

Cheshire East Local Plan

# Revised Publication Draft Site Allocations and Development Policies Document

('Clean' version)  
September 2020





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# 1

## Introduction



# 1 Introduction

**1.1** This document is the revised publication draft of the Site Allocations and Development Policies Document (SADPD) and is published to invite representations on its content. Once complete, the SADPD will form the second part of the council's local plan, providing further detailed planning policies and site allocations to support the strategic policies and sites contained in the Local Plan Strategy (LPS), which was adopted in July 2017.

**1.1a** This 'clean' version of the Revised Publication Draft SADPD shows the document text as updated. A 'tracked changes' version has also been published, showing the changes made to the initial Publication Draft, previously published for consultation in 2019.

## Cheshire East Local Plan

**1.2** The local plan sets planning policies and allocates sites for development. It is part of the statutory development plan, which is the basis for deciding planning applications. The local plan in Cheshire East<sup>(1)</sup> will be made up of four key documents:

1. The LPS sets out the vision and overall planning strategy for the borough over the period to 2030. It includes strategic planning policies and allocates strategic sites for development.
2. The SADPD, which will set non-strategic and detailed planning policies to guide planning decisions and allocate additional sites for development, where necessary, to assist in meeting the overall development requirements set out in the LPS. It has been prepared to support the policies and proposals of the LPS by providing additional policy detail.
3. The Minerals and Waste Development Plan Document (MWDPD), which will set out planning policies for minerals and waste, including the identification of specific sites for these uses. The first draft of the MWDPD is currently being prepared.
4. The Crewe Hub Area Action Plan will set out a planning framework to manage change and support investment and development of Crewe station and the surrounding area associated with the arrival of HS2 rail in Crewe. This plan will look beyond the LPS and set out policies and proposals for the area immediately around a new HS2 hub station. It directly responds to the arrival of HS2 at Crewe and will introduce a planning framework that aims to promote and manage land use change and related infrastructure provision in that area.

**1.3** The adoption of the SADPD brings about the replacement of all of the saved policies from the Congleton Borough Local Plan First Review (adopted January 2005), the Borough of Crewe and Nantwich Local Plan (adopted February 2005) and the Macclesfield Borough Local Plan (adopted January 2004). The policies in these legacy plans will therefore no longer be used when deciding planning applications.

**1.4** The remaining saved policies in the Cheshire Minerals Local Plan (adopted June 1999) and the Cheshire Waste Local Plan (adopted July 2007) will continue to be saved as set out in LPS Appendix B 'Saved policies' until replaced by policies in the MWDPD.

## Neighbourhood planning

**1.5** The Localism Act 2011 gives local communities the power to shape and influence local development through the preparation of neighbourhood plans for their areas. The Act places a duty on the local authority to support this work.

**1.6** The council will continue to support town and parish councils to establish their own non-strategic, local planning policies, site allocations and design codes that deliver sustainable development in their communities. These local policies must be in general conformity with the strategic policies of the local plan and should support the delivery of the council's strategic aims. The local focus of neighbourhood plans means they are well placed to respond to specific community needs and identify local development opportunities, sites and long term projects that will improve the lives of residents.

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1 Excluding the part in the Peak District National Park where the park authority is responsible for planning matters.





**1.7** Where local communities seek to support the strategic approach of the local plan, detailed local policy frameworks can be established to refine what this strategy means in a particular community. Neighbourhood plans may identify and promote the delivery of additional development that supports and enhances local services and infrastructure, contributing to a sustainable future for the borough.

**1.8** When preparing a neighbourhood plan, communities are encouraged to take a holistic approach to future development needs, consider both constraints and opportunities, and think for the long-term by providing the necessary flexibility that will successfully shape their communities in a planned way. This means the council will support neighbourhood plans to allocate land for specific uses over and above those allocations already made in the local plan itself.

**1.9** Neighbourhood plans tested through independent examination and approved by the local community at a referendum are part of the statutory development plan and are used alongside the policies in the local plan to decide planning applications.

## **National planning policy**

**1.10** The policies and proposals in this Revised Publication Draft SADPD have been prepared with regard to the National Planning Policy Framework (NPPF), supplemented by the Planning Practice Guidance (PPG) and other government policies and legislation.

**1.11** The SADPD takes account of these government policies and legislation. It does not seek to repeat them but provides further guidance and local interpretation of their requirements.

## **Evidence base**

**1.12** In accordance with the requirements of the NPPF, the SADPD is supported by an up-to-date, relevant and proportionate evidence base, which has informed the planning policies and site allocations proposed in it.

**1.13** The evidence base is available to view on the council's website and includes a number of key documents, which are listed in Appendix A 'Related documents and links'.

## **Sustainability Appraisal and Habitats Regulations Assessment**

**1.14** Sustainability Appraisal is an ongoing process that must be carried out during the preparation of a local plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan will help to achieve relevant environmental, economic and social objectives, when judged against reasonable alternatives. A 'Revised Publication Draft SADPD Sustainability Appraisal' has been produced to assess this Revised Publication Draft SADPD.

**1.15** A Habitats Regulations Assessment (HRA) has also been prepared to support the development of the SADPD. The HRA has assessed the impact of the SADPD on internationally designated nature conservation sites. The impact of the SADPD has been assessed both alone and in combination with other plans and projects. The HRA is an iterative process and plays an important role in refining the contents of the plan, both in terms of policies and site allocations.

**1.16** Both the Revised Publication Draft SADPD Sustainability Appraisal and the Habitats Regulations Assessment (revised publication version) have been published for representations alongside this Revised Publication Draft SADPD.

## **Adopted policies map**

**1.17** The adopted policies map shows that spatial extent of policies in the local plan. The current adopted policies map shows the policies contained in the adopted LPS and the saved policies from the Congleton Borough Local Plan First Review, Borough of Crewe and Nantwich Local Plan, Macclesfield Borough Local Plan, Cheshire Minerals Local Plan and Cheshire Waste Local Plan.



**1.18** A draft adopted policies map has been produced to illustrate how the policies map would look if the Revised Publication Draft SADPD were to be adopted in its current form. It shows the policies contained in the adopted LPS and the draft policies in this Revised Publication Draft SADPD. The policies shown are:

1. LPS and SADPD site allocations;
2. LPS and SADPD safeguarded land;
3. Peak District National Park fringe;
4. Green Belt;
5. Strategic green gaps;
6. Open countryside;
7. Settlement boundaries;
8. Village infill boundaries;
9. Protected open space;
10. Local landscape designations;
11. Ecological network;
12. Principal town centre and town centre boundaries;
13. Local centre and local urban centre boundaries;
14. Neighbourhood parades of shops;
15. Primary shopping areas;
16. Town centre regeneration zones;
17. Areas of high sensitivity to wind energy development;
18. Strategic employment areas;
19. Manchester Airport operational area;
20. Safeguarded land for proposed infrastructure.

**1.19** It also shows neighbourhood areas with plans that have been passed at referendum, but it does not show the spatial extent of policies contained in neighbourhood plans.

