



**CHESHIRE EAST LOCAL PLAN SITE ALLOCATIONS AND
DEVELOPMENT POLICIES DOCUMENT (SADPD)
SEPTEMBER 2020**

LOCAL PLAN EXAMINATION

MATTER 2 – PLANNING FOR GROWTH

ON BEHALF OF TATTON ESTATE

Date: September 2021

Pegasus Reference: KW/ST/P17-0388/R007v2

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1. INTRODUCTION

1.1 Pegasus Group has been instructed on behalf of their client, the Tatton Estate, to prepare Hearing Statements to the Cheshire East Site Allocations and Development Policies Document (SADPD) Local Plan Examination, in support of their various land interests in the Borough. The Estates' land interests are extensive, but in the context of this particular hearing statement they relate to:

- Parkgate (Site LPS37); and
- Land in and around the settlement of Ashley.

2. ISSUE: DEVELOPMENT AT LOCAL SERVICE CENTRES (POLICY PG 8 AND SITE HCH 1)

- 2.1 As a general observation, the decision to not allocate any additional sites for development within the Local Service Centres, and relying on a windfall-led approach, is at odds with the pro-growth policies and agenda of the Part One Local Plan and represents a disappointingly anti-growth rhetoric.
- 2.2 Having been involved in the Part 1 Local Plan process we are interested to hear how the Council seek to justify this approach. Throughout that examination process, the Council dismissed the need to positively plan for many of the settlements in the Borough on the basis that the Part 2 SADPD process would do this.

3. ISSUE: DEVELOPMENT AT KEY SERVICE CENTRES (SITES CNG 1, MID 2 & 3 AND PYT 1, 3 & 4)

Question 19 - 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?

- 3.1 No comment to make on these listed Key Service Centres, albeit we express our major concerns in relation to the approach to growth/development in the Key Service of Knutsford in relation to employment land needs and have therefore addressed this point under this question.
- 3.2 Knutsford’s overall employment land requirement between 2010-2030 is 15 ha in the adopted LPS¹. Only two of the Strategic Site Allocations in Knutsford include employment land provision, at Tatton’s 7.5 ha at NW Knutsford (Site LPS36) and 6 ha and Parkgate (Site LPS37), suggesting there would be a residual requirement to identify a further 1.5 ha of employment land.
- 3.3 Despite this, ED 34, at Figure Knutsford 1, concludes the residual requirement is 0.14 hectares.

Area (expected level of development)	Type	Take-up to 31/3/19	Commitments at 31/3/19	Losses to 31/3/19	Remainder of allocation (without permission)	Total
Knutsford (15.00)	Site allocations	LPS 36 'North West Knutsford' (7.50)			7.50	7.50
		LPS 37 'Parkgate extension' (7.13)		5.42	1.71	7.13
	Other sites	0.23				0.23
	Knutsford subtotal	0.23	5.42	0.00	9.21	14.86

- 3.4 This is based on the following assumptions, which are disputed:
 - 0.23 ha of employment land was taken up between 2010-2020-albeit no information is provided in the Council’s evidence base to clarify where;
 - There is 7.13 ha of employment land at Parkgate (LPS 37); and
 - There is 7.5 ha of employment land at North-West Knutsford (LPS36).
- 3.5 Planning consents are in place for the Parkgate Extension site (LPS37), phase 1 of which has been built out. In July 2019 planning permission (19/0732M) was granted for the erection of 14 no. employment units on a site area of 6.43 ha. The total GEA for the units on the approved plans was 23,445 sqm.
- 3.6 However, the position changed further at Chancerygate, by virtue of planning permission 20/3340M which comprises an amended Phase 2 proposal. Critically, the approved documents and plans confirm that:

¹ Table 8.4, page 77 of Local Plan Strategy

- An overall floorspace of 7,080 sq. m, which when added to the floorspace of the Phase 1 approved development under construction (12,845 sq. m.) gives an overall GEA floorspace of 19,925 sq. m. **which is 3,521 sq. m. less** than the previously consents full planning permission³.

3.8 So, the approved site location plan confirms the site area for the entire Parkgate (LPS37) allocation is **6.43 ha**, not 7.13 ha. Furthermore, the employment floorspace figure is less than previously approved/envisaged, therefore raises further issues with the Council’s decision to not allocate any further employment land to meet Knutsford’s employment development requirements.

