

MATTER 2 – PLANNING FOR GROWTH

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

Questions 11-13. Representations by Bollington Town Council (David Naylor) 1226864, and Michael Burdekin (Bollington Neighbourhood Plan) 986865(PBD), 1186533(RPD) – Representor Michael Burdekin.

The Local Plan Strategy for Growth is given in Policy PG1 of the Plan which states in item 2:

“2. Sufficient land will be provided to accommodate the full, objectively assessed needs for the borough of a minimum of 36,000 homes between 2010 and 2030. This will be delivered at an average of 1,800 net additional dwellings per year.”

The Vision for Local Service Centres stated in paragraph 8.30 of the Local Plan is:

“In the Local Service Centres, some modest growth in housing and employment will have taken place to meet locally arising needs and priorities, to reduce the level of out-commuting and to secure their continuing vitality. This **may require** small scale alterations to the Green Belt in some circumstances.”

Paragraph 8.34 of the Local Plan states:

“In Local Service Centres and other settlements and rural areas, the Local Plan Strategy approach is to support an appropriate level of **small-scale development** that reflects the **function and character of individual villages.**”

Policy PG7 of the Local Plan, item 3, states:

“The **Local Service Centres** are expected to accommodate **in the order** of 7 hectares of employment land and 3,500 new homes.”

The **indicative figure** of 3,500 new homes for the LSCs is part of and within the overall figure of 36,000 required by Policy PG1. No justification was given for the figure of 3,500 new homes in the Local Plan in planning terms – it was clearly a ‘top-down’ judgement by the CEC strategic planning team of what proportion of the overall requirement of 36,000 should be allocated to the LSCs. There was no strategic thinking applied to consideration of ‘locally arising needs and priorities, to reduce the level of out-commuting and to secure their continuing vitality’ to provide a ‘bottom-up’ estimate of a reasonable contribution from the individual LSCs. The only sites considered in the SADPD work have been those submitted by the vested interests of developers / agents with little or no concern for the needs of the community – there has been a complete absence of planning intelligence over both the appropriate numbers of dwellings for the needs of each LSC and over the optimum location to support sustainable development of the community (RPD64).

Policy PG3 of the Local Plan deals with the Green Belt - Item 6 of this Policy states:

“In addition to these areas listed for removal from the Green Belt, **it may also be necessary** to identify additional non-strategic sites to be removed in the Site Allocations and Development Policies Document.”

The latest annual Housing Monitoring Figures published by Cheshire East Council show that for the year to March 31st 2021, the total projected figures for completions and supply of new homes in the whole Borough had reached a total of 41,252 dwellings, with an additional allowance for small site windfalls of 750 dwellings for the remaining period of the Plan to 2030. This makes an overall total of expected dwellings during the Plan period of 42,002, over 6,000 more than the minimum figure of 36,000 required by the main Policy for Growth in the Plan, PG1.

For the Local Service Centres, there has been a steady increase in the supply figures each year, apart from the latest year, where work will have been disrupted by the Coronavirus pandemic, leaving only 307 to be found over the next eight years across all 13 of the LSCs

to reach the indicative figure of 3,500 of the Local Plan. With the substantial excess in the overall projected supply figures for the Borough as a whole, it is not necessary for any further development in the LSCs for the overall Plan Figure of 36,000 to be reached, although it is inevitable that there will be a significant number of additional windfall sites occurring.

The revised Policy PG8 in the Revised Published Draft Version of the SADPD removes the specific allocation of new homes requirements between the 13 LSCs from the previous versions and gives an **expectation** that they will accommodate in the order of 3,500 new homes with the **expectation** that this will be addressed by windfalls going forward. The proposals in the previous versions of the SADPD had been based entirely on how to divide up the figure of 3,500 allocation of dwellings between the Local Service Centres (LSCs) for the full Local Plan period.

