

**Site Allocations and Development Policies Examination**  
**Matter 2 Hearing Statement**

Hollins Strategic Land  
September 2021

# 1 Introduction

- 1.1 Hollins Strategic Land (HSL) submitted a Consultation Statement (CS) on the First Draft Site Allocations Development Plan Document (FD). The First Draft Consultation Statement (FDCS) provided comments on the following policies:
- PG10 Infill villages in the open countryside;
  - PG11 Green Belt boundaries;
  - PG12 Safeguarded land boundaries;
  - HOU13 Housing delivery; and,
  - HOU14 Small sites.
- 1.2 The FDCS also addressed the Council's decision not to allocate any land for residential development in the 'Other Settlements and Rural Area' (OSRA), as well as the opportunity the Council has to provide further guidance on development within the Jodrell Bank Observatory (JBO) Consultation Zone.
- 1.3 HSL then submitted a Publication Draft (PD) Consultation Statement (PDCS), updating the FDCS. It was demonstrated that it was necessary for Cheshire East Council (CEC) to make amendments to the PD for it to be found sound, including:
- Amend policy PG10 to include Marton as a village;
  - Amend policy PG11 to include the Glastonbury Triangle as a Green Belt release site in Poynton and review the contribution to Poynton housing delivery made by strategic sites and SADPD sites;
  - Allocate land for housing in the 'Other Settlements and Rural Area', particularly to respond to the affordable housing need in the Macclesfield Rural Area; and,
  - Take the opportunity to provide specific guidance on development within the Jodrell Bank Observatory Consultation Zone.
- 1.4 HSL subsequently submitted a Revised Publication Draft Consultation Statement (RPDCS) which found that these amendments were still required.
- 1.5 This Hearing Statement (HS) does not seek to repeat the points made in the FDCS, PDCS or RPDCS. Rather, it responds to the Inspector's Matter 2 Issues and Questions, providing updated information where available.

## 2 Issue: Development at Key Service Centres

**Q19: Is the proposal to allocate further sites for housing and employment at the Key Service Centres of Congleton, Middlewich and Poynton justified and consistent with the strategy for the spatial distribution of development in the LPS?**

2.1 HSL supports Cheshire East Council’s (CEC) decision to allocate further sites for housing in Poynton. It is justified and consistent with the strategy set out in the LPS.

2.2 The LPS confirms that there is a housing requirement of 650 dwellings for Poynton. Table A1.2 of ED 05 to the RPD states that Poynton can now deliver 712 dwellings, including the proposed SADPD allocations (PYT1, PYT3 and PYT4):

Area	Expected level of development	Type (site allocation or other)		Completions to 31 March 2020	Commitments at 31 March 2020	Remainder of allocation (without permission)	Total
Nantwich	2050	Site allocations	LPS 46 Kingsley Fields (1100)	200	803	97	1100
		Other Sites		1107	147		1254
		<b>Nantwich subtotal</b>		<b>1307</b>	<b>950</b>	<b>97</b>	<b>2354</b>
Poynton	650	Site allocations	LPS 48 Land adjacent to Hazelbadge Road (150)		133	0	133
			LPS 49 Land at Sprink Farm (150)		150		150
			LPS 50 Land South of Chester Road (150)	-1	126		125
			PYT 1 Poynton Sports Club (80)			80	80
			PYT 3 Poynton High School (20)			20	20
			PYT 4 Former Vernon Infants School (50)			50	50
		Other Sites		124	30		154
<b>Poynton subtotal</b>		<b>123</b>	<b>439</b>	<b>150</b>	<b>712</b>		

2.3 If these allocations were removed from the SADPD, Poynton would not be able to deliver its housing requirement. It would lose 150 dwellings meaning it would only deliver 562 houses against a minimum requirement of 650.

2.4 CEC has not identified a windfall supply for Poynton in the above table and is aware that there are very limited opportunities for new development within the settlement boundary. The boundary is tightly drawn and Poynton is surrounded by Green Belt.

2.5 CEC would acknowledge that Poynton has long suffered from under provision of housing and affordability issues. As at 31/03/2020, there had been zero completions on the allocated sites.