**1.20** In addition, the map shows a number of other designations that are referred to, but not defined by the development plan. The spatial extent of these designations may alter over time and the online adopted policies map will be updated periodically to reflect the latest position:

- A. Environment Agency flood zones;
- B. Conservation areas;
- C. Local wildlife sites/sites of biological importance;
- D. Site of special scientific interest (SSSIs);
- E. National nature reserves;
- F. Local nature reserves;
- G. Ramsar sites;
- H. Special protection areas and special areas of conservation;
- I. HS2 safeguarding zones;
- J. Jodrell Bank Observatory World Heritage Site;
- K. Jodrell Bank Observatory consultation zone/World Heritage Site Buffer Zone;
- L. Scheduled monuments;
- M. Registered parks and gardens;
- N. Registered battlefields;
- O. Areas of archaeological potential and areas of special archaeological potential;
- P. Local geological sites;
- Q. Manchester Airport average summer day (16 hour, 07:00-23:00) and night (8 hour, 23:00-07:00) noise contours.

**1.21** The adopted policies map will be updated as required when further development plan documents are prepared and adopted.



# 2

## Planning for growth



## 2 Planning for growth

**2.1** The need for new development to meet social and economic objectives must be weighed against environmental and other constraints. Achieving the right balance of development in rural areas is a particular challenge; providing too much risks adversely affecting the character of the countryside, whilst too little will undermine the sustainability of rural settlements. The local plan attempts to moderate these competing considerations by enabling some development to progress, proportionate to the scale of the settlements concerned.

**2.2** The policies in this section continue and supplement the planning for growth policies PG 1 to PG 7 in the LPS.

### Spatial distribution and settlements

#### Policy PG 8

##### Development at local service centres

The local service centres are expected to accommodate in the order of 7ha of employment land and 3,500 new homes. It is expected that the housing element will be addressed by windfall going forward, in line with other policies in the Local Plan, and the employment element will include an allocation at Homes Chapel (Site HCH 1 'Land east of London Road') as well as windfall in line with other policies in the Local Plan.

#### Supporting information

**2.3** LPS Policy PG 2 'Settlement hierarchy' defines the settlement hierarchy, which includes principal towns, key service centres, local service centres, and other settlements and rural areas.

**2.4** LPS Policy PG 7 'Spatial distribution of development' sets indicative levels of development by settlement for principal towns and key service centres. It also sets an overall indicative level of development for local service centres (in the order of 7 ha of employment land and 3,500 new homes) and other settlements and rural areas (in the order of 69 ha of employment land and 2,950 new homes).

**2.4a** Paragraph 8.77 of the LPS confirms that the overall indicative level for local service centres will be disaggregated to individual local service centres through the SADPD and/or neighbourhood plans. The 'Provision of housing and employment land and the approach to spatial distribution' report [ED 05] sets out the level of completed and committed development at each local service centre at 31 March 2020 and takes account of the allocation of land for employment development at Recipharm, Holmes Chapel. In addition to the level of development set out against each LSC, it is expected that there will be further windfall development during the remainder of the plan period, where such schemes are consistent with policies in the Local Plan.

#### Related documents

- The Provision of Housing and Employment Land and the Approach to Spatial Distribution (2020, Cheshire East Council) [ED 05]



## Policy PG 9

### Settlement boundaries

1. Settlement boundaries for principal towns, key service centres and local service centres are defined on the adopted policies map<sup>(2)</sup>.
2. Settlement boundaries for settlements in the other settlements and rural areas may be defined in neighbourhood plans, where appropriate<sup>(3)</sup>.
3. Within settlement boundaries, development proposals (including change of use) will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

### Supporting information

**2.6** The purpose of defining settlement boundaries is to assist in directing built development towards the most suitable and sustainable locations across the borough with respect to LPS Policy PG 2 'Settlement hierarchy' and to define the intended relationship between settlements and the countryside beyond.

**2.7** The open countryside is defined as the area outside of any settlement with a defined settlement boundary, where LPS Policy PG 6 'Open countryside' will apply.

**2.8** Infill boundaries are defined on the adopted policies map. Policy PG 10 'Infill villages' sets out the approach to the definition and application of infill boundaries in the borough.

### Related documents

- Settlement reports (2020, Cheshire East Council) [ED 21] to [ED 44]
- Settlement and Infill Boundaries Review (2020, Cheshire East Council) [ED 06]
- Made neighbourhood plans

2 Where a neighbourhood plan defines a settlement boundary for a principal town, key service centre or local service centre, the council will apply the most recent settlement boundary, where relevant.

3 At July 2020, Calveley and Weston have settlement boundaries defined in neighbourhood plans, which will apply under this policy. In consultation with Brereton Parish Council, the settlement boundaries for Brereton Green and Brereton Heath defined in the Brereton Neighbourhood Plan are not brought forwards to be covered by this policy and under the SADPD, Brereton Green and Brereton Heath do not have defined settlement boundaries.



## Policy PG 10

### Infill villages

1. In the other settlements and rural areas, the following settlements are defined as infill villages: Acton; Adlington; Arclid; Ashley; Astbury; Aston; Brereton Green; Church Minshull; Cranage; Eaton; Gawsworth; Hankelow; Hassall Green; Henbury; High Legh; Higher Hurdsfield; Higher Poynton; Hough; Langley; Lawtongate and Lawton Heath; Lyme Green; Mount Pleasant; Mow Cop; Over Peover; Pickmere; Plumley; Rainow; Rode Heath; Scholar Green; Styal; Sutton Lane Ends; The Bank; Winterley; Wybunbury; and Wychwood Village.
2. Infill villages have a defined village infill boundary, as shown on the adopted policies map, but are within the open countryside and do not have a settlement boundary. Some of the infill villages are also within the Green Belt, as shown on the adopted policies map.
3. Limited infilling will be supported within the village infill boundaries. Limited infilling is defined as the development of a relatively small gap between existing buildings. Limited infilling will only be permitted where it:
  - i. is in keeping with the scale, character and appearance of its surroundings and the local area;
  - ii. does not give rise to unacceptable impacts; and
  - iii. does not involve the loss of undeveloped land that makes a positive contribution to the character of the area.
4. Outside of the village infill boundaries shown on the adopted policies map, development proposals will not be considered to be 'limited infilling in villages' when applying LPS policies PG 3 and PG 6.

### Supporting information

**2.9** LPS Policy PG 6 'Open countryside' defines the open countryside as the area outside of any settlement with a defined settlement boundary and seeks to restrict development to that which is essential for uses appropriate to a rural area. The policy makes a number of exceptions to this general restriction, including "where there is the opportunity for limited infilling in villages".

**2.10** Under LPS Policy PG 3 'Green Belt', limited infilling in villages is not inappropriate development in the Green Belt.

**2.11** Footnote 34 to LPS Policy PG 6 also confirms that settlement boundaries will be reviewed and defined through the SADPD and neighbourhood plans. Settlements in the principal towns; key service centres; and local service centres tiers of the settlement hierarchy have a defined settlement boundary and development proposals will be supported in accordance with other policies in the development plan.

**2.12** In the other settlements and rural areas tier of the settlement hierarchy, settlements do not have defined settlement boundaries, unless identified by a made neighbourhood plan. Settlements without defined settlement boundaries are included in the open countryside.

**2.13** This policy clarifies which settlements are considered to be villages for the purposes of limited infilling allowed under LPS policies PG 3 and PG 6. Outside of the village infill boundaries shown on the adopted policies map, proposals will not constitute 'limited infilling in villages' for the purposes of these policies. Other forms of development in the Green Belt and open countryside outside of village infill boundaries will still be supported, in accordance with other policies in the development plan.



**2.14** Where neighbourhood plans allocate sites for development, it would usually be expected that these would fall within an existing settlement or infill boundary, or a new/revised settlement or infill boundary as defined in the neighbourhood plan.