In the specific case of Bollington, there was very strong opposition from the local community to the initial allocations of 400 and then 390 dwellings in the earlier versions of the SADPD on the grounds that there was no valid justification for these figures in the light of development in the town in recent years (FDR533). All six of the numerical approaches put forward by CEC to determine allocations between the LSCs were flawed as they considered only arbitrary individual factors, each of which alone was obviously unsuitable. Detailed criticisms of these approaches were given in the previous submissions by Bollington Town Council.

At the time of the First Draft SADPD, Bollington Town Council (BTC) responded to the consultation stating that "it is unacceptable to allocate 400 homes to Bollington when there are already 318 commitments eight years into the twenty-year Plan period, and when the draft allocations to Prestbury are 130 homes, Chelford 235 homes, Alderley Edge 250 homes and Disley 255 homes for the whole Plan period. Significantly larger numbers of potential sites have been submitted in LSCs other than Bollington, which have lower levels of constraint including Green Belt category than Bollington". BTC also stated "No account has been taken of the existing housing density figures in the LSCs – Bollington has the highest housing density based on 2011 census figures at 5.92 dwellings/ha, whereas Prestbury has a housing density of 1.24 dwellings/ha, Chelford 1.16 dwellings/ha and Alderley Edge 5.83 dwellings/ha" (FDR544). Furthermore, no account was taken about growth in the period before the start of the Plan. The population of Bollington in the 2001 census was 7,095 and that in the 2011 census 7,593 representing an increase of 498, i.e. 7% over the 10 year period preceding the start of the Local Plan. The current population is estimated to exceed 8,000 already which would represent a further 5% increase in the past ten years.

The community in Bollington also objected strongly to the proposed removal of Green Belt status from sites in the Town and to the failure of CEC to take account of the recommendations of the Neighbourhood Plan (RPD58). It is abundantly clear that Bollington has already had more than modest growth both before and during the present Cheshire East Local Plan period and future development in Bollington should take place by consultation of the local community and revisions to the Neighbourhood Plan.

Summary of Bollington Town Council responses to Questions 11-13.

The responses from Bollington Town Council to this group of the Inspector's questions are as follows:

Q11. The strategic requirements for growth in Policy PG1 of the Local Plan are expected to be greatly exceeded by the projected supply for new homes (RPD630, RPD53).

- (a) There is no requirement for a disaggregation of the indicative levels of development for the LSCs. The requirement for modest growth has already been achieved, or is projected so to do, particularly in Bollington.
- (b) There is no requirement to set out indicative housing levels for designated neighbourhood areas – future requirements for the LSCs should be determined through revisions to Neighbourhood Plans.
- (c) The overall projected growth in the Borough is more than sufficient to meet the Local Plan requirements and the indicative level of housing development in the LSCs is certain to be met without allocating additional sites to them.

Q12. Further sites continue to become available in the LSCs, either as windfalls or redundant buildings from other uses within conditions permitted by other policies in the LPS and SADPD. Much of the development in Bollington since 2010 has come about through conversion of sites from other uses, not known at the start of the Plan period.

Q13. There is no need for further allocations of housing at the LSCs to be included in the SADPD.

Safeguarded Land at LSCs (Policy PG 12)

Questions 15 – 18. Representations by Bollington Town Council (David Naylor) 1226864, PBD882, RPD1549, Michael Burdekin (Bollington Neighbourhood Plan) 986865(PBD), 1186533(RPD) – Representor Michael Burdekin

The Local Plan **estimated** in 2016/17 that 200 ha of land should be safeguarded to provide for development requirements after 2030. Policy PG4 of the Local Plan specified 186.4 ha of this estimate from non-LSC areas of the Borough.

The supporting reports in the Revised Published SADPD suite of documents and appendices are largely revamps of those issued with the previous versions of the SADPD to justify site allocations for development within the Plan period, modified to cover priorities for justifying allocation of safeguarded land for potential development post 2030. All of the criticisms of CEC's flawed attempts to allocate new housing numbers between the LSCs, given in our responses to Questions 11 to 15 above apply to CEC's attempts to allocate 13.6 ha of safeguarded land between the LSCs (RPD61, RPD62, RPD63, RPD64).

