

**Norman Braithwaite of [REDACTED]  
responding to the Inspector's question 65 in the MIQs in relation to Matter  
3 – Housing density**

*Housing Density (Policy HOU 12)*

65. *Should Policy HOU 12 be more explicit in accepting densities below the minimum of 30dph where lower densities are important to local character?*

**Yes, see below**

*Given the diverse character of residential areas in Cheshire East, would setting a range of acceptable densities for new residential development for different settlements be more effective and consistent with national policy?*

**Yes, see below**

Before responding in detail to the specific questions above, I think it would be helpful to make some comments that apply to both questions. I will then respond to the two questions. Policy H12 reads:

**Low Density Housing Areas**

H12 WITHIN THE LOW DENSITY HOUSING AREAS, DEFINED ON THE PROPOSALS MAP, NEW HOUSING DEVELOPMENT WILL NOT NORMALLY BE PERMITTED UNLESS THE FOLLOWING CRITERIA ARE MET:

1. THE PROPOSAL SHOULD BE SYMPATHETIC TO THE CHARACTER OF THE ESTABLISHED RESIDENTIAL AREA, PARTICULARLY TAKING INTO ACCOUNT THE PHYSICAL SCALE AND FORM OF NEW HOUSES AND VEHICULAR ACCESS
2. THE PLOT WIDTH AND SPACE BETWEEN THE SIDES OF HOUSING SHOULD BE COMMENSURATE WITH THE SURROUNDING AREA
3. THE EXISTING LOW DENSITY SHOULD NOT BE EXCEEDED IN ANY PARTICULAR AREA
4. EXISTING HIGH STANDARDS OF SPACE, LIGHT AND PRIVACY SHOULD BE MAINTAINED
5. EXISTING TREE AND GROUND COVER OF PUBLIC AMENITY VALUE SHOULD BE RETAINED. AND
6. IN PRESTBURY BOTH THE NEW HOUSING PLOTS(S) AND THE REMAINING PLOT SHOULD BE APPROXIMATELY 0.4 HECTARES (1 ACRE) 7. IN THE EDGE, ALDERLEY EDGE, BOTH THE NEW HOUSING PLOT(S) AND THE REMAINING PLOT SHOULD BE APPROXIMATELY 0.3 HECTARES (0.7 ACRE)AND 8. IN POYNTON PARK, POYNTON i. ALONG THE WEST SIDE OF ANGLESEY DRIVE, THE EXISTING REAR BUILDING LINE SHOULD BE MAINTAINED, AND ii. ALONG SOUTH PARK DRIVE, THE EXISTING FRONTAGE BUILDING LINE SHOULD BE MAINTAINED.

**Reason**

6.21 Pressures for new development in the low density housing areas are of a scale that the low density high quality characters of the established residential areas are seriously threatened. The criteria above are designed to ensure that any new development is in keeping with the character of the areas and does not cumulatively harm the existing high quality residential areas.

The following areas are defined as low density housing areas:

Macclesfield

1. Prestbury Village

Wilmslow

2. The Edge, Alderley Edge

3. Manchester Road/Bollin Hill, Wilmslow

4. Macclesfield Road/Daveylands, Fletsand Road, Wilmslow

Knutsford

5. Legh Road area

Poynton

6. Poynton Park area, including part of Towers Road. This is mapped in detail

These Low Density Housing Areas came about as a result of the type of pressure now proposed in Policy HOU12. The policy is backed up by detailed design advice in specific Supplementary Planning Documents, including Prestbury Village Design Statement (2008) and the Three Wilmslow Parks (2004). There is no reference in the SADPD to the future of the many existing SPDs, which have for a long time provided a sound basis for making planning decisions.

H12 maps the Low Density areas and is specific for the areas that have special conditions attached to them. These relate to more than just density. In connection with design guides and codes the NPPF now states that:

*Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale...*

and goes on to say

*... they should be based on effective community engagement and reflect local aspirations for the development of their area...*

Clearly H12 meets these requirements but HOU12 does not. The very large number of comments opposing the removal of the H12 protection gives a clear indication of the local aspirations.

A current example of the aggressive approach taken by developers is a plot next to Withinlee Hollow. 24 mature trees were felled in preparation for a speculative planning application (21/2532M) for a plot that is well under half the “about 1 acre” specified in H12 for the Low Density area of Prestbury. Any replacement for H12 should be strong enough to prevent such speculative destruction of mature trees at a time when the government is wanting 50 million new trees to be planted; any trees planted as replacements will not compensate for the destruction of the mature trees for decades.

Unfortunately, the Officers give the impression that they think the specific conditions in H12 are irrelevant, using phrases such as “the direction of travel is obvious”. In support of this I would quote two recent applications for an infill in Withinlee Hollow, 15/1886M and 19/1955M. In each of these cases, the Officers recommended acceptance, but fortunately the Local Councillor had called them into Committee. In each case, the Committee refused, the developer went to Appeal, and the Appeal was dismissed. This demonstrates that H12 has worked when required.

Further evidence that H12 has worked is included in Supplementary Planning Documents that have been produced for the Three Wilmslow Parks (2004) and the Prestbury Village Design Statement (2008); H12 has limited infill despite attacks by developers with apparent support from Officers and has maintained the character and avoided harm to the high quality low density residential areas.

There is no reference to these Supplementary Planning Documents under Policy HOU 12 or the heading of related documents, but they are clearly related documents. In addition there is no reference to the successful implementation of the Low Density Housing areas.

There is no evidence that H12 should be scrapped or watered down and no evidence to justify its replacement by the vague reference in Policy HOU12.

I mention the Officers’ lack of support for H12 because it demonstrates the need for the policy to be at least as prescriptive as H12; even H12 seems to allow developers (with support from Officers) to try to circumvent the clear intention of the policy.

The wording in HOU12 is vague, superficial, and open to wide interpretation. There is no reference to a density figure and no attempt to name these areas or identify them on the Adopted Policies Map as is required under the NPPL. The wording will do nothing to protect Low Density Housing Areas and is contrary to the national advice in para 16 of the NPPF (2021) that Plans should:

*...contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.*

The absence of a map would further increase the wriggle room for developers because in addition to claiming an application was within the rather vague conditions in HOU12, they might be able to argue that a site was not in the undefined low density area.

**I now turn to the specific questions in 65:**

*Should Policy HOU 12 be more explicit in accepting densities below the minimum of 30dph where lower densities are important to local character? **Yes.***

Policy H12 is all about protecting the high quality Low Density areas. HOU12 is primarily about affordable housing and density in excess of 30dph; the of brief and ill-defined reference to Low Density areas was added as an afterthought.

H12 has worked well by limiting infill and has maintained the character and avoided harm to the high quality Low Density residential areas, which is its objective.

**Not only should HOU12 be more explicit than the current draft, it should be at least as explicit as H12 and the areas should be clearly mapped given the constant pressure from developers.**

*Given the diverse character of residential areas in Cheshire East, would setting a range of acceptable densities for new residential development for different settlements be more effective and consistent with national policy? **Yes.***

H12 has clear targets for specified residential areas. In Alderley Edge and Prestbury they relate to area and, as noted above, the area specific policy has worked well for Prestbury and Wilmslow. There is no evidence put forward to suggest that the existing H12 has not worked.

The NPPF quoted above supports the concept of different guides and codes for neighbourhoods.

**There is clearly a strong case for having local conditions for different settlements: this would be consistent with national policy.**

Norman Braithwaite

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