3.9 Moreover, an outline planning application (19/0032M) for the North-West Knutsford allocation (LPS36) was approved in May 2020. This application relates to the land west of Manchester Road site, where Policy LPS 36 allows for the development of a 7.5ha Class B1 business park. However, the approved Land Use Plan (copied on the following page) for the proposals shows a site area of **6.75 ha** for the employment land use, which results **in an additional shortfall of 0.75 hectares** compared to what was envisaged at this site.

3.10 It therefore seems clear on multiple levels that the Council are underestimating the residual employment land requirement for Knutsford. By our calculations it stands at **1.59-1.82** hectares depending on the evidence the Council has in relation to employment land take up in Knutsford (which has not been published).

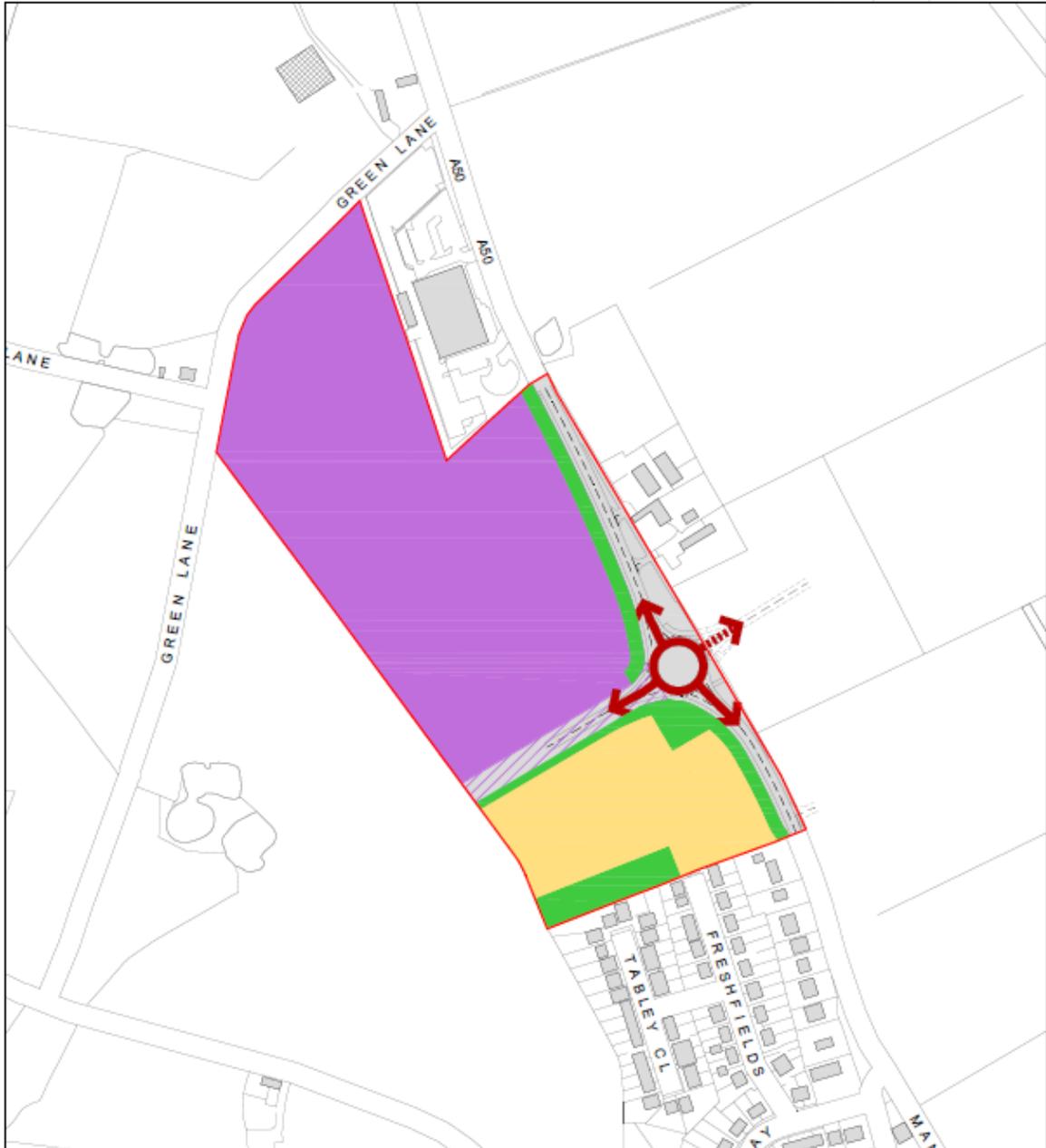
3.11 Paragraph 4.8 of ED 34 outlines the reasons why the Council are no longer proposing to allocate additional sites to meet Knutsford’s residual employment land requirement, which we paraphrase below:

- 1) The LPS policy states that Knutsford should deliver ‘in the order of’ 15 hectares, and the Council consider that the provision of 14.86 ha falls within this expectation.
- 2) The Plan’s overall employment figure includes 20% flexibility, equating to 3 hectares of land.

3.12 We have already explained why point 1 is incorrect, as the Council have underestimated the residual employment requirement.

3 Paragraph 3.21 of submitted Planning Statement for planning application 21/2369M

The scaling of this drawing cannot be assured
Revision: F Date: 18.12.18
Site Boundary and Area Updated SM SG



- Site Boundary
- Residential Area
- Employment Area
- Infrastructure and Open Space Within Employment Area
- Open Space
- Infrastructure (18m Wide Corridor)
- ➔ Primary Access
- ⋯➔ Potential Access to Land to the West

Area	Ha	Ac
Employment	6.75	16.67
Development	1.72	4.25
Infrastructure	1.22	3.02
Open Space	0.83	2.05
Total	10.52	26.00

Project: Manchester Road, Knutsford

Drawing Title: Land Use Plan

Date: 20.06.18 Scale: 1:2,000@A2 Drawn by: MB Checked by: SG

Project No: 26514 Drawing No: RG-M-07 Revision: F



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- 3.13 Turning to point 2, the suggestion that there is no need to allocate additional sites because of the flexibility factor is a misrepresentation of LPS Policy PG 7. Paragraph 8.73 of the LPS confirms that the site allocations will be made to facilitate the levels of developments set out by Policy PG 7 as a **minimum requirement**. Notwithstanding this, the Council should be adopting an ambitious and aspirational approach to growth which exceeds the 15 ha figure, not a conservative approach which suggests that 12 ha of employment land would be acceptable (i.e. 20% less than the amount set out in the LPS).
- 3.14 Such a conservative approach is clearly at odds with the NPPF, which has a pro-growth agenda to build a strong and competitive economy, with paragraph 81 explaining how significant weight should be placed on the need to support economic growth and productivity. This is even more the case now given the long-term economic implications associated with the COVID-19 Pandemic, with a need for an economic growth drive to build the economy out of recession.
- 3.15 To conclude, we strongly disagree with the findings of ED 34, which has informed the approach to not allocate specific sites to meet the residual employment requirement in Knutsford. We dispute the suggested 0.14 ha residual requirement and contend that specific sites should be allocated for employment to meet a residual employment need between **1.59-1.82** hectares. This, in turn, will necessitate the settlement boundaries of Knutsford to be re-looked at as part of the SADPD process.

4. ISSUE: SETTLEMENT BOUNDARIES (POLICY PG 9)

Question 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?

- 4.1 The principle of defining settlement boundaries is not considered to be at odds with the NPPF or LPS albeit we note the NPPF itself does not refer to 'settlement boundaries' per se. However, bearing in mind the three former Cheshire East Authorities and associated proposal maps from the Local Plan all adopted a slightly different approach, we agree that there is merit in applying a consistent approach across the Borough.
- 4.2 Given many of Cheshire East's settlements are restricted by Green Belt boundaries (or are washed over by Green Belt), there is a need to review these boundaries in the context of paragraph 142, 143 and 144 of the NPPF. In relation to those settlements surrounded by Green Belt, there is arguably little difference between the settlement boundary and the Green Belt boundary if the principles of paragraph 143 are followed correctly.
- 4.3 We note Policy 9 only seeks to address settlement boundaries for other settlements through the neighbourhood plan process but we consider there is a responsibility of the SADPD to address villages currently washed over by the Green Belt as this is a matter that requires compliance with National Planning Policy (paragraph 144) and should therefore be examined as part of the SADPD. We comment on this matter in more detail under questions 35-37. However, it is pertinent to note at this stage that all villages that were not identified as locations for growth at the time the Green Belt was established will have been automatically washed over by the Green Belt as this was the approach endorsed in the original PPG2 at the time. Since then and the introduction of the NPPF, national policy has confirmed that a review of villages within the Green Belt should take place and notes that the character of that village (i.e. whether it is open or not) should determine whether it remains in the Green Belt or not (see paragraph 144). This represented a fundamental shift in national policy and therefore we welcome the Council's review of village boundaries within the Green Belt and therefore this has to be dealt with as part of the SADPD to ensure a consistent approach is taken.

Question 27 - With particular reference to the Settlement and Infill Boundaries Review (Core Documents ED06) (SIBR) and the individual Settlement Reports (Core Documents ED21-ED44):

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

- 4.4 No. The rationale provided at paragraphs 4.3 to 4.5 of ED06 is fundamentally flawed and not consistent with the NPPF.
- 4.5 In particular, the assessments set out within ED06 and the individual settlement reports do not consider the requirements of paragraph 143 of the NPPF (formerly #139 in the 2019 NPPF) which relates to defining Green Belt boundaries. At no point are these paragraphs cited in the evidence.
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- 4.6 The principle of exceptional circumstances existing to review Green Belt boundaries was firmly established as part of the LPS but that did not fully conclude the exercise for the Local Planning Authority.
- 4.7 When reviewing the Green Belt boundaries as part of the LPS, the issues up for discussion and examination related to 143a, 143c and 143d but only in relation to the development requirements associated with housing and employment development (as indicated at paragraph 4.4 of ED06). It is explicit in the Inspector's interim reports to the LPS examination that the Part 1 plan did not seek to assess and accommodate all development needs. Moreover, the LDS was a strategic plan setting strategic policies and did not seek to prepare a comprehensive proposals map.
- 4.8 Critically, there was no assessment of the Green Belt boundaries around the main/key settlements in relation to criteria 143b or 143f which relates to **'not including land which is unnecessary to keep permanently open'** and **'defining boundaries clearly, using physical features that are readily recognisable and likely to be permanent'**. Document ED06 makes no references to these requirements and therefore the approach is flawed, incomplete and not consistent with the NPPF. Indeed, the Council's assessment and methodology fails to recognise that since the original Green Belt boundaries around the key settlements was defined circumstances and changes to the built form may have evolved. Indeed, national policy does not place an outright embargo on development within the Green Belt and there will be instances where very special circumstances will have been proven and development will have taken place.
- 4.9 Because of this omission and lack of consideration associated with the above two criteria in particular, there are some obvious areas around Knutsford that we have since observed that would clearly warrant full consideration under these criteria.
- 4.10 The first relates to the Knutsford Academy site (illustrated in the image below to the east) which is located within the Green Belt but directly adjacent to inset residential area of Knutsford. The developed part of the site is fully developed with school buildings is surrounded by development on three sides that is not within the Green Belt. The built part of the site clearly does not function as Green Belt and it is unnecessary to keep permanently open. Its inclusion in the Green Belt is evidently a relic of what is likely to have existed when the Green Belt boundary was first put in place in Cheshire in the 1980's. Since then, the school/academy will have most likely been extended under and is now predominately comprises of buildings with the playing areas on the outer edge of the site. Such circumstance are clearly 'exceptional circumstance' The fact that the Council have clearly not considered criteria 143b of the NPPF has meant the proposed settlement edge to Knutsford still omits this large, developed site.
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- 4.11 A similar example, albeit arguably less obvious, relates to school located further west (also visible in the image below) that is located beyond Lilac Avenue. In that instance, the relationship of the school to the residential urban edge is very slightly detached but by so much that it should not warrant consideration of being omitted from the Green Belt. In this instance, we accept the boundaries around the built form are less well defined but bearing in mind the existing Green Belt boundary is defined by fences to rear residential gardens, it is clear that the Green Belt boundary at this location is not defined by a particularly strong boundary anyway. The tree belt to the west could have been used and the playing fields protected via another designation.



- 4.12 The juxtaposition of Bexton Primary School to the defined urban edge of Knutsford would also warrant full consideration. None of the school have been considered because the Council have simply relied upon the exceptional circumstances established at the LPS stage, which did not review any evidence associated with educational needs or any other community use needs.
- 4.13 Within our representations we also cited the unclear boundaries around the Parkgate allocation LPS36 that do not adhere to criteria 143f of the NPPF but again no formal consideration of this criteria has taken place due to the Council's applied methodology. Irrespective of our comments on the need to allocate more land for employment development in Knutsford, which this location would be suitable for given its relationship to the Parkgate industrial estate, the current Green Belt boundaries to the west and north of the allocation do not follow any physical feature on the ground.
- 4.14 We respect the fact that the boundary to the north is arguably more sensitive due to its immediate proximity to Tatton Registered Park and Garden. However, the boundary to the west is illogical, cuts right through the middle of a field and will be entirely undefined on the ground even when the Bellway development of the residential allocation comes forward due to the nature of the oblique

angle of the, the direction of the access road that is being developed into the site and the approved layout.

- 4.15 By comparison, a Green Belt boundary defined by Parkgate Lane (illustrated on the image below), which forms the western boundary to the existing industrial estate represents a much more recognisable and permanent Green Belt boundary, which would be consistent with the objectives of NPPF policy 143f. Such a change would be modest and could be justified under 143f but we are also of the view that exceptional circumstances exist due to the need to allocate more employment land around Knutsford for the reasons set out under Question 19, which this land could address either through an allocation or through windfall development within the newly defined settlement boundary of Knutsford.



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

- 4.16 No. For the reasons set out above and in light of some of the examples cited, there is no reason why settlements inset by Green Belt should not undergo Stages 2 and 3 of the settlement boundary methodology. The overall approach applied in Stages 2 and 3, which is robust, should be applied to Green Belt inset settlements.

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

- 4.17 No. See responses above. The other principal issues with the findings of the Knutsford Settlement Report (ED 34) and overall strategy towards development in Knutsford are as follows:

- The conclusion that the residual employment land requirement is 0.14 hectares⁴ is incorrect, with the residual requirement between 1.59-1.82 hectares by our calculations;
- Knutsford is shrink-wrapped by Green Belt which severely limits development opportunities. More critically, there is also limited brownfield land to rely on the proposed windfall-led approach and very limited scope on the allocated LPS strategic sites to meet residual employment land need given the planning consents secured on site already (which the Council have not accurately accounted for); and
- Knutsford is allocated the highest convenience goods floorspace capacity of all retail Centres, yet the SADPD fails to appropriately plan to meet this need because land to deliver it is severely limited and no new allocations are proposed. We cover this matter separately in our **Matter 5 Statement (Town Centres and Retail)**.

Question 28 - Will the Settlement Boundaries defined on the Draft Policies Map (Core documents ED02a & ED02b) 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?

- 4.18 No. Notwithstanding the miscalculation of residual employment need in Knutsford, a windfall only approach is not justified within the Knutsford context.
- 4.19 Whilst we fully acknowledge the brownfield first approach to delivering development, Knutsford is shrink-wrapped in greenbelt and does not have the suitable and available brownfield land available to deliver the residual development requirements of the Borough. This is highlighted by the limited employment land take-up (0.23 ha in Knutsford) between 2010 and 2020, as highlighted in ED 34 (albeit the evidence has not been substantiated or its accuracy interrogated).
- 4.20 Critically, no evidence has been put forward to demonstrate which brownfield land, located within the existing settlement boundary, is suitable for employment purposes. Indeed, the Council's own evidence base indicates that such brownfield sites are not readily available, with ED 34 confirming that all the promoted employment sites that reached stage 2 of the site selection methodology fell within the Green Belt⁵.
- 4.21 The adopted Knutsford Neighbourhood Plan further demonstrates our concerns about a lack of suitable brownfield land which could be developed for employment purposes. The Neighbourhood Plan does not contain any allocated sites within the town for employment development. Whilst it does identify four 'key town centre sites' which could be suitable for a mix of uses, they are not allocations for employment development, because:
- Neighbourhood Plan Policy TC3 states that; only "***mixed-use schemes providing retail, office and small-scale workshops and residential***" uses will be supported on these sites. As

⁴ Figure Knutsford 1, page 3 of ED 34

⁵ See Map Knutsford 4: Stage 2 Sites, Appendix 1 page 22 of ED 34.

such, whilst it is noted that office and small-scale workshops fall under the definition of employment development, these are only envisaged as part of a mix of uses on any of the sites. Given the scale of the sites, which **range from 0.08 to 0.43ha in size**, combined with the mix of uses which must be delivered on the site, the capacity for employment development on these sites will be very limited.

- Neighbourhood Plan Policy TC3 states that for any of the sites to come forward, the overall provision of car parking in the town centre must be maintained or exceeded through '*mixed-use multi-storey car parks*'. This need to provide replacement car parking will limit the developable area of any site which may come forward thus further limiting the potential employment floorspace that could be brought forward. Indeed, given the locations of the four sites, combined with the strict policy requirements, it is considered highly unlikely that any of the sites could be brought forward for development, particularly for lower value employment uses. Indeed, there is no evidence provided within the Neighbourhood Plan to suggest that these sites are available or viable to accommodate employment uses.

4.22 There is therefore insufficient evidence to confirm that the windfall-only approach is justified and will deliver Knutsford's residual development needs (particularly with regards to employment). The SADPD must therefore allocate additional sites to ensure that development requirements as outlined in the LPS are met.

4.23 The Estate have put forward a variety of sites within their ownership that would deliver the strategic and sustainability objectives of the Local Plan. Of all the options, we would suggest that the most appropriate solution is adding to the existing development and allocations at Parkgate Industrial Estate (LPS36). In doing so, this provides additional employment land (to meet Knutsford's residual employment requirement) in an appropriate location.

4.24 Indeed, the Parkgate land parcel which currently remains in the Green Belt⁶ is ideally situated for employment purposes, being located directly to the north of the existing Parkgate Industrial Estate, west of the approved Parkgate residential development which is being brought forward by Bellway, south of Parkgate Farm/equestrian business and east of Parkgate Lane, which we have cited above as a stronger and more logical Green Belt boundary than the current Green Belt boundary through the middle of the existing field.

4.25 Further employment uses have already recently been consented here, under the Chancerygate applications previously referred to. The consented Chancerygate scheme will build out the employment element of site allocation LPS 37. The Parkgate site therefore presents as a logical location to deliver the residual employment land requirement for Knutsford. Delivering employment land here (Use Class E/formerly B1) would also create a logically defined/robust Green Belt boundary in this location, which currently does not exist.

⁶ see site CFS638 in Cheshire East Knutsford Settlement Report ED34 on Map Knutsford 4: Stage 2 Sites

- 4.26 To conclude, given the residual employment requirement in Knutsford and the lack of brownfield land, the Parkgate site should be considered for employment allocation and release from the Green Belt.

Question 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?

- 4.27 No comment.

Question 30 - Policy PG 9 allows for neighbourhood plans (NPs) to define settlement boundaries for settlements in the OSRA tier and Policy PG 10 defines a number of settlements in the OSRAs as Infill Villages with 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?

- 4.28 We agree that the starting position for Neighbourhood Plans being pursued after the SADPD has been adopted should be based on the boundaries set out in the SADPD. However, scope should remain for Neighbourhood Plans to extend these boundaries should there be a local desire or need to accommodate further development. Alternatively, the Policy could make it clear that Neighbourhood Plans are able to allocate additional development sites adjacent to or beyond the defined settlement boundaries where there was a local desire/demand.

5. ISSUE: INFILL VILLAGES AND VILLAGE INFILL BOUNDARIES (POLICY PG 10)

Question 31 - Is the principle of identifying Infill Villages and Village Infill Boundaries justified as an appropriate strategy for managing development in the Open Countryside and providing for proportionate development in settlements within the Other Settlements and Rurals Areas (OSRA) tier of the settlement hierarchy? Is it consistent with the LPS and with national policy in enabling the delivery of sustainable development in the rural areas?

5.1 No-see question 35.

Question 32 - 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?

5.2 No comment.

Question 33 - With particular reference to the Council's response to the Inspector's Initial Question 5 (Page 14 of Examination document CEC/01), is the definition of 'limited infilling' in Policy PG 10 consistent with Policy PG6 of the LPS?

5.3 No- see question 35.

Question 34 - 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?

5.4 No comment.

Question 35 - 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?

5.5 No. The approach/methodology to the Green Belt boundaries in relation to those infill villages identified in Policy PG 10 does not accord with the guidance set out at Paragraph 144 of the NPPF (2021). This is of particular relevance to Green Belt villages such as Ashley, Rostherne, Little Bollington and Bucklow Hill. Paragraph 144 of the confirms that:

"if it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt."

5.6 The definition of 'infill villages' as set out at PG 10 does not go far enough in considering this issue in respect of the Green Belt boundary. The current Green Belt boundary in terms of these settlements was last considered through the Macclesfield Local Plan, adopted in 2004 and the

SADPD appears to solely rely upon this in determining the Green Belt boundary that is appropriate around the villages of Ashley, Rostherne, Little Bollington and Bucklow Hill, as well as other villages in the Green Belt.

- 5.7 The policy change of paragraph 144 (compared to previous GB policies in PPG2) has subsequently and significantly/materially changed the approach to village boundary assessments since these village boundaries were last assessed. Indeed, at paragraph 16 of the Court of Appeal Judgement [2014] EWCA Civ 1386 (dated 24th Oct 2014) relating to the Redhill Aerodrome Limited Judgement, Lord Justice Sullivan confirmed the majority of national policy tests associated with development within the Green Belt had stayed the same in the NPPF compared to the former PPG2, save for the position with villages:

In my judgment, all of the indications are to the contrary:

*(i) While there have been some detailed changes to Green Belt policy in the Framework, protecting the Green Belt remains one of the Core planning principles, the fundamental aim of Green Belt Policy to prevent urban sprawl by keeping land open, the essential characteristics of Green Belts, and the five purposes that they serve, all remain unchanged. **By contrast with paragraph 86 of the Framework, which does change the policy approach to the inclusion of villages within the Green Belt, paragraph 87 emphasises the continuation of previous Green Belt policy (in PPG2) in respect of inappropriate development: "As with previous Green Belt policy."***

- 5.8 The upshot of paragraph 144 is that if a village's character makes an important contribution to the essential characteristic of the Green Belt (i.e. its openness), then there is justification to maintain the village in the Green Belt. However, if there are areas within the village that are not open in character, or the village as a whole does not make an important contribution to the openness, retaining the village in the Green Belt, either through the washing over or 'infilling' of the village, would be entirely at odds with paragraph 144. Indeed, this would also be at odds with paragraph 143, which confirms local authorities should 'not include land which it is unnecessary to keep permanently open' when defining Green Belt boundaries. It is also at odds with the NPPF policies which support a thriving rural economy and the ability for villages to support sustainable development (paragraph 79).
- 5.9 Whilst the Council have assessed the settlement character of the infill villages in their SIBR document (ED 06), an assessment has not been carried out as to whether or not these settlements should be washed over by the Green Belt or inset in the Green Belt as required by NPPF paragraph 144. **This is a serious omission. Until this evidence base has been updated, Policy PG 10 is not compliant with the provisions of the NPPF, has not been adequately justified by the required evidence base and renders the policy as currently drafted unsound.**

Question 36 - Is there any substantive evidence to demonstrate that any of the proposed Village Infill Boundaries are not justified?

5.10 No comment.

Question 37 - 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?

5.11 No- as above, the evidence base is deficient with respect to villages currently 'washed over' by the Green Belt. This must be rectified as a matter of priority, and it also endangers the growth of rural settlements like Ashley. This is inconsistent with NPPF paragraph 79, which confirms that planning policies should identify opportunities for villages to grow and thrive.

6. CONCLUSION

6.1 In conclusion, our main concerns in relation to Matter 2 are:

- Knutsford’s outstanding employment land requirement has been underestimated by the Council at 0.14 ha, when by our calculations it ranges between 1.59-1.82 hectares;
- The decision to allocate no further sites to meet Knutsford’s outstanding development requirements is unjustified and leads to concerns that the development requirements and strategic policies of the LPS will not be met. The current SADPD is therefore not effective or justified;
- The SADPD is not positively prepared or in line with the pro-growth strategy of the LPS, undermining its delivery; and
- The evidence base (ED 06) in relation to assessing and defining infill villages is inconsistent with the provisions of the NPPF, and must be rectified to accord with paragraph 144 in order for Policy PG 10 to be deemed sound.