Paragraph 1.20 of Report ED53 quotes paragraph 8.48 of the LPS that "the importance of allocating land to go some way to meeting the identified development needs in the north of the Borough, combined with the consequences for sustainable development of not doing so, constitutes the exceptional circumstances required to justify alteration of the existing Green Belt boundaries, whilst maintaining the overall general extent of the Green Belt". Paragraph 1.29 states, without any supporting analysis or justification, that "it is considered that exceptional circumstances still exist to justify further alterations to the Green Belt boundary in the SADPD to enable the full 200 ha of safeguarded land required in order to comply with the requirements of the NPPF paragraph 139 regarding the permanence of the Green Belt boundary". There is no analysis to demonstrate that the full 200 ha of safeguarded land is required now as opposed to when the Local Plan was adopted. In our view it is self-evident that at least a modest level of development has occurred already and is continuing to occur naturally in the LSCs, certainly in Bollington, and there are no exceptional circumstances to release Green Belt land for safeguarding now (RPD56, RPD61).

The position has changed since the adoption of the Local Plan in July 2017 and no updated assessment has been made of development requirements of Cheshire East beyond 2030. In the 4 years since Cheshire East Council's Local Plan Strategy was adopted, climate change has become more serious, as recognised by Cheshire East Council (CEC) in their Climate

Emergency Declaration and their Environmental Strategy. Many more homes than expected have been built and population growth projections have reduced with corresponding reductions in the Government standard method for calculating need. The Local Plan Strategy (LPS) estimated that the Borough would generate 0.7% growth, year on year, and create 30,000 net additional jobs between 2010 and 2030 which would require circa 450 hectares of employment land. What has happened, as recorded in Cheshire East's Annual Monitoring Report (AMR) for 2018/19 is a reduction of 6,000 jobs in 2018 since 2017, negative jobs growth between 2010 and 2019 and of the 453.45 ha allocated for employment only 31.10 have been taken up. In Bollington's view Cheshire East is not taking enough account of what is happening and their SADPD proposals are unsound and legally flawed (RPD631).

Paragraph 1.2 in the 'Introduction' to the Revised Published SADPD states that it will allocate sites for development "**where necessary**". In the view of Bollington Town Council and the local community it is not 'necessary' to allocate land in the LSCs for safeguarding post 2030. It would merely lead to the unnecessary loss of more Green Belt land.

The Local Plan assessment for safeguarded land of 200 ha would correspond to a requirement for 7,000 dwellings over an 8 to 10 year period at the assumed average housing density of 35 dwellings / ha. The current housing supply projections (March 2021) show an estimated surplus of over 6,000 dwellings for the end of the Plan period in 2030. In addition, the latest Government standard method for calculating housing need shows a significant reduction for Cheshire East to about 1040 dwellings/yr compared to the adopted Local Plan requirements of an average of 1800 dwellings/yr over the full Plan period. The 186.4 ha of safeguarded land prescribed in Local Plan policy PG4 can be expected to provide an estimated 6,524 dwellings. With the minimum number of new homes of 36,000 required by Policy PG1 of the Local Plan, the total estimated housing numbers at the end of the Local Plan period from over supply during the Plan period plus safeguarded land already specified in Policy PG4 clearly exceeds vastly the number required from 2030 to 2040. There can therefore be no justification for taking Green Belt land in the LSCs for additional safeguarding now (RPD1549, RPD55, RPD61, RPD62).

As detailed in Bollington Town Council's previous submissions (e.g. RPD634, RPD63), there are serious deficiencies in the Traffic Light Assessment (RAG) of potential Safeguarded Sites set out in Appendix 2 of Report ED07. The use of the RAG System is both subjective and superficial. It relies on unsubstantiated statements and judgements by prospective developers and Council officers.

Bollington Town Council has repeatedly stated that the sites nominated for either development or safeguarding in its area are unsuitable and given detailed reasons for this. The two sites in Bollington selected for safeguarding are ranked as making a Significant Contribution to the purposes of the Green Belt whereas other sites in both Bollington and other LSCs ranked a lower level are not selected (RPD630, RPD632, RPD633).

Summary of Bollington Town Council responses to Questions 15-18.

Q15. There is no justification to require safeguarded land additional to the 186.4 ha already specified in Policy PG4 of the Local Plan (RPD1549, RPD55, RPD56, RPD57, RPD62).

Q16. The methods of selection of sites and their distribution in the LSCs for designation as Safeguarded Land in Reports ED05 (Spatial Distribution), ED07 (Site Selection Methodology) and ED24 (Bollington) are completely unsatisfactory (RPD62, RPD63, RPD64, RPD634).

Q17. There is no evidence in the SADPD that the cumulative impacts of the future development of the sites proposed for safeguarding, both in the Local Plan Policy PG4 and

in the SADPD, on the infrastructure of the surrounding areas has been given any significant consideration. The whole basis of the approach has been how to achieve the estimated total numbers required from the pool of sites submitted by developers / owners in the response to the call for sites (RPD631). The proposals are in conflict with the Bollington Neighbourhood Plan (RPD58, RPD63, RPD64).

Q18. The Revised Published Version of the SADPD fails completely to demonstrate exceptional circumstances for removing proposed Safeguarded Land sites from the Green Belt in any of the LSCs, and particularly in Bollington (RPD630, RPD1549, RPD57, RPD61, PDB208).

Legal Advice on the proposed designation of safeguarded land.

As noted above, Bollington Town Council (with others) has previously consulted leading planning barrister Mr Ian Ponter of King's Chambers, Manchester, on the legal validity of the proposed designation of safeguarded land in the LSCs in the SADPD. In the light of the Inspector's correspondence with CEC in July 2021, Bollington Town Council, supported by the Save Bollington Green Belt group, sought further advice from Mr Ian Ponter on Question 4 of the Inspector's list and the CEC response. The legal advice from Mr Ponter confirms that given previously, to the effect that:

"The Inspector's question appears to accept that there is a requirement to examine the need for further safeguarded land (and release from the Green Belt) in light of up to date circumstances, albeit the exercise (as addressed in the Inspector's question 4) is narrowly defined." "My previous Advice noted that there might be a range of factors relevant to the question of whether or not there is a current need for further safeguarded land designation."

"I return to the conclusions of my previous Advice to the effect that;

(i) the need for further safeguarded land is to be addressed as part of this SADPD process (as opposed to being assumed) in order to accord with policies PG3 and PG4 of the LPS, and,

(ii) a range of factors are likely to be relevant to that assessment."

"the central issue, namely whether or not there is currently a need for further Green Belt release in order to designate additional safeguarded land, has not been addressed."

Settlement Boundaries (Policy PG 9)

Questions 26-30_Representations by Bollington Town Council (David Naylor) 1226864, Michael Burdekin (Bollington Neighbourhood Plan) 986865(PBD), 1186533(RPD) – Representor Michael Burdekin

The proposed 'Settlement Boundary' for Bollington has simply been drawn around the main density of housing but including the development in Ingersley Vale where access will be from Bollington. It does not include the housing at Dumbah Lane and Tytherington Lane (which have been part of Bollington for many years) or the housing on Springwood Way which lies within the Bollington Parish and Neighbourhood Plan areas.

From a strategic planning point of view there is a strong case that any future development in Bollington should be near to the Silk Road to avoid aggravating traffic conditions in the Town and thus it would be sensible for the settlement boundary to at least retain the existing Parish boundary and to include the existing Dumbah Lane and Tytherington Lane houses. The settlement boundary should incorporate these areas to provide sensible opportunities for planning the future development of Bollington (PDB208, RPD64). BTC is currently reviewing this under the Community Governance Review.