2.6 It is understood that LPS50 is now progressing with 15 completions having taken place in 2020/21, according to the CEC ‘Housing Completions and Supply Summary’ which forms part of the ‘Housing Monitoring Update 2020/21’ document suite, set to be completed later this monitoring year.

2.7 However, 11 years into the plan period and 4 years since adoption of the LPS, there have been no completions on site LPS49 and development has not commenced on site

LPS48. This is despite permissions having been in place for some time and Poynton being one of only a handful of “prime” residential areas in Cheshire East according to CEC document ED 52 (this is linked to house prices emphasising affordability issues).

*LPS48 Land adjacent to Hazelbadge Road*

- 2.8 The ‘Housing Monitoring Update 2019/20’ forecasted that LPS48 would deliver 5 houses in 2021/22 and then 32 per year until 2025/26. This was based on the site being developed by Persimmon who, at that time, were in the process of finalising the s106 Agreement relating to the full planning permission (17/6471M) for the site.
- 2.9 However, it is understood that Elan Homes has now taken control of site LPS48. The CEC application database confirms that Elan Homes has an application pending for numerous conditions to be discharged relating to 17/6471M. An application (21/2976M) is also pending for the variation of approved plans, to substitute Persimmon housetypes with Elan Homes housetypes. The application database gives no indication of when these applications might be approved.
- 2.10 It could be assumed that the applications will be approved later this monitoring year, on the presumption that the Elan scheme does not differ significantly from the Persimmon scheme and there are no significant delays linked to a Deed of Variation to the s106 Agreement. If this was the case, and acknowledging the submission of the discharge of conditions application, it would be reasonable to assume that the site could deliver housing as follows:

2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
0	0	28	28	28	28	21	0	0

Table 1: Estimated LPS 48 trajectory (produced using CEC Forecasting approach, as per HMU 2019/20)

*LPS49 Land at Sprink Farm*

- 2.11 While table A1.2 extracted above states that this site will deliver 150 dwellings, the Reserved Matters (RM) approval (19/1972M) is for 148 dwellings. This immediately means that CEC would only deliver 560 houses against a minimum requirement of 650 if further sites are not allocated in the SADPD.
- 2.12 The RM application was approved on 15/05/2020. An application for the discharge of pre-occupation conditions is currently pending consideration. This suggests that the developer, Bellway Homes, anticipates occupations to commence relatively soon. As such, it would be reasonable to assume that the site could deliver housing as follows:

2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
0	28	28	28	28	28	8	0	0

Table 2: Estimated LPS 49 trajectory (produced using CEC Forecasting approach, as per HMU 2019/20)

- 2.13 These estimated trajectories demonstrate that the strategic sites should deliver all housing within the plan period, though it must be noted that it will have taken until 2027/28 for the strategic sites to be completed, with significantly fewer dwellings than the 150/site sought by the LPS.
- 2.14 With the majority of dwellings being delivered so late in the plan period<sup>1</sup>, it is important that the SADPD allocations do deliver housing as quickly as possible. CEC must seek to allocate sites in Poynton to achieve the housing requirement but must also ensure that the SADPD sites are not hampered by foreseeable delays. They should be sites that can boost housing delivery as early as possible in the next five year period.

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<sup>1</sup> It is considered unlikely that delivery rates will increase above those set out in this HS given the majority of residential development in Poynton is set to be squeezed into the final 8 years of the plan with numerous outlets across the settlement providing a high level of competition.

**Q20: Based on the evidence set out in the SA, the Site Selection Methodology Report (SSM) and the relevant Settlement Reports, are sites CNG1, MID2, MID3, PYT1, PYT3 and PYT4 justified as appropriate sites for employment and housing respectively, taking into account the reasonable alternatives?**

2.15 HSL does not seek to argue that sites PYT1, PYT3 and PYT4 are not appropriate sites for housing, in principle. They represent the most appropriate non-Green Belt sites in Poynton; they are of course being taken from a very limited pool of non-Green Belt sites.

2.16 However, for the reasons set out in the FDCS, PDCS and RPDCS as well as the responses provided to other questions in this HS, HSL considers that the Glastonbury Triangle (land south of Glastonbury Dive) should be allocated for housing.