### Related documents

- Settlement and Infill Boundaries Review (2020, Cheshire East Council) [ED 06]
- Made neighbourhood plans

## Green Belt and safeguarded land

### Policy PG 12

#### Green Belt and safeguarded land boundaries

1. Green Belt and safeguarded land boundaries are shown on the adopted policies map.
2. In addition to the land detailed in LPS Policy PG 4 'Safeguarded land', the following sites are designated as safeguarded land:
  - i. Safeguarded land ALD 3 'Land at Ryleys Farm, west of Sutton Road', Alderley Edge (2.32 ha);
  - ii. Safeguarded land BOL 1 'Land at Henshall Road', Bollington (1.48 ha);
  - iii. Safeguarded land BOL 2 'Land at Greenfield Road', Bollington (0.26 ha);
  - iv. Safeguarded land CFD 1 'Land off Knutsford Road' Chelford (0.58 ha);
  - v. Safeguarded land CFD 2 'Land east of Chelford Railway Station', Chelford (4.63 ha);
  - vi. Safeguarded land DIS 2 'Land off Jacksons Edge Road', Disley (2.43 ha);
  - vii. Safeguarded land PRE 2 'Land south of Prestbury Lane', Prestbury (1.84 ha); and
  - viii. Safeguarded land PRE 3 'Land off Heybridge Lane', Prestbury (0.94 ha).
3. LPS Policy PG 4 'Safeguarded land' will be applied to all areas of safeguarded land.
4. If allocated for development in the future, proposals for these sites should include compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of their removal from the Green Belt.

### Supporting information

**2.18** LPS Policy PG 4 'Safeguarded land' sets the policy related to land between the urban area and the inner boundary of the Green Belt that may be required to meet longer-term development needs. It also lists the areas of safeguarded land identified in the LPS and confirms that it may also be necessary to identify additional non-strategic areas of safeguarded land in the SADPD.

**2.18a** Safeguarded land remains in the open countryside and is not allocated for development at the present time.

**2.18b** If allocated for development in the future, proposals for these sites will be required to provide compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of their removal from the Green Belt. The degree of impact caused by their removal from the Green Belt will depend on the form of any development proposed in the future and should be assessed at that time. The compensatory improvements should be devised in consultation with local communities and may support proposals or schemes set out in local strategies including neighbourhood plans, the Cheshire East Rights of Way Improvement Strategy and Implementation Plans; the Green Infrastructure Plan or their relevant equivalents.



## Related documents

- Local Service Centres Safeguarded Land Distribution Report (2020, Cheshire East Council) [ED 53]
- Alderley Edge Settlement Report (2020, Cheshire East Council) [ED 21]
- Bollington Settlement Report (2020, Cheshire East Council) [ED 24]
- Chelford Settlement Report (2020, Cheshire East Council) [ED 26]
- Disley Settlement Report (2020, Cheshire East Council) [ED 29]
- Mobberley Settlement Report (2020, Cheshire East Council) [ED 37]
- Prestbury Settlement Report (2020, Cheshire East Council) [ED 40]

## Green gaps

### Policy PG 13

#### Strategic green gaps boundaries

1. The detailed boundaries of the areas defined as strategic green gaps in LPS Policy PG 5 are shown on the adopted policies map.
2. Proposals for development in the strategic green gaps will be determined in accordance with LPS Policy PG 5 'Strategic green gaps'.

## Supporting information

**2.19** LPS Policy PG 5 'Strategic green gaps' defines a number of areas as strategic green gaps. It confirms that the detailed boundaries of these areas will be defined through the SADPD.

## Related documents

- Strategic Green Gaps Boundary Definition Review (2020, Cheshire East Council) [ED 08]

### Policy PG 14

#### Local green gaps

1. To support the distinctiveness of settlements in the borough, the identification of localised separation policies will be supported in neighbourhood plans. In local green gaps/green wedges identified in neighbourhood plans, LPS policy PG 6 'Open countryside' will apply. In addition, planning permission will not be granted for the construction of new buildings or the change of use of existing buildings or land that would:
  - i. result in the erosion of a physical gap between any of the settlements identified;
  - ii. adversely affect the visual character of the landscape; or
  - iii. significantly affect the undeveloped character of the local green gap, or lead to the coalescence between or within existing settlements.
2. Exceptions will be defined locally or considered where no suitable alternative location is available.





## Supporting information

**2.20** Strategic green gaps are defined by Policy PG 13 'Strategic green gaps boundaries' and prevent neighbouring settlements from merging into one another and coalescing, thereby preserving the open character of the area and the settlements in it. Local green gaps and green wedges, as defined in neighbourhood plans, can help provide access to the countryside from urban areas, and protect the character and urban form of settlements, preventing coalescence in a settlement pattern and between nearby settlements.

### Related documents

- Made neighbourhood plans





# 3

## General requirements



## 3 General requirements

**3.1** There is a need for guidance relating to a number of issues that are universal to nearly all developments. These policies are principally concerned with the public's experience and enjoyment of the public realm. New development inevitably has an impact on its surroundings and therefore should take account of those implications. The council has assessed the extent to which new developments should provide for local infrastructure and other safeguards or benefits, but in doing so we have also considered the effect that this has on the development itself.

### Policy GEN 1

#### Design principles

In line with LPS Policy SE 1 'Design', development proposals should:

1. contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form in terms of scale, height, density, layout, grouping, urban form, siting, good architecture, massing and materials. Development that fails to take the opportunity to support the quality of place of the local area will be resisted;
2. create safe places by reflecting 'secured by design' measures and principles, including providing active frontages, where possible, to maximise natural surveillance from buildings, particularly over public areas;
3. create a sense of identity and legibility in the development by using landmarks and incorporating key views into and out of new development;
4. create buildings and spaces that function well, are fit for purpose and yet are innovative, adaptable and flexible to respond to changing social, environmental, technological and economic conditions over the lifetime of the development;
5. be accessible and inclusive – ensuring that developments and spaces can be used safely, easily and with dignity by all, regardless of disability, age, gender, ethnicity or economic circumstances;
6. promote active lifestyles and health and wellbeing through design, wherever possible, including through play, walking, cycling, contact with nature and opportunities for food growing;
7. be comprehensively planned and co-ordinated to enable the efficient and effective use of land to allow a sustainable mix of uses, support local facilities and transport networks;
8. integrate car and cycle parking so that it is safe and does not have a detrimental impact upon the character and appearance of the area;
9. provide for future management and maintenance to retain a high quality public realm;
10. maintain or improve access, connectivity and permeability in and through the development site and wider area including to local services and facilities, particularly for walking and cycling routes;
11. incorporate measures that can adapt to and/or show resilience to climate change and its impacts within the development layout;
12. incorporate appropriate arrangements for recycling and waste management including bin storage and collection; and
13. interact positively with the natural environment in line with the mitigation hierarchy set out in criterion 2 of Policy ENV 2 'Ecological implementation'.

#### Supporting information

**3.2** Good design is indivisible from good planning. It makes sure that new developments function well socially, economically and physically, and that they are attractive places where people want to live, work and visit. It goes beyond visual appearance and considers the relationship between buildings, how they are used over their lifetime and the spaces and connections between places.



**3.3** Good design is central to the creation of attractive, accessible, inclusive, successful and sustainable places. We expect high quality, well designed developments that contribute positively to the quality of place in the borough and make the best use of land. Development should be inclusive, creating places and spaces where everyone can access and benefit from a full range of opportunities available to members of society. It should aim to remove barriers that create undue effort, separation or special treatment and enable everyone regardless of disability, age or gender to participate equally, confidently and independently in society with choice and dignity.

**3.4** Developers should engage with the council, the local community and relevant statutory consultees at the earliest opportunity in order to make sure that new development responds appropriately to the unique character and quality of place in the borough. Engagement can also help to consider the evidence required to support planning applications such as the requirement for design coding, testing layouts, illustrative masterplans, massing studies and modelling for larger proposals, as appropriate in line with LPS Policy SE 1 'Design'.

**3.5** To provide clarity about design expectations at an early stage, proposals should take account of any formally adopted supplementary planning documents (including the Cheshire East Borough Design Guide), the National Design Guide (or as updated), area specific design guidance, masterplans, character appraisals or area specific management plans. Neighbourhood plans can also be used to help identify the special and distinctive qualities of a local area.

**3.6** The council will also use design assessment frameworks including Building for Life 12 (or as updated) consistent with the approach set out in LPS Policy SE 1 'Design'.

**3.7** The design of new development should take account of the effects of and adapt to the impacts of climate change through the implementation of appropriate design measures in line with Policy ENV 7 'Climate change'. This includes taking opportunities to incorporate sustainable drainage and water efficiency measures within the development layout in line with Policy ENV 16 'Surface water management and flood risk'.

**3.8** Developments should make sure that there are suitable arrangements for bin storage and recycling. Sufficient space and access should be included for the sorting and storage of recyclable waste materials in a convenient location, the composting of household waste (where practicable), and the collection of these and other waste materials.

**3.9** This policy, read alongside LPS Policy SE 1 'Design' will apply to all proposals for new development requiring planning permission, where relevant, regardless of its land use, both in urban and rural areas.

### **Related documents**

- Cheshire East Borough Design Guide supplementary planning document (2017, Cheshire East Council and e\*SCAPE Urbanists)
- Secured by Design: design guides
- Made neighbourhood plans
- National Design Guide (2019, MHCLG)



## Policy GEN 2

### Security at crowded places

1. Development proposals for places where large numbers of people gather (for example a new retail park, sports stadium, university, or large scale regeneration of a town centre) should be designed in such a way as to:
  - i. minimise their vulnerability to a terrorist attack as far as practicable; and
  - ii. best protect people from any impact from such an attack.
2. Proposals should take into account the design principles described in 'Crowded Places: The Planning System and Counter-Terrorism' (January 2012) and 'Protecting Crowded Places: Design and Technical Issues' (April 2014) or any subsequent replacement guidance.

### Supporting information

**3.10** The UK faces a significant threat from international terrorism<sup>(4)</sup>. Experience shows that crowded places remain a target for terrorists who have demonstrated that they are likely to target places that are easily accessible, regularly available, and which offer the prospect for an impact beyond the loss of life alone. A crowded place is a location or environment to which members of the public have access that may be considered potentially liable to terrorist attack by virtue of its crowd density; this is a matter of judgment, but could include a new retail park, sports stadium, university, or large scale regeneration of a town centre.

**3.11** The Cheshire Constabulary Counter Terrorism Security Advisor (CTSA) should be contacted in respect of any large scale planning applications that include places where large crowds of people can gather. The local CTSA will understand the capability of the threat and will provide relevant, appropriate, proportionate and balanced advice so that vulnerabilities are reduced and measures are incorporated as part of the development proposal. CTSA's can also provide free pre-planning and specialist security advice to applicants involved in the design and development of sites that hold toxic chemicals or other sensitive information and materials.

**3.12** CTSA advice may include standards in respect of security procedures, security personnel, information security as well as effective security design measures such as hostile vehicle mitigation, blast resistance (structure and glazing), building management and the ability to adapt to the changing threat. Designers and developers may be expected to consult with a security and specialist engineer regarding the structural resilience of the building or asked to carry out a vehicle dynamics assessment.

### Related documents

- Protecting Crowded Places: Design and Technical Issues (2014, HM Government)
- Crowded Places Guidance (2017, National Counter Terrorism Security Office).

4 Section 1 of the Terrorism Act 2000 defines terrorism as: 'The use or threat of a specified action where the use or threat is designed to influence the government or an international governmental organisation or to intimidate the public or a section of the public, and the use or threat is made for the purpose of advancing a political, religious, racial or ideological cause. The action is a specified action if it involves serious violence against a person; involves serious damage to property; endangers a person's life, other than the person committing the action; creates a serious risk to the health and safety of the public or a section of the public; or is designed seriously to interfere with or seriously to disrupt an electronic system.'



## Policy GEN 3

### Advertisements

Proposals for advertisement consent will be supported where they accord with the following criteria:

1. The proposal would not be detrimental to amenity or safety, by reason of general design, size, colour, position, materials, amount and type of text or degree of illumination and luminance.
2. The proposal is not out of keeping with the style or character of a building or its surroundings.
3. Fascia boards should be lower than any first floor windows, and reflect the predominant height of existing fascia boards on surrounding buildings.
4. The cumulative impact of the advertisements would not be detrimental to the character of the building on which they are to be displayed and/or the general characteristics of the locality.
5. The proposal does not detract from or conceal any significant architectural features such as cornices or scrolls.
6. Illuminated advertisements should be discreet and comply with the requirements of Policy ENV 14 'Light pollution'.

### Supporting information

**3.13** Advertisement proposals are guided by national policy and guidance, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, and subsequent amendments.

**3.14** There are three categories of advertisement consent. Firstly, those permitted without requiring either deemed or express consent from the local planning authority; secondly, those that have deemed consent; and thirdly, those that require the express consent of the local planning authority. These are set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**3.15** This policy aims to make sure that amenity and public safety are maintained, taking into account cumulative impacts, and that any advertisement respects the character of the building and area in which they are located. This policy may need to be considered alongside Policy RET 4 'Shop fronts and security'.

**3.16** Advertisements in and around conservation areas and on or near listed buildings require particular detailed consideration to be given to the historic and architectural significance and sensitivity of these areas/buildings. Any applications affecting a heritage asset will also be considered against the policies contained in Chapter 5 (The historic environment).

**3.17** The council will also seek to make sure that no harm to public safety or amenity is caused by illuminated adverts including the cumulative effect. The council will consider carefully the type and level of illumination proposed and have regard to appropriate guidance such as 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements' (2013). Conditions relating to matters such as hours of illumination will be applied where necessary.

### Related documents

- Outdoor Advertisements and Signs: a Guide for Advertisers (2007, DCLG)
- Professional Lighting Guide 05: The Brightness of Illuminated Advertisements (2013, Institute of Lighting Professionals)



## Policy GEN 4

### Recovery of forward-funded infrastructure costs

1. The council will recover the costs associated with forward funded infrastructure from applicants that rely on this infrastructure to mitigate the effects of their development and make it acceptable in planning terms where:
  - i. the council or its funding partners have specifically approved the forward funding of the infrastructure in question on the basis that all or part of its costs will be subsequently recovered from the developers that benefit from it;
  - ii. the council has an approved supplementary planning document that details:
    - a. the overall amount to be recovered;
    - b. the individual sites, areas or types of development that will be required to contribute; and
    - c. the mechanism to be used for proportionately calculating the cost of contributions from applicants seeking development on the identified sites, areas or types of development requiring contribution;
  - iii. the recovery of costs meets all the planning obligation tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 or as required by any subsequent amendment to these Regulations or to national planning guidance;
  - iv. the recovery of costs is secured through a Section 106 agreement and includes any administrative, legal and financing costs associated with both providing the infrastructure and its subsequent recovery through the planning obligations process.
2. The council will refuse planning applications where applicants seek to rely on forward funded infrastructure to make proposals acceptable in planning terms but are not prepared to make the required contribution towards refunding the cost of its provision through planning obligations.

### Supporting information

**3.18** This policy provides greater detail to assist in implementing LPS Policy IN 1 'Infrastructure' and LPS Policy IN 2 'Developer contributions'.

**3.19** This policy is intended to help facilitate development in the borough. As a proactive authority, Cheshire East Council is seeking to assist developers in achieving agreed levels of growth in the borough as detailed in its local plan. For this reason the council recognises that in certain circumstances, such as the provision of a road or a new school required as part of a strategic/comprehensive approach to development in an area, it is necessary or desirable for infrastructure to be provided in advance of planned development. This can be because a new road is needed to open up parcels of land to enable development to happen or because it enables the provision of important infrastructure at an earlier stage than would otherwise have been possible. This acts as an enabler and helps to bring forward individual schemes that would not otherwise be able to progress on their own.

**3.19a** This will benefit the residents or occupiers of early phases of a large scheme, particularly where this scheme may take a long time to reach completion, involve multiple developers or where the infrastructure can't be provided in a phased way and is required early on but is not viable to provide at that time.

**3.20a** It will apply only to infrastructure schemes funded by the council or its partners where the funding approval was made on the basis that all or part of the costs incurred will be subsequently recovered from developers benefiting from it i.e. where the council has borrowed; used its reserves;





or diverted funding from other budgets in the short term to help bring forward development on the understanding that it will be repaid.

**3.25** The council will not seek the refunding of any grant monies it has received for the provision of a scheme from external sources, such as from the government, where there is no requirement for this element of the funds to be repaid or recovered.

**3.25a** Recovery of cost will be calculated on a proportionate basis taking account of the size of each development site as a proportion of the total size of all the contributing development sites, the uses proposed on each site (employment sites are likely to contribute less to the total recovered costs than housing sites for viability reasons) and the level of need generated for the forward funded infrastructure. Details will be provided in an accompanying supplementary planning document so that developers are able to understand at an early stage, while negotiating a land purchase and preparing a planning application, the likely contribution towards the forward funded infrastructure that will be required from them. Recoverable costs will include any administrative, legal and financing costs associated with both providing the infrastructure and its subsequent recovery through the planning obligations process.

**3.25b** The council will identify any agreed forward funded infrastructure schemes and monitor their repayment through planning obligations as part of its annual infrastructure funding statement.

#### Related documents

- Cheshire East Community Infrastructure Levy Charging Schedule (2019, Cheshire East Council)

### Policy GEN 5

#### Aerodrome safeguarding

Development that would adversely affect the operational integrity or safety of Manchester Airport or Manchester Radar will not be permitted.

#### Supporting information

**3.26** The safeguarding zone for Manchester Airport is defined on a safeguarding map issued by the Civil Aviation Authority. They define certain types of development that, by reason of their height, attraction to birds or inclusion of or effect upon aviation activity, require prior consultation with the Airport Operator or National Air Traffic Services Ltd. Government advice in OPDM Circular 1/2003 'Advice to Local Planning Authorities on Safeguarding Aerodromes and Military Explosives Storage Areas' sets out the detailed guidance on how safe and efficient operations can be secured.

**3.27** In accordance with this circular, Manchester Airport is a statutory consultee for certain planning applications for developments that require safeguarding to protect the safety of the airport's operation.

**3.28** The safeguarding authority for Manchester Airport will assess planning applications and consider their impact on whether the development causes: an obstacle; an attraction to birds; any light or reflection that might be confused with or interfere with aerodrome lighting or present a visual hazard; interference with communication systems including radar systems and ground to air communication and whether its construction will present any hazard to flight safety.

#### Related documents

- Circular 1/2003: Advice to Local Planning Authorities on Safeguarding Aerodromes and Military Explosives Storage Areas (2003, DfT and ODPM)



## Policy GEN 6

### Airport public safety zone

In the public safety zone as defined by the Civil Aviation Authority, development or changes of use will not be permitted except for development deemed to be permissible under paragraphs 11 and 12 of DfT Circular 01/2010 'Control of Development in Airport Public Safety Zones' or any replacement guidance.

### Supporting information

**3.29** Public safety zones are designated areas of land at the end of runways at major airports, in which development is restricted so that there should be no increase in the number of people living, working or congregating in public safety zones and that, over time, the number should be reduced as circumstances allow.

### Related documents

- Circular 01/2010 - Control of Development in Airport Public Safety Zones (2010, DfT)

## Policy GEN 7

### Recovery of planning obligations reduced on viability grounds

1. Development proposals should meet all relevant planning obligations required by local plan policy. It is up to the applicant to demonstrate to the council whether particular circumstances justify the need for a viability assessment at the application stage.
2. Where the council has agreed to reduce required planning obligations on the grounds of viability, the applicant must enter a legal agreement that enables the council to review an agreed viability assessment against future trigger points, with the aim of recovering all or part of the reduced planning obligations should a new assessment indicate that profits are higher than the normal developer returns already accounted for in the agreed viability assessment and the council considers the reduced obligation can no longer be justified on viability grounds. The underlying principle being to prioritise the use of any higher-than-anticipated returns, so that they are used in the first instance to deliver policy requirements that were previously determined not to be deliverable before being considered as an additional profit return to the developer.
3. The details of the reduced planning obligation will be recorded in the legal agreement together with the form or nature that any recovery of obligation will take. These obligations should comply with national regulations on planning obligations.
4. The council will refuse planning applications where applicants request the reduction of planning obligations on viability grounds but have not agreed a legal agreement that enables these planning obligations to be reviewed and recovered, should a proposal deliver higher returns than the normal developer profit already accounted for in the agreed viability assessment.

### Supporting information

**3.30** The council's local plan contains a number of approved policies that place obligations on developers to fulfil when proposing a scheme for development, such as the level and type of affordable housing provision required or other infrastructure needed to support development (such as that needed for education, health, transport, open space, green infrastructure, flood risk and water



management etc.) It is the council's expectation that infrastructure and other planning obligations required to make a development acceptable in planning terms will be provided as part of all development, where these obligations meet the three tests set out in CIL Regulation 122.

**3.31** A proportionate assessment of viability that takes account of all relevant policies, standards and costs, including CIL and planning obligations, is required by national planning guidance as part of the plan making process. This is to ensure that the total cumulative costs of development do not undermine the deliverability of the plan. As the council's local plan policies have been viability tested prior to adoption and policies set out the contribution expected from development, the assumption in planning guidance is that "planning applications that fully comply with them should be assumed to be viable" (see Reference ID: 10-007-20190509). In addition, it is the responsibility of site promoters to ensure that proposals for development fully comply with up to date plan policies and that the price paid for land is not a relevant justification for failing to accord with relevant policies in the plan (see Reference ID: 10-002-20190509).

**3.32** It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Planning guidance indicates that "such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force" ( see Reference ID: 10-007-20190509).

**3.33** It is unlikely that the council will agree to the reduction of a planning obligation where it provides essential site specific items to mitigate the impact of development such as a necessary road improvement. In these circumstances the opportunity to negotiate a reduced obligation is limited.

**3.34** As viability is judged on a range of factors, any of which may change over time, it is appropriate that the council should seek to recover these obligations should market conditions improve, or development prove to be more viable than originally forecast. This is particularly important on larger sites that are likely to be developed out over many years and where the potential for a positive change in viability is greater. This will be undertaken through a review process as set out in a legal agreement between the council and the applicant. As detailed in planning guidance, the review mechanism agreed should not be seen as "a tool to protect a return to the developer, but to strengthen local authorities' ability to seek compliance with relevant policies over the lifetime of the project" (see Reference ID: 10-009-20190509).

**3.35** A typical example of where a reduced obligation may apply would be affordable housing. It may be agreed for viability reasons that a developer should provide less than the policy target for affordable housing, say 20% rather than 30%, with the remaining provision being set aside as a reduced planning obligation to be provided should certain circumstances detailed through a legal agreement be triggered.

**3.36** While the details of each reduced planning obligation agreement will vary in accordance with site-specific circumstances, the general mechanism for establishing and managing an agreement will be as follows:

- A full viability assessment shall be prepared in accordance with national planning guidance and agreed with the council as a baseline financial position detailing the forecast costs and profits associated with a proposal. This should include a breakdown of the costs associated with providing all the planning obligations needed to make a planning application acceptable in planning terms. This will form part of the legal agreement.
- In accordance with national policy guidance, all viability assessments should reflect the government's recommended approach to defining key inputs, and should be made publicly available.
- Details of the reduced planning obligations and the form in which these shall be recovered will be recorded in a legal agreement. For example, this could be for an increase in affordable



housing, an extension or improvement to on-site infrastructure delivered by the developer, or a share of any increase in profits provided that it is allocated to deliver a specified reduced obligation.

- The planning obligations to be restored should be identified and compliant with national regulations on planning obligations.
- Details of agreed trigger points for a financial review of the development will also be included in the legal agreement. These trigger points may take the form of calendar dates or be based on development triggers, such as number of units occupied, but should allow adequate time so that adjustments to planning obligations can be practically delivered on the site before development is complete. The council intends to produce a planning obligations supplementary planning document, which will provide further information on the future trigger points for assessment to be used in legal agreements, including the extent to which they may differ depending on whether a scheme has been phased or not.
- On reaching a trigger point, the applicant will be expected to submit an updated viability appraisal. This should include:
  - a. updated costs using an agreed index to the point of delivery;
  - b. updated house price information based on actual sales prices for the preceding period;
  - c. any other revenue received from or financial support provided to the development including grant funding and/or sales to affordable housing registered providers unless previously accounted for; and
  - d. updated forecasts for developer return (profit).
- The developer will be required to meet part or all of the reduced obligations that have been agreed should the developer return be higher than forecast in the original agreed assessment and at a level where the council considers the reduced obligation can no longer be justified on viability grounds. The council will factor in the need to achieve normal profit returns when making this decision.
- All the costs incurred by the council in establishing and managing each individual reduced obligations agreement will be met by the applicant.

**3.37** Alternative mechanisms to that described above are possible and may be appropriate for certain schemes. For example, for regeneration schemes a re-valuation may be more appropriate than an updated viability appraisal.

**3.38** Therefore in some cases, variations to the above process may be agreed or required at the discretion of the council.

#### **Related documents**

- Cheshire East Community Infrastructure Levy Charging Schedule (2019, Cheshire East Council)



# 4

## Natural environment, climate change and resources



## 4 Natural environment, climate change and resources

**4.1** The borough presents a wide variety of natural resource issues. Cheshire East is a varied borough with a diverse landscape stretching across the Cheshire Plain from the Peak District to the Sandstone Ridge. Its intimate river valleys, woods, meres and mosses are intermingled with land affected by industrialisation. The impact of climate change remains a constant challenge, whilst there are opportunities to mitigate further change through appropriate renewable energy. The policies of the SADPD seek to capitalise on new opportunities to make the best use of natural resources, whilst managing the impact that new development brings to a complex and sensitive environment.

**4.2** The council and a number of other partner organisations have prepared a comprehensive green and blue infrastructure plan (the Green Infrastructure Plan October 2019) that will inform the implementation of relevant Local Plan policies. The Green Infrastructure Plan will set out priority areas for green infrastructure intervention and investment. The plan outlines a number of projects that support the enhancement of the green infrastructure network. These projects are grouped around a number of activity areas: urban greening; thriving nature; getting outdoors easily; farmland and soils; environments for business; rivers and valleys; working alongside major infrastructure; and a distinctive place for culture, heritage and tourism.

### Ecology

#### Policy ENV 1

##### Ecological network

1. The ecological network consists of core areas; corridors and stepping stones; restoration areas; sustainable land use areas; and the Meres and Mosses catchments (buffer zones).
2. Core areas; corridors and stepping stones; restoration areas; and the Meres and Mosses catchments (buffer zones) are shown on the adopted policies map.
3. Sustainable land use areas consist of all land outside of the core areas; corridors and stepping stones; and restoration areas.
4. In line with LPS Policy SE 3 'Biodiversity and geodiversity', new development should seek proportionate opportunities to protect, conserve, restore and enhance the ecological network for the borough as follows:
  - i. Development in core areas, or corridors and stepping stones should:
    - a. increase the size of core areas;
    - b. increase the quality and quantity of priority habitat; and
    - c. create new priority habitat that can act as stepping stones or corridors.
  - ii. Development in restoration areas should meet the above criteria and increase the structural connectivity between stepping stones.
  - iii. Development in sustainable land use areas should enhance the wider environment by actively contributing to the integration and creation of appropriate green infrastructure and habitats.
  - iv. Development in the Meres and Mosses catchments (buffer zones) must avoid any contamination and hydrological impacts on the associated catchment.



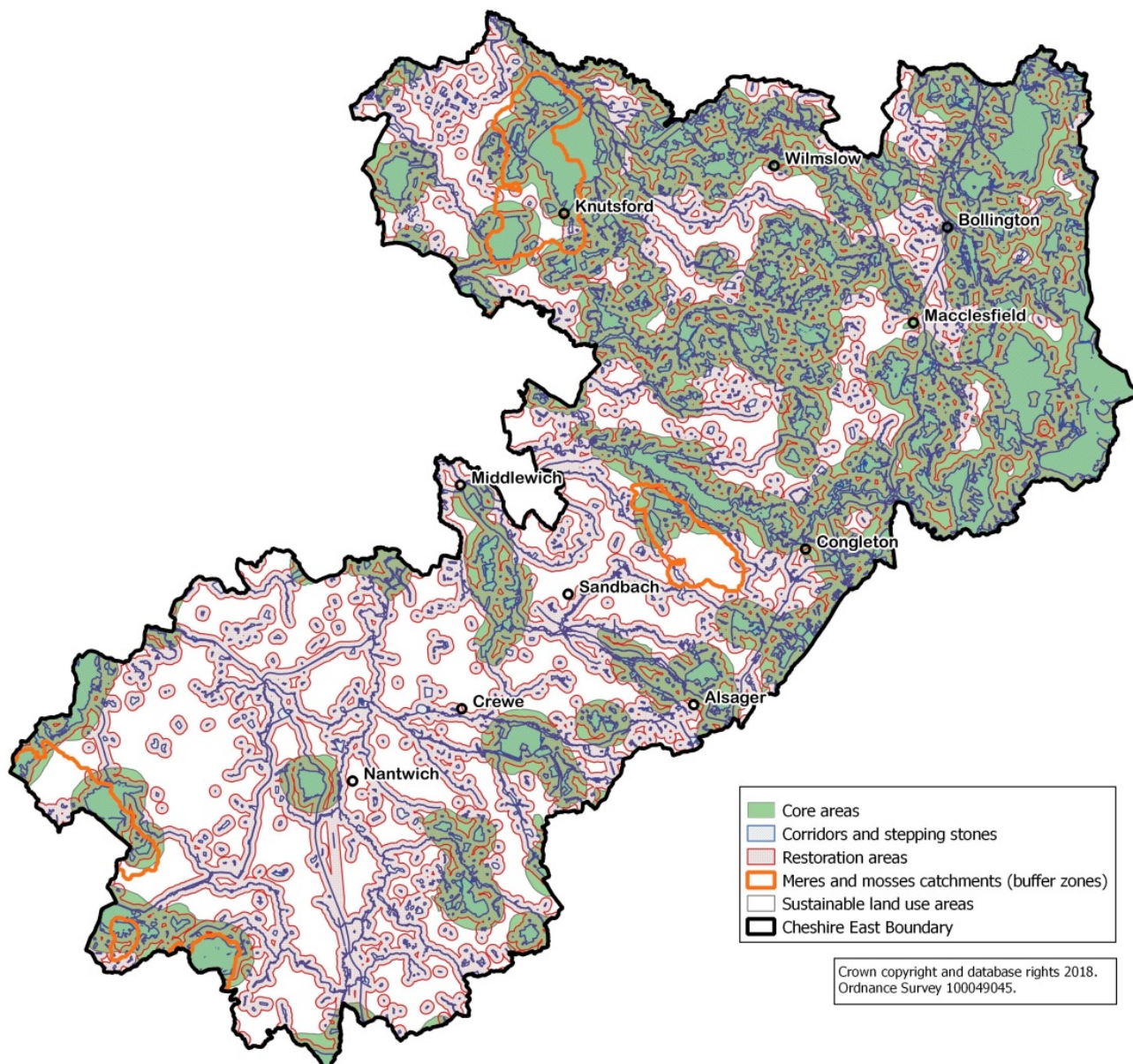
## Supporting information

**4.3** LPS policy SE 3 'Biodiversity and geodiversity' seeks to protect and enhance biodiversity and geodiversity. LPS policy SE 6 'Green infrastructure' supports the protection, enhancement, creation and management of a network of green infrastructure. It also seeks to deliver a network of green spaces providing a variety of benefits including biodiversity (criterion (3.x)). Policy ENV 1 seeks to deliver benefits for biodiversity from development. The policy does not seek to stifle or preclude development but seeks to secure ecological enhancement. The policy will be applied on a case by case basis so that proportional enhancement is sought.

**4.4** The Natural Environment and Rural Communities Act (NERC) 2006 places a duty on every public authority, in exercising its functions, to have regard to the purpose of conserving biodiversity, so far as is consistent with the proper exercise of those functions.

**4.5** The council has produced an ecological network map for the borough, which incorporates existing protected sites and priority habitats and identifies areas to restore and buffer the network. The ecological network will assist in the provision of nature conservation and ecosystem services that are essential for sustainable development, including water management, carbon capture and access to nature with associated recreational and health benefits.

**Figure 4.1 Ecological network in Cheshire East**





**4.6** Core areas contain concentrations of habitats that are rare or important because of the wildlife they support and areas of irreplaceable natural habitat such as ancient woodland, glacial meres and peatlands, which are impossible to re-create. They include protected wildlife sites: special areas of conservation (SAC), special protection areas (SPA), Ramsar sites, sites of special scientific interest (SSSI), local nature reserves (LNR), local wildlife sites (LWS) and UK priority habitats. Buffer zones are incorporated into the core areas and protect the individual sites and habitats from external adverse impacts such as pollution and disturbance.

**4.7** Corridors and stepping stones enable mobile species to move between core areas and the wider landscape. Connectivity does not necessarily mean linear continuous habitats. They could be in the form of a number of small sites acting as stepping stones and could include non-statutory sites and priority habitats outside core areas, as well as more recognisable watercourses and canals. They include SSSI (geological), Wildlife Trust sites outside core areas, the national inventory of woodland and trees, rivers, canals, English Woodland grant scheme new planting and 'natural' green infrastructure typologies.

**4.8** Restoration areas are designed to enhance connectivity, resilience and the functioning of the ecological network. Sustainable land use areas are those within the wider landscape, focused on the sustainable use of natural resources and appropriate economic activities that assist in the delivery of ecosystem services.

### Related documents

- Green Space Strategy (2013, Cheshire East Council)
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Ecological Network for Cheshire East (2017, Total Environment) [ED 09]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- Green Infrastructure Assessment of Cheshire East (2018, The Mersey Forest) [ED 55]

## Policy ENV 2

### Ecological implementation

1. Net gain: development proposals must deliver an overall net gain for biodiversity. Major developments and developments affecting semi-natural habitats must be supported by a biodiversity metric calculation to ensure the delivery of a biodiversity measurable net gain.
2. Mitigation hierarchy: in accordance with the mitigation hierarchy, all development proposals must make sure losses of, and impacts to, biodiversity and geodiversity are:
  - i. firstly avoided; then
  - ii. if impacts cannot be avoided, identify and implement measures to acceptably mitigate these impacts; then
  - iii. finally, and as a last resort, if impacts are unavoidable and cannot be acceptably mitigated, compensation measures should be provided. This may include off-site provision where adequate on-site provision cannot be made. To maximise its benefits, off-site habitat provision should be prioritised firstly towards those areas identified as nature improvement areas and those areas identified by the ecological network map as delivering the most benefit for biodiversity (see Policy ENV 1 'Ecological network').
3. Ecological assessment: planning applications should be supported by an ecological assessment (where necessary), which complies with industry good practice/guidance and:
  - i. identifies the assets of biodiversity/geodiversity value on and in the vicinity of the site;
  - ii. evaluates the value and extent of the assets;





- iii. assesses the likely expected impact of the development on assets of biodiversity/geodiversity value taking into account the mitigation hierarchy;
  - iv. identifies the net losses and gains for biodiversity/geodiversity, using a biodiversity metric calculation;
  - v. identifies the options to enhance the value of the assets and contribute towards the borough's ecological network; and
  - vi. provides sufficient information to inform a Habitats Regulations Assessment, where development could have an individual or in-combination significant effect on a European Site or its supporting habitat.
4. Management and maintenance: developers will be expected to secure the long term maintenance and management of any on-site or off-site habitat creation or enhancement works to make sure created habitats achieve both their target value and are maintained into the future.
  5. Geodiversity: any unavoidable loss of geodiversity should be compensated through the provision of replacement exposures that are of greater value for interpretation, research and study than those lost.

## Supporting information

**4.9** LPS Policy SE 3 'Biodiversity and geodiversity' makes clear the council's commitment to increasing the total area of valuable habitat in the borough, the linking up of existing habitats and the creation of ecological stepping stones and wildlife corridors. This SADPD policy provides additional detail about how this will be achieved by making sure that all development proposals contribute positively to the conservation of biodiversity and geodiversity.

**4.10** The mitigation hierarchy firstly seeks to avoid significant harm. Developments should seek to comply with this policy requirement through the designing out of impacts on biodiversity. For example, this can be achieved by retaining and buffering important ecological features such as priority habitats in the layout of a residential development or seeking to retain an existing bat roost in a building proposed for conversion or renovation. It is vital that these issues are considered at the very start of formulating development proposals.

**4.11** When all available options in the mitigation hierarchy have been explored and residual net gain is not possible on the site, then compensatory measures off-site will be required. Habitat creation and enhancement will only be possible where opportunities arise and so off-site habitat creation and enhancement may, in some cases, be delivered some distance away from the site of the proposed development.

**4.12** The government supports the principle of net gain in its 25 year environment plan. Thriving plants and wildlife are one of its key goals. All losses and gains to the biodiversity value of a site resulting from development should be measured to make sure developments deliver the required net gain.

**4.13** Major developments and developments affecting semi-natural habitats should be supported by an assessment of the impacts of the proposed development undertaken in accordance with the DEFRA technical paper: the metric for the biodiversity offsetting pilot in England March 2012 (or any subsequent publication). It is suggested that spreadsheets developed by the Environment Bank be used in assisting with the undertaking of this assessment.

## Related documents

- Green Infrastructure Assessment of Cheshire East (2018, The Mersey Forest) [ED 55]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- A Green Future: Our 25 Year Plan to Improve the Environment (2018, HM Government)



- Biodiversity Net Gain: Good Practice Principles for Development (2017, CIEEM, CIRIA and IEMA)
- The Natural Choice: Securing the Value of Nature (2011, HM Government)
- Technical Paper: The Metric for the Biodiversity Offsetting Pilot in England (2012, DEFRA)

## Landscape

### Policy ENV 3

#### Landscape character

Development proposals should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area, as described in the Cheshire East Landscape Character Assessment (2018) or subsequent update, taking into account any cumulative effects alongside any existing, planned or committed development.

#### Supporting information

**4.14** Planning decisions should take into account the different roles and character of different areas, and recognise the intrinsic character and beauty of the countryside to make sure that development is suitable for the local context. All of Cheshire East's landscapes are of value and enjoyed for their ecological, recreational, agricultural, cultural, conservation and aesthetic aspects. The council will seek to conserve and enhance the diversity of landscape character and make sure that any development respects local landscape character.

**4.15** The Cheshire East Landscape Character Assessment identifies 14 landscape character types. Each of the landscape types has a distinct and relatively homogenous character with similar physical and cultural attributes. The landscape types are sub-divided into component local landscape character areas. These are discrete geographical areas that possess the common characteristics described for the landscape type. Each character area has a distinct and recognisable local identity.

**4.16** Proposals will be assessed in relation to the landscape character type in terms of the following:

- key characteristics;
- valued landscape features;
- the overall vision and landscape strategy; and
- landscape guidance.

**4.17** Proposals will also be assessed in relation to local landscape character area profiles.

**4.18** The Cheshire East Landscape Character Assessment (2018) contains a useful user guide (figure 1.2 on page 6 of the document). It is arranged around a number of key stages, setting out a series of questions as prompts to make sure the landscape evidence can be used to shape proposals and assist in planning decisions.

**4.19** LPS Policy SE 4 'The landscape' looks at the landscape in general, specifies criteria to be met by development proposals and deals with local landscape designations. Local landscape designation areas are shown on the adopted policies map

**4.20** LPS Policy SE 6 'Green infrastructure' deals with the borough's green infrastructure assets that, linked together, create Cheshire East's unique landscape. Criterion (1) of that policy describes these assets that relate to the various landscape character types.

**4.21** Neighbourhood plans may provide more detail at the local level regarding landscape character.



## Related documents

- Cheshire East Landscape Character Assessment (2018, LUC) [ED 10]
- Cheshire East Local Landscape Designation Review (2018, LUC) [ED 11]
- Green Space Strategy (2013, Cheshire East Council)
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]

## Policy ENV 4

### River corridors

Development proposals must make sure that river corridors are protected and opportunities should be taken to enhance them as important natural landscape features and usable areas of open land including, where appropriate, by:

1. conserving and enhancing existing areas of value;
2. restoring and enhancing the natural elements of the river environment; and
3. promoting public access.

## Supporting information

**4.22** The council, in consultation with the Environment Agency and Lead Local Flood Authority (for statutory main rivers and all other ordinary watercourses respectively) will seek to protect, promote and enhance river corridors as important natural landscape features.

**4.23** LPS Policy SE 6 'Green infrastructure' seeks to deliver a network of green and blue infrastructure to provide a variety of benefits. River corridors are important green infrastructure assets and the Weaver, Bollin, Dane and Wheelock are listed as strategic assets in criterion (3.i). Policy ENV 16 'Surface water management and flood risk' deals with development and flood risk.

**4.24** The Cheshire East Landscape Character Assessment (2018) provides guidance for assessing development proposals affecting the river valleys landscape type: "The overall landscape strategy for the river valley type is to conserve the valued natural and cultural heritage features, enhance areas which are not in good condition and promote sustainable recreation activity" (p114).

**4.25** Landscape guidance for the river valleys includes managing and enhancing semi-natural habitats, promoting linkages and retaining tranquillity.

**4.26** This policy links with Policy ENV 3 'Landscape character'.

**4.27** Most of the river corridors overlap with local landscape designations where LPS Policy SE 4 'The landscape' also applies.

## Related documents

- Cheshire East Landscape Character Assessment (2018, LUC) [ED 10]
- Cheshire East Local Landscape Designation Review (2018, LUC) [ED 11]
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- Local Flood Risk Management Strategy (2017, Cheshire East Council)
- Local Landscape Designations Study (2013, LUC)



## Policy ENV 5

### Landscaping

Where appropriate, development proposals must include and implement a landscape scheme that:

1. responds sympathetically to topography, landscape features and existing green and blue infrastructure networks to help integrate the new development into the existing landscape;
2. enhances the quality, setting and layout design of the development;
3. achieves an appropriate balance between the open space and built form of development;
4. provides effective screening to neighbouring uses where appropriate;
5. utilises plant species that are in sympathy with the character of the area and, in line with Policy ENV 7 'Climate change', takes account of the need for climate change mitigation and adaptation; and
6. makes satisfactory provision for the maintenance and aftercare of the scheme to make sure it reaches maturity and thereafter.

### Supporting information

**4.28** LPS Policy SE 4 'The landscape' looks at the landscape in general, specifies criteria to be met by development proposals and deals with local landscape designations. LPS Policy SE 6 'Green infrastructure' deals with the borough's green infrastructure assets that, linked together, create Cheshire East's unique landscape.

**4.29** Any residential development proposals should take full account of the Cheshire East Borough Design Guide supplementary planning document.

**4.29a** Recognising their ecological and amenity value and the role that they can play in climate change mitigation and adaptation, where appropriate, landscaping schemes should incorporate suitable tree planting which takes account of the site's location and conditions and reflects the function of the new trees (for example, woodland, screen belt, formal avenue, etc.)

### Related documents

- Cheshire East Landscape Character Assessment (2018, LUC) [ED 10]
- Cheshire East Local Landscape Designation Review (2018, LUC) [ED 11]
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- Cheshire East Borough Design Guide supplementary planning document (2017, Cheshire East Council and e\*SCAPE Urbanists)



## Trees, woodlands and hedgerows

### Policy ENV 6

#### Trees, hedgerows and woodland implementation

1. Development proposals should seek to retain and protect trees, woodlands and hedgerows.
2. The layout of the development proposals must be informed and supported by an arboricultural impact assessment and/or hedgerow survey. Trees, woodlands and hedