaces the clarified wording provides a more flexible policy allowing for redevelopment where this may lead to replacement with equivalent or enhanced provision. The revised policy seeks to include clear policy statements in relation to both categories of green space.

21.5 The schedules to Policy SE6 provide clarity regarding the judgements made against the Local Green Space assessment criteria specified in NPPF policy.

21.6 The map of [assessed green spaces in Congleton town](#) is included with this submission. It is suggested that this map is probably clear enough to inform site visits should those be required. If the Examiner needs one or more further detailed map(s) for any specific site(s) we are happy to provide it/them. We suggest that the boundaries shown on the map should be included in the CNDP [Policies and Proposals Map 1](#) and [Policies and Proposal Map 2](#) (landscape) intended to replace Map 2.

QUESTION 22

22. What is meant by "preserved and protected from development" in the policy?

The suggested wording of CNP Policy SE3 Green Spaces has been clarified in order to address the examiner's Q21 above. We believe that this meets the requirement not only of 2012 NPPF but also of the 2018 revision to NPPF. See response to Q21 and associated information contained in the Clarified Wordings Note and the Consolidated Evidence document supporting this submission

QUESTION 23

Policy SE4

23. This policy identifies five river valleys, later referred to as Green Wedges or Green Corridors, and shown – though not annotated - on Map 10. The Justification says that these should be identified with a special policy. Is that Policy SE4? If some or all of the Green Wedges / Corridors are intended to be “Open Green Spaces” as described in the NPPF, please provide detailed plans, maps and justifications for each. Does reference to further work being required etc. relate to this policy or just to the Delivery Plan?

23.1 In order to clarify the position, and to update the nomenclature in line with both the 2012 and 2018 versions of NPPF and in line with the terminology used in Policy SE6 of the adopted CELPS, it is respectfully submitted that the heading to this policy should be amended to ‘Green Infrastructure’.

23.2 ‘Green infrastructure’ (GI) is defined in Annex 2 (Glossary) to both the 2012 and 2018 NPPF versions as follows:

‘Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.’

Paragraph 114 of the 2012 NPPF encourages LPAs to plan the provision of green infrastructure networks as follows:

‘114. Local planning authorities should:

- *set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure’.*

23.3 Key aims and objectives that can be addressed through a GI approach are set out in the Landscape Institute’s 2013 Position Statement *‘Green Infrastructure An integrated approach to land use’*. The broad GI concept includes the use of open land for multiple activities and purposes, supported by partnership measures to encourage integrated and coordinated land management and clear objectives linked to public and private amenity, well-being and healthy communities. This document can be accessed from [Landscape Institute website see Green Infrastructure and Integrated approach to landuse](#)

23.4 The overall approach to the CNP pursues Green Infrastructure objectives not only through Policy SE4 but through our approach to safeguarding areas of landscape that do or can in future afford high levels of amenity and biodiversity to the existing and future communities, not only of Congleton parish but of the Congleton KSC area.

Paragraphs 69 and 70 of the 2012 NPPF state that:

‘69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity*
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion*
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.*

70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments*
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs*
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community*
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.’*

23.5 The 2018 version of NPPF also develops this approach further in encouraging LPAs to plan facilities and spaces so as to promote healthy lifestyles.

In relation to access and movement Paragraph 104 of the 2018 NPPF further indicates that:

‘104. Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;*
- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;*
- c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;*
- d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);...’*

In relation to the natural environment the 2012 version of NPPF states that:

‘109. The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils*
- recognising the wider benefits of ecosystem services*
- 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*
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability*
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

110. In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.

113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites¹, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

114. Local planning authorities should:

- *set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure*

117. *To minimise impacts on biodiversity and geodiversity, planning policies should:*

- *plan for biodiversity at a landscape-scale across local authority boundaries*
- *identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation*
- *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.*

23.6 Both versions of NPPF indicate that plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

23.7 The formal definition of green infrastructure project areas as set in the CNP will enable the CNP Group and Town Council, in partnership with CE and other relevant statutory, commercial and voluntary organisations represented in the Congleton Partnership to address the multi-functional objectives set out in the NPPF policies in a structured and targeted manner, in association with developers and land owners where appropriate. In the process they will also support delivery of strategic development policies that relate to landscape enhancements, wildlife habitat conservation improvements, healthy living, amenity and facilities serving modes of non-motorised transport such as walking and cycling networks.

For example the CELPS states:

Policy SE 4: The Landscape

1. The high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.

2. Development will be expected to:

- i. Incorporate appropriate landscaping which reflects the character of the area through appropriate design and management;*

- ii. Where appropriate, provide suitable and appropriate mitigation for the restoration of damaged landscape areas;
- iii. Preserve and promote local distinctiveness and diversity;
- iv. Avoid the loss of habitats of significant landscape importance;
- v. Protect and / or conserve the historical and ecological qualities of an area;

3. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting. Where development is considered to be acceptable in principle; measures will be sought to integrate it into the landscape character of the area by:

- i. Protecting, restoring and enhancing the character and appearance of the local area through suitable planting, landscape and / or woodland;
- ii. Making suitable provision for better public access to, and enjoyment of, the Local Landscape Designation Areas;

4. Where development may affect a local or national⁽⁶⁴⁾ designation a full understanding of the context, characteristics and significance should be provided and informed by the Cheshire East Landscape Character Assessment, Historic Landscape Assessment and the Local Landscape Designation Study. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance.'

23.8 The introduction to CELPS Policy SE6: *Green Infrastructure* also provides a helpful contextual definition:

'13.45 Green infrastructure is a network of multi-functional green spaces, urban and rural, which are capable of delivering a wide range of environmental and quality of life benefits for local communities. Green infrastructure has a potentially important role to play in mitigating the impacts of extreme weather events, particularly extended heat waves. In addition, green infrastructure helps support biodiversity and makes an important contribution to the quality of the environment. Access to beautiful and well-maintained green spaces such as parks and gardens, country parks and wildlife areas, supports both physical and mental health and well-being.'

23.9 It should be noted that the LLD Study prepared by Land Use Consultants (LUC) confirms that the base data for the study are contained within the 2018 [Landscape Character Assessment and Strategy](#) (LCAS) report, which includes landscape strategy recommendations for each of the character areas. The landscape assessment and recommendations were not available to the CNP Group when the wording of the Regulation 15 draft CNP was prepared. They are, however taken into account in the updated policy wordings and justifications for Policies SE2 and SE4 provided as part of this submission. The LLD Study further emphasises at paragraph 1.5 that:

'1.5 LLD areas confirmed as meeting the criteria for designation through this study are based on the current (baseline) landscape, and are not, for example, designated based on future ambitions for landscape enhancements (e.g. as a result of guidance set out in the Landscape Character Assessment and Strategy (2018)).'

23.10 The LCAS explicitly excludes some of the green wedges and corridors running into the urban area of Congleton, although it does refer to the need to take account of the potential for green infrastructure links into and through the urban area. In order to cover the gaps in the evidence base the Group has reviewed the Landscape Assessment report prepared for Congleton Borough Council by Chris Blandford Associates (CBA) in 1999 by undertaking site visits to assess whether any significant changes would affect the assessment's conclusions regarding the two green wedge areas assessed that are excluded from the LUC assessment (Bath Vale and Timbersbrook ASLEV and Howey Hill and Lamberts Lane ASLEV). Apart from the new housing developments that have secured planning permission on appeal between the expiry of the former Congleton Local Plan policies and the adoption of the CELPS (the Bath Vale brownfield housing scheme and Tall Ash Farm schemes in the Bath Vale and Timbersbrook ASLEV and the Seddon's scheme off Canal Road within the Howey Hill and Lamberts Lane ASLEV) the landscape's character in the balance of these areas remains broadly unchanged from the description of the areas assessed by CBA in 1999.

23.11 The principal remaining component of the proposed Green Infrastructure network that is not addressed in the LLD Study is the Dane Valley to the west of the town, extending through the strategic sites area. In this case the CNP Group has taken account of the landscape assessment recommendation in the CBA [Congleton Landscape Assessment report](#) (which recommended its designation as part of the wider Dane Valley Area of Special County Value) and the strategic layout recommendations made by the master-planners for the North Congleton strategic sites area, Barton Willmore.

23.12 The areas defined as 'Green Infrastructure Project Areas' in the clarified policy wording set out below also take account of the areas of local wildlife importance identified by the Cheshire Wildlife Trust in its assessment work relevant to Congleton ([Protecting and Enhancing Congleton's Natural Environment](#) – Cheshire Wildlife Trust 2017).

23.13 The broad concept of green infrastructure defined in Annex 2 to the 2018 NPPF and explained in more depth in the Landscape Institute's Position Statement extends much further than the '*parks and gardens, country parks and wildlife areas*' referred to [in CLES Policy SE6](#). However in defence of the terminology of the CLES policy its wording makes it clear that these categories of green infrastructure are referred to as examples rather than providing a comprehensive description of the scope of GI.

23.14 The reference to 'project areas' in the suggested clarified title to CNP Policy SE4: *'Green Infrastructure Project Areas'* is intended to underline the Group's intention to promote a programme of projects to enhance and upgrade the mix of uses, amenities, landscape, wildlife habitat network and public access to and through the network of GI areas. These areas comprise a mix of river valleys, green wedges, green corridors and off-road greenway links. They contain within them a mix of privately, charitably and publicly owned land, some of the latter being already in recreational or amenity usage, such as the Town Wood and Congleton Park in the Dane Valley, Biddulph Valley Way in the Timbers Brook and Environs area and Astbury Mere Country Park in the Howty Brook and Environs area. Agreement in principle has been reached with the Chair of the Congleton Partnership that the partnership will seek to assist the Group in delivery of the projects programme over the CNP period.

QUESTION 24

24. 5 "Key Green Space Policy Areas" are also identified, some of which appear to overlap with, or duplicate the river valleys / green wedges / green corridors, but they are not identified on a Map, and no policy requirements appear to apply to them. Please explain the intention and their proposed status within the NP. Do they have any relationship to the "River Valley Project Areas" shown on Map 2? If some or all of the "Key Green Space Policy Areas" are intended to be "Open Green Spaces" as described in the NPPF, please provide detailed plans, maps and justifications for each.

24.1 In view of the lack of clarity highlighted by the Examiner's questions in relation to CNP Policy SE6 the wording of the policy and its justification are proposed to be clarified through an appropriate amendment. See responses to Examiner's question 19-23 above and the clarified wording of Policies SE2, SE3, SE4 and SE5 together with their related justifications as set out in the Clarified Wording Note.

24.2 The aim of the suggested clarifications is to separate out the distinct purpose of each policy in order to remove any overlap or duplication. Mapping is also clarified in this submission. Should the Examiner require any further details we will be happy to provide them.

QUESTION 25

25. Please provide a map showing all of the land to which Policies SE2, SE4 and, if possible, SE3 applies.

25 Please see the Maps supporting this submission, including:

- the Map of [Local Landscape Designation Areas Map](#) this is the 2nd pdf in the Evidence Library section of the Themed Groups
- the [Congleton Green Spaces Map](#) which defines relevant designated Local Green Spaces and Other Green Spaces and
- the [Map of Green Infrastructure Project Areas](#).
- The CNP [New Policies and Proposals Map 1](#) and [Policies and Proposal Map 2 \(landscape\)](#), which we suggest should replace Map 2. (this is the first map in the Evidence Library section of Themed Groups)

The Examiner may also find the following maps addressing closely related topics within the Regulation 15 draft CNP of relevance to his examination. These are entitled:

Map 9 [Local Distinctiveness](#)

Map 10 [Proposed Green Wedges and Existing Green Wedges and Corridors](#)

Map 11 [Habitat Distinctiveness](#)

Map 12 [Wildlife Corridors](#)