



## Matter 2: Planning for Growth

Examination of the Cheshire East Local Plan Site  
Allocations and Development Policies Document

for Bloor Homes

Emery Planning project number: 17-087

Emery Planning  
1-4 South Park Court,  
Hobson Street  
Macclesfield, SK11 8BS  
Tel: 01625 433 881  
[www.emeryplanning.com](http://www.emeryplanning.com)

Emery Planning  
Regus House,  
Herons Way  
Chester Business Park, CH4 9QR  
Tel: 01244 732 447



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Author : Ben Pycroft

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## 1. Introduction

- 1.1 This hearing statement addresses the Inspector's questions in relation to matter 2 for Bloor Homes. As the Inspector is aware, our client's particular interest in this regard is in relation to land off London Road, Holmes Chapel. In the previous version of the publication draft SADPD, the proposed settlement boundary for Holmes Chapel mirrored the extant permission 14/5921C. This was supported by our client.
- 1.2 However, in the revised version of the SADPD, the settlement boundary in this location only follows the layouts approved under permissions 17/6123C and 19/3855C. Had those applications for reserved matters not been made, then the settlement boundary for Holmes Chapel would have remained as in the previous version of the publication draft SADPD. However, because those applications have been made and are under construction, areas within our client's control which have been found by the Secretary of State to be acceptable for development when the outline planning permission was approved at appeal are now proposed to remain in the open countryside. Our client has therefore objected to the proposed settlement boundary for Holmes Chapel.

## 2. Matter 2 – Planning for Growth

### Development at Local Service Centres (Policy PG 8 and Site HCH 1)

**11. Is Policy PG 8 consistent with the strategy in the LPS for growth and the spatial distribution of development at the LSCs, and with the relevant provisions of national policy? In particular:**

**a) Should it include a disaggregation of the indicative levels of development for the LSCs, of 3,500 dwellings and 7ha of employment land, to individual settlements, in order to ensure decisions are plan-led and that the needs of individual settlements are met?**

2.1 Yes:

- Paragraph 66 of the Framework explains that a housing requirement for designated neighbourhood areas should be set out in strategic policies;
- Paragraph 8.72 of the CELPS explains that *"given the diverse nature of settlements in Cheshire East, each with different needs and constraints, it is appropriate to set indicative levels of development by settlement"*;

- The CELPS was found sound partly based on a commitment to disaggregate the 3,500 dwelling figure through the SADPD as set out in paragraph 90 of the CELPS Inspector's Report;
- There is no justification for departing from the previous approach which was to disaggregate the 3,500 figure as set out in paragraphs 2.8 to 2.18 of our general representations; and
- Without disaggregating and then allocating a spread of housing sites across the borough, it may lead to a disproportionate amount of development in certain parts of the borough, thus exacerbating affordability and availability problems in other areas.

**b) Should it set out indicative housing levels for designated neighbourhood areas, to provide an effective framework for neighbourhood plans?**

2.2 Yes – this would be in accordance with paragraph 66 of the Framework and the Council has not demonstrated why it would not be possible to do so in the context of paragraph 67 of the Framework.

**c) Is it positively prepared and justified in relying on existing commitments and windfall development to meet the indicative level of housing development for LSCs, set in Policy PG 7, rather than allocating additional sites at the LSCs?**

2.3 No. The SADPD should allocate land for at least 1,125 dwellings in the LSCs. That was the commitment by the Council at the time the CELPS was examined as set out in paragraph 88 of the CELPS Inspector's report and in table A.3 of the CELPS.

2.4 Reliance should not be placed on windfall sites coming forward, securing planning permission and delivering dwellings. Very few dwellings have been approved and completed on sites which were not already included in the supply at the time the CELPS was adopted.

2.5 Within this context, we note that table 1 (p.2) of CEC/01 (the Council's response to the Inspector's Initial questions) answers Q1a of INS/02 and states that:

- 411 dwellings remain on windfall sites in LSCs which were granted permission on or before 26/07/17; and
- 782 dwellings remain on windfall sites in LSCs which were granted permission after 26/07/17.

2.6 Paragraph 6 of CEC/01 then states that it is evident that further housing supply is still being secured on windfall sites in LSCs. We disagree with this claim. This is because whilst permission may have been granted on these sites after 26/07/17, many of these sites were already included in the

supply as commitments. Our analysis is that at 31/03/20 only 265 dwellings remained on windfall sites in LSCs which were not already included in the supply at 31/03/17 (according to the Housing Monitoring Update with a base date of 31<sup>st</sup> March 2017) and 928 dwellings remain on windfall sites in LSCs that were already included in the supply at 31/03/17 (i.e. before the CELPS was adopted):

|                      | <b>Already Included in HMU 2017</b> | <b>Not in HMU 2017</b> | <b>Total</b> |
|----------------------|-------------------------------------|------------------------|--------------|
| <b>Alderly Edge</b>  | 32                                  | 43                     | 75           |
| <b>Audlem</b>        | 48                                  | 4                      | 52           |
| <b>Bollington</b>    | 114                                 | 27                     | 141          |
| <b>Bunbury</b>       | 19                                  | 37                     | 56           |
| <b>Chelford</b>      | 79                                  | 0                      | 79           |
| <b>Disly</b>         | 22                                  | 12                     | 34           |
| <b>Goostrey</b>      | 1                                   | 0                      | 1            |
| <b>Haslington</b>    | 235                                 | 5                      | 240          |
| <b>Holmes Chapel</b> | 296                                 | 22                     | 318          |
| <b>Mobberly</b>      | 2                                   | 0                      | 2            |
| <b>Prestbury</b>     | 1                                   | 30                     | 31           |
| <b>Shavington</b>    | 61                                  | 82                     | 143          |
| <b>Wrenbury</b>      | 18                                  | 3                      | 21           |
| <b>Total</b>         | <b>928</b>                          | <b>265</b>             | <b>1193</b>  |

2.7 Similarly, table 2 (p.2) of CEC/01 answers Q1b of INS/02 and claims that:

- 32 net dwellings were completed on windfall sites in LSCs in 2018/19 on sites where permission has been granted since the CELPS was adopted; and
- 206 net dwellings were completed on windfall sites in LSCs in 2019/20 on sites where permission has been granted since the CELPS was adopted.

2.8 We have reviewed the net completions in the LSCs in 2018/19 and 2019/20 and compared these with the commitments at 31<sup>st</sup> March 2017. Most of the sites were already included as commitments at 31<sup>st</sup> March 2017. Our analysis demonstrates that only 9 net dwellings were delivered in 2018/19 on sites which were not already included in the supply at 31/03/17 and -1 net dwellings were delivered in 2019/20 on sites which were not already included in the supply at 31/03/17:

| Settlement    | 2018/19    | Not in supply at 31/03/17 |   |
|---------------|------------|---------------------------|---|
| Alderley Edge | 10         | 1                         | 6196 – Netherbrook = 1  |
| Audlem        | 51         | 2                         | 4778 – Kinsey House = 2   |
| Bollington    | 46         | 1                         | 3415 – Land adj. Highfield Road = 1   |
| Bunbury       | 15         | 0                         |   |
| Chelford      | 47         | 0                         |   |
| Disley        | 31         | 3                         | 5955 – 10, Buxton Old Road = 3  |
| Goostrey      | 1          | 0                         |   |
| Haslington    | 82         | 1                         | 968 – 69 Crewe Road = 1   |
| Holmes Chapel | 118        | 0                         |   |
| Mobberley     | 1          | 0                         |   |
| Prestbury     | 17         | 2                         | 2269 – The Horners = 1<br>4674 – Ash Cottage = 0<br>5944 – 1, Butley Lanes = -1<br>5994 – Broad Oak = 1<br>6051 – Dale House = 1<br>6340 – Dingle = 0 |
| Shavington    | 63         | 0                         |   |
| Wrenbury      | 23         | 0                         |   |
| <b>Total</b>  | <b>505</b> | <b>9</b>                  |   |

| Settlement    | 2019/20    | Not in supply at 31/03/17 |   |
|---------------|------------|---------------------------|---|
| Alderley Edge | 15         | -1                        | 6310 – 7A London Road = 1<br>6382 – 71A London Road = -1<br>6735 – Stables, Tempest Road = -1   |
| Audlem        | 60         | -2                        | 6538 – 18, Stafford St = -2   |
| Bollington    | 4          | 4                         | 3422 – Land at High Street = 1<br>4014 – 95, Palmerston Street = 1<br>6229 – Corner of Albert Road and Moss Brow = 2  |
| Bunbury       | 15         | 0                         |   |
| Chelford      | 70         | 0                         |   |
| Disley        | 26         | 1                         | 6012 – Disley Autos = 1   |
| Goostrey      | 1          | 0                         |   |
| Haslington    | 47         | 0                         |   |
| Holmes Chapel | 113        | 0                         |   |
| Mobberley     | 1          | 0                         |   |
| Prestbury     | 2          | -3                        | 4218 – Burley Lane = 0<br>6234 – Mount View = -1<br>6435 – Hollybrook House = -1<br>6450 – 6 Marl Edge = 0<br>6651 – Greenedge = -1<br>6687 – Middlehey = -1<br>6740 – 1, the Village = 1 |
| Shavington    | 52         | 0                         |   |
| Wrenbury      | 12         | 0                         |   |
| <b>Total</b>  | <b>418</b> | <b>-1</b>                 |   |

2.9 Paragraph 5.10 of the Council's Report to the Strategic Planning Board (02 October 2020) set out why the removal of housing allocations at Local Service Centres is justified which is that "There is evidence that now, **arguably**, points to a different conclusion being reached in relation to the allocation of further housing sites at the LSCs". The full reasons are set out and our representations at the Publication Stage addressed each and we will address these at the Examination, but by the Council's own admission, the case is 'arguable' and rests on an increase in the supply of 12 homes. We do not see this as justification to depart from PG7 which seeks to deliver the homes where they are required.



**12. Are the other policies in the LPS and SADPD sufficiently flexible to enable the remaining part of the indicative level of housing development for LSCs, set in Policy PG 7, to be met from further windfall sites? Is there any substantive evidence of opportunities for further windfall development on sites within the proposed Settlement and Village Infill Boundaries?**

- 2.10 No. The proposed settlement boundaries for the LSCs largely relate to those set in the previous local plans within the context of an entirely different planning regime which sought to restrict housing growth in Cheshire and increase it in the city centres of Manchester / Salford and Liverpool. These settlement boundaries are not sufficiently flexible to enable the remaining level of housing development for LSCs to deliver dwellings within the existing settlement boundaries.
- 2.11 The proposed amendments to the settlement boundaries have been drawn too tightly around committed development, leaving few if any opportunities for windfall development. We discuss this in the context of our client's site below.

**13. Is there a need for further site allocations for housing at the LSCs to be included in the SADPD to ensure the indicative level of housing development set in Policy PG 7 of the LPS will be met in full and the need for affordable housing addressed, in particular at settlements within the North Cheshire Green Belt?**

- 2.12 Yes. Further site allocations are required and these should set out an indicative level of housing development to deliver both open market and affordable housing.
- 2.13 Further sites are required in the SADPD to assist the Council in delivering affordable housing, including in LSCs. Paragraph 12.44 of the CELPS states there is an objectively assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year. However, the latest data reveals that there are currently 9,389 households on the Cheshire East Homes Choice Waiting List. This compared to 6,018 households on the waiting list in 2014 when the OAN for affordable housing was calculated<sup>1</sup>.
- 2.14 Therefore, the number of households on the Council's affordable housing waiting list has increased significantly since the CELPS was prepared and adopted. Whilst it is not the role of the SADPD to re-assess the housing requirements and strategic policies of the CELPS, its function does include the need to allocate sites of less than 150 dwellings / 5 hectares, and to set the distribution of housing and allocate sites in the LSCs and other settlements and rural areas. Furthermore,

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<sup>1</sup> Cheshire East Housing Development Study 2015, Figure 36

paragraph 16.7 of the CELPS identifies the bringing forward of new sites through the SADPD as contingency measure for addressing changing conditions. The latest evidence on affordable housing need is therefore a significant material consideration which should be considered and addressed through the SADPD.

## **Settlement Boundaries (Policy PG 9)**

### **26. Is the principle of defining Settlement Boundaries consistent with the strategic policies in the LPS and with national policy in enabling the delivery of sustainable development?**

- 2.15 Yes. However, the SADPD fails to logically round off settlements and take into account the extent of extant permissions and therefore provides limited opportunities for windfall development to come forward within settlement boundaries. Our client's site at London Road is one example of this as we discuss below.

### **27. With particular reference to the Settlement and Infill Boundaries Review (SIBR) and the individual Settlement Reports:**

#### **a) Is the methodology for the review and definition of detailed Settlement Boundaries robust?**

- 2.16 Yes. However, we have concerns with its application.

#### **b) Have the criteria and judgements used to inform the choice of Settlement Boundaries been consistently applied?**

- 2.17 No. Stage 2 of the SIBR (ED06) states that where sites on the edge of the settlement have extant permission for housing, employment, retail or mixed-use built development, these should be included within the settlement boundary. On this basis, a site with outline planning permission would now be included within the settlement boundary based on the red line for that permission. This was clearly the case in relation to our client's site in the previous version of the publication draft SADPD, which was prepared before the applications for reserved matters had been made.
- 2.18 However, where schemes have progressed to reserved matters / detailed consent at the time the SIBR was produced, the Council has sought to tighten the settlement boundaries around only the proposed built areas. There is therefore inconsistency in the application of proposed boundaries for commitments with those who have progressed their sites to reserved matters now being penalized for doing so and no recognition by the Council that the principle of

development within the red line for the outline permissions had been deemed acceptable at that stage. Of course, had the SADPD progressed to the timescales it was expected to and / or our client waited until the SADPD was adopted before making applications for reserved matters then the whole of our client's site would be proposed to be within the settlement boundary of Holmes Chapel. However, such delays would not have assisted the Council in terms of its housing delivery and / or deliverable five year supply.

2.19 Indeed, at our client's site at the outline stage, it was envisaged that the proposed built form of the 190 dwellings approved would extend to the southern boundary of the site. This is shown in the following extract from the Design and Access Statement, which accompanied the outline planning permission:



2.20 However, as the scheme was progressed in advance of the adoption of the SADPD, our client worked closely with the design officers of the Council to achieve one of the first schemes which complied with the (then) recently adopted Design Guide. This process resulted in a more diverse mix of homes and a higher proportion of smaller dwellings than was envisaged at the outline stage. But the outcome of this was that the built form did not extend to the southern boundary of the site. As a result, the Council is now proposing to exclude this part of the site from the settlement boundary of Holmes Chapel.

2.21 Stage 3 of ED06 explains that physical features would be considered. However, this has not been consistently applied as the prominent field boundary with a hedge and trees running along it that forms the southern boundary of our client's site is not proposed as the settlement boundary for Holmes Chapel. Please see a satellite image of the site below, which shows the hedge line and boundary along the southern boundary of their site:



**c) Are the proposed Settlement Boundaries justified on the basis of proportionate evidence?**

2.22 No. In the absence of further allocations in the SADPD, the settlement boundaries are not justified as they would not ensure that the overall housing requirement would be met in the plan period. If no further allocations are to be proposed, the settlement boundaries should ensure that further



windfall sites could come forward. This is for the reasons set out in our overall representations with reference to:

- Providing a realistic prospect of meeting the overall housing requirement – many of the strategic sites have not come forward as they were expected to in the trajectory set out in the CELPS;
- Ensuring that the Council can demonstrate a five year housing land supply;
- Meeting the need for affordable housing in Cheshire East; and
- Providing flexibility to accommodate development needs from HS2.

**28. Will the Settlement Boundaries defined on the Draft Policies Map be effective in enabling further windfall sites to come forward, to meet the remaining unallocated element of the indicative level of housing development at the LSCs, and elsewhere in the borough?**

- 2.23 No. Our client strongly objects on this basis. Within this context, we refer to a recently refused application at our client's site off London Road at Holmes Chapel.
- 2.24 As briefly explained above, as a result of following the Design Guide and providing a more varied mix of housing including more smaller dwellings, some land to the south of our client's site but within the red line of the outline planning permission was left undeveloped at the time of the reserved matters applications for 190 dwellings (and employment). An application was made to deliver an additional 25 no. dwellings at this part of the site (i.e. 215 in total across the whole site). No additional land was required.
- 2.25 The application was reported to committee in August with a recommendation for approval on the basis that it would provide an efficient use of land on a site already accepted for development and assist the Council in terms of its housing land supply from windfall sites. However, members voted against the recommendation from officers and refused to grant permission because of the location of the site in the open countryside.
- 2.26 The proposed settlement boundary for Holmes Chapel (ED 02b, page 44) has been drawn tightly around our client's site off London Road to reflect only the residential areas of the reserved matters consents rather than the extent of the outline planning permission. This would restrict further windfall development coming forward – even in a location where development has previously been considered acceptable by the Secretary of State when he granted the outline planning permission.

2.27 At the very least the settlement boundaries should reflect the red line boundary of outline planning permissions to allow opportunities for windfall development and a more efficient use of land to take place.

**29. Is there any substantive evidence to demonstrate that any of the proposed Settlement Boundaries are not justified in defining the boundary between the built-up area of the settlements and the open countryside?**

2.28 Yes – please refer to our answers to questions 27b) and c) and 28 above.