2.17 It is acknowledged that the Glastonbury Triangle is currently Green Belt whereas sites PYT1, PYT3 and PYT4 are not. However, HSL considers that the Glastonbury Triangle represents a more appropriate site for housing. The Glastonbury Triangle should be allocated instead of or alongside the current allocations.

**Q21: In light of the evidence in the Poynton Sports Mitigation strategy, would the proposals for housing development on sites PYT1, PYT3 and PYT4 and the provision of replacement sports facilities on land within the Green Belt at Site PYT2 north of Glastonbury Drive, meet the policy requirements of Sport England as a statutory consultee and be consistent with national policy? Given the need to replace the playing fields and sports facilities in advance of the commencement of housing development, is there a reasonable prospect that three sites will be available and developable for housing within the plan period?**

2.18 HSL notes that CEC states that the Poynton Sports Mitigation Strategy (PSMS) “has been agreed with Sport England” (CEC/02). As such, the HSL response to Q21 focuses on the second part of the question.

2.19 The Local Development Scheme (LDS) anticipated that the SADPD examination would take place in Q3 of 2021. It is of course now taking place in Q4 of 2021 which will push the anticipated Adoption back to the latter part of Q2 of 2022 at the earliest. From the point of adoption, CEC will have just under 8 years to deliver all 150 houses on sites PYT1, PYT3 and PYT4 by March 2030. This is in addition to the remaining units on site LPS50 and all of the units on LPS48 and LPS49.

***PYT1 Poynton Sports Club***

2.20 This site is identified as being capable of delivering 80 dwellings. Based on the CEC Forecasting approach, as per HMU 2019/20, a site of this size would deliver 25 dwellings per annum (dpa) meaning it would take just over 3 years from the point of first completion. As such, the first 25 completions would need to be achieved no later than 2026/27.

2026/27	25 dwellings
2027/28	25 dwellings
2028/29	25 dwellings
2029/30	5 dwellings

2.21 This means that the developer would have 4 years from point of adoption to achieve first completion. The CEC Forecasting approach states that ordinarily, there would be a lead in time of 2 years for a site of this size that has Full permission or RM approval, meaning that Jones Homes would need to obtain permission/approval by 2024/25.

2.22 This means that Jones Homes will have 2 years from the point of adoption to obtain Full permission or RM approval. It is considered unlikely that Jones Homes would have time to obtain outline permission and RM approval in time for the site to deliver all housing within the plan period particularly in light of the current capacity issues within the CEC Development Management (DM) Department.

- 2.23 It is acknowledged that Jones Homes may seek to achieve Full permission given the site would be allocated in the SADPD. However, it must also be noted that this could have been expected of the strategic allocations within Poynton yet sites two initially sought outline approval. As such, it cannot be certain.
- 2.24 It should also be noted that the 2019/20 HMU afforded an additional 3 months per pending application to be decided by Committee. HSL understands that capacity issues have not been overcome at CEC DM Department. It is understood that it is still taking much longer than the target 8 or 13 weeks to determine an application and there is also a validation delay. Of course, this may be overcome if the DM Department is employing additional staff but at the time of writing this HS it would be reasonable to assume that an application for site PYT1 would take at least 6 months to determine, with a number of months then required for the s106 to be finalised. CEC has been unable to deliver s106 Agreements in a timely manner in the past. It may take a year from the point of submission for the approval to be issued, meaning that Jones Homes will need to submit the application within 12 months of adoption for there to be a realistic chance of the development being completed by 2030. This does of course assume that a s78 appeal is not required.
- 2.25 It would be of interest to know if Jones Homes is legally required to initially submit an application for full planning permission and whether there is any obligation on them to submit within a certain number of months post adoption.
- 2.26 Nevertheless, it is apparent that the timescales are already challenging and this does not take into account the need to replace the playing fields and sports facilities in advance of the commencement of housing development.

### *Poynton Sports Mitigation Strategy*

- 2.27 The PSMS confirms that “*development of the existing Poynton Sports Club site could only commence once the provision at land north of Glastonbury Drive is fully delivered and is available for use and the clubs have access to it*” (para. 4.63).
- 2.28 Unfortunately, the PSMS gives no indication of how long that might take. The Jones Homes Delivery Statement (JHDS), which is referenced in the PSMS, suggests that housing will commence approximately 12 months after detailed permission is achieved for both sites but the JHDS pre-dates the PSMS and the PSMS does not confirm that the new facility can be completed within 12 months of planning being approved. The reality is that a 12-month timescale is at best overly optimistic.



- 2.29 There is evidently still a lot of work to be done to be able to provide a robust timeframe for the works, as confirmed in the conclusion to the PSMS:

*The next step will be to further investigate the sites and the work that will be required, particular at Glastonbury Drive and in relation to its Green Belt status. This is to better understand the timescales involved and the full cost implications, not just for the delivery of the proposals but also for the ongoing maintenance and running costs. As part of this, the findings will also need to be discussed with Jones Homes and subsequently other developers that may take an interest in the other proposed allocated sites so that they fully understand what requirements will fall upon them in taking forward their development schemes (para. 7.3)*

- 2.30 As set out above, Jones Homes must start to deliver the first 25 dwellings in 2026/27 which realistically means commencing on site in 2025/26. This means that the new Poynton Sports Club must be completed, available for use and the clubs must have access to it by 2025, only three years post adoption of the SADPD. It should be noted that it takes time to establish playing pitches even after the groundwork has been done; the development will also be reliant on seasonal preparation works.

- 2.31 In this 3 year period, CEC must:

- carry out the next step referred to at para. 7.3 of the PSMS, which appears substantive;
- if there is no further initial work to be done, an application for planning permission must be pulled together,
- the application must be submitted, validated and then approved most likely by Committee
- it may be subject to a s106 Agreement that would need to be agreed by all parties
- pre-commencement conditions must then be discharged; and finally,
- the scheme must be completed in its entirety.

- 2.32 This list of actions is of course far from exhaustive. It appears that there remain questions over the funding of the delivery of the new facility north of Glastonbury Drive which must be delivered in advance of s106 payments being received from sites PYT1, PYT3 and PYT4. Additionally, as confirmed in Q22, Mineral Resource Assessments must be carried out.

- 2.33 It is reasonable to assume that the completion of the sports facility cannot be achieved between the summers of 2022 and 2025, particularly in the absence of any robust evidence.

- 2.34 As such, it must be reasonable to assume that it will not be possible to deliver site PYT1 in its entirety by the end of the plan period.

### ***PYT 3 Poynton High School and PYT4 Vernon Infants School***

- 2.35 PYT3 site is identified as being capable of delivering 20 houses within the plan period. CEC expects a site of this size to deliver 10 dpa with delivery starting in year 2 from the date of a full planning permission/RM approval. It would be reasonable to assume that the application for this site would be decided by committee and subject to a s106 Agreement, meaning it could take 12 months from submission to approval.
- 2.36 PYT4 has been vacant since 2007 but the Council has not been able to deliver housing in the last 14 years despite having obtained permission in 2010. It is not clear why CEC considers it possible to deliver a scheme in the next 8 years. The site is identified as being capable of delivering 50 dwellings within the plan period. CEC expects a site of this size to deliver 20 dpa with delivery starting in year 2 from the date of a full planning permission/RM approval. Although, it is reasonable to suggest that delivery may take place slightly faster as the site will need to consist of apartments if it is to have any reasonable prospect of achieving 50 dwellings.
- 2.37 The RPDCS highlighted the design issues with the delivery of 50 apartments, which would result in a multi-storey building that is inconsistent with the character of the area and would not respond to the CEC housing mix policy. As referred to in the RPDCS, CEC has stated that the site could deliver elderly housing which does lend itself to an apartment scheme and would not be hampered by the housing mix policy. However, the PSMS assesses the estimated demand from the development on the basis that occupiers result in demand for youth football, mini soccer etc. This obviously suggests that CEC does not anticipate elderly housing on the site.
- 2.38 It would be reasonable to assume that the application for site PYT4 would be decided by committee and subject to a s106 Agreement, meaning it could take 12 months from submission to approval.
- 2.39 The PSMS states that "*housing development commencement at these two sites [PYT3 and PYT4] would still have to wait until the initial physical provision of the pitches at Glastonbury Drive had been completed but could go ahead once the subsequent establishment and maintenance stage associated with bringing them into use had commenced*" (para. 4.62). Unfortunately, the PSMS does not provide a timescale for this work.

- 2.40 This stage would need to be reached by the end of 2027 if the sites are to be delivered before 2030. This obviously seems more feasible than the delivery of the entirety of the Jones Homes scheme at PYT1. However, at this stage, it is worth noting that the relocation of the Poynton Sports Club has been in the pipeline for some time. CEC considers the facilities to be compliant with Green Belt policy and site PYT1 is within the settlement boundary. It is likely that CEC could have granted permission for the new sports club and the redevelopment of the existing sports club before adoption of the SADPD. It has been a long drawn out process, which shows limited signs of speeding up given the amount of work yet to be carried out.
- 2.41 It should also be noted that the PSMS refers to funding of the projects within the High School grounds. It is clear from para. 6.21 that the funding has not yet been secured.
- 2.42 It should also be noted that developers have not been secured for either of these Council-owned sites. CEC must find developer partners for both sites and it is unlikely that this will be finalised before the Council is able to give any prospective developer full details of the requirements that will fall upon them, as referred to at para. 7.3 of the PSMS.

### ***Conclusion***

- 2.43 At this stage of the Examination, there is insufficient evidence to demonstrate that sites PYT1, PYT3 and PYT4 can all be delivered in their entirety before the end of the plan period. It appears unrealistic to expect PYT1 to deliver 80 houses by 2030 given PYT2 must be completed before development can commence. Furthermore, there are a number of uncertainties surrounding the delivery of PYT3 and PYT4 before even considering whether the pitches required at PYT2 will be sufficiently completed in time for housing development to be completed by 2030.
- 2.44 HSL considers it necessary for alternative sites to be allocated. Such sites could be instead of or in addition to existing allocations. They must be sites which are capable of delivering housing quickly and certainly within the plan period.
- 2.45 HSL has promoted the Glastonbury Triangle throughout the LP process and it was deemed appropriate for housing by the Poynton Neighbourhood Plan Steering Group. HSL would partner with a housebuilder, possibly Hollins Homes (sister company to HSL) to deliver the site quickly.

**Q22: Given the requirement for Mineral Resource Assessments to be submitted as part of any planning applications on Sites CNG1, MID3 and PYT2, which may require minerals to be extracted before development proceeds to avoid sterilisation of the mineral resource, is there a reasonable prospect that:**

- a) Sites CNG1 and MID3 will be available and developable for employment and housing purposes respectively within the plan period?**
- b) Site PYT2 will be available for the provision of relocated sports facilities in sufficient time to allow for housing to be provided on the existing Poynton Sports Club site, PYT1, within the plan period?**

**What is the evidence to support this?**

2.46 As stated in response to Q22, it appears unlikely that PYT1 will be delivered in its entirety during the plan period. The likelihood of this increases given the requirement for a MRA at site PYT2. It also further reduces the chances of sites PYT3 and PYT4 delivering in full before the end of the plan period.

### 3 Issue: Settlement Boundaries

**Q26: 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?**

3.1 HSL supports the principle of reviewing the settlement boundaries via the SADPD in light of footnote 34 of the LPS.

**Q27: 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?**

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

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

3.2 HSL supports the review of settlement boundaries to Key Service Centres. It is considered that CEC appears to have undertaken a proportionate assessment of existing settlement boundaries, LPS allocations and SADPD allocations.

**Q30: Policy PG9 allows for neighbourhood plans (NPs) to define settlement boundaries for settlements in the OSRA tier and policy PG10 defines a number of settlements in the OSRAs as infill villages and village infill boundaries. To avoid inconsistencies between settlement boundaries defined in NPs and village infill boundaries defined by the Local Plan, and to ensure the SADPD is effective, clear and unambiguous in guiding the locations for development in the OSRA, is there a need for Policy PG 9 to be modified to ensure any settlement boundary defined in a NP is consistent with Village Infill boundaries defined in the SADPD?**

3.3 HSL agrees that this would be a logical amendment to the SADPD. However, this should not in turn result in any settlement that has a NP which does not define a settlement boundary being automatically excluded from PG10.

3.4 HSL has submitted representations demonstrating that Marton should be classed as an infill village despite the NP not establishing a settlement boundary.

## 4 Issue: Infill Villages and Village Infill Boundaries

**Q32: Given that the housing and employment land supply from completions and existing commitments within the OSRA already exceeds the indicative levels of development identified for this settlement tier in Policy PG7 of the LPS, is there a need for these indicative levels of development to be disaggregated to individual settlements or for any further sites to be allocated within the OSRA to ensure the SADPD is consistent with the LPS and national policy?**

4.1 Development within the OSRA should have been plan-led. However, a significant number of sites will have come forward in light of the tilted balance being applied in the years when CEC could not demonstrate a five year supply. This has led to housing being provided in sustainable locations but its disaggregation has not been controlled. CEC does not seek to assess whether housing has been provided in the right places via its SADPD evidence base, or indeed in the right housing mix. Rather, it has simply looked at the quantitative supply and accepted its disaggregation.

4.2 HSL considers that the SADPD must examine whether the OSRA completions and commitments are in the right place and deliver the required housing mix. If this exercise is not undertaken, the plan cannot not claim to have planned for a sustainable future in the OSRA.

4.3 For example, HSL has demonstrated in previous representations that there is a need for affordable housing in the Macclesfield Rural Area (MRA). This need has not been responded to via the completions and commitments. Furthermore, the SADPD does not allow for it to be responded to. The MRA lies within the Jodrell Bank Consultation Zone where there is effectively a moratorium on housing. A number of settlements are within the Green Belt. The SADPD must consider how this need can be responded to.

**Q33: With particular reference to the Council's response to the Inspector's Initial Question 5, is the definition of 'limited infilling' in Policy PG 10 consistent with Policy PG6 of the LPS?**

4.4 HSL considers this to be consistent with PG6 of the LPS but it is certainly confusing to the reader. This may not have been picked up at the LP examination. It may have only come to light via PG10. The SADPD should be amended to provide clear guidance on this matter.

**Q34: With particular reference to the evidence set out in the SIBR, is Policy PG 10 justified in not defining all of the settlements within the OSRA as villages suitable for limited infilling?**

4.5 HSL considers that the OSRA settlements vary greatly in their size and coherence, as well as the level of service and facility provision. If the CEC definition of 'limited infilling'

is to be carried forward for PG10 and that allows a small group of new homes to be provided, it is likely that some of the very small settlements with limited facilities would not be suitable for development of this scale, assuming small means minor development (less than 10).

4.6 However if a 'small group of houses' is not being defined by CEC because it would be considered on a case by case basis by looking at whether proposals would be proportionate to the settlement, there should be no reason why PG10 could not be applied across the OSRA.

**Q35: With reference to the SIBR, is the methodology used to define Village Infill Boundaries robust? Have the criteria and judgements used to inform the choice of Village Infill Boundaries been consistently applied? Are the Boundaries justified on the basis of proportionate evidence?**

4.7 HSL has demonstrated that the planning by numbers approach to this matter is not appropriate. It has been shown that Marton has been omitted from the list of villages despite having a more coherent settlement and significantly more services/facilities than some of the identified villages.

4.8 HSL considers that CEC should have applied a greater degree of planning judgement to the list of villages following visits to each of the settlements. HSL would invite the Inspector to visit Marton as it considers it an obvious settlement to have a 'village infill boundary'.

**Q37: Have the Village Infill Boundaries defined on the Draft Policies Map been positively prepared and will they be effective in enabling further windfall sites to come forward to support sustainable development in the OSRA?**

4.9 CEC has not fully demonstrated that the boundaries will be effective in this regard. In the absence of an evidence base document which does this, it would make greater sense to apply PG10 across the OSRA to open the door for proportionate infilling in every settlement. This would give greater certainty that the SADPD enables further windfall sites to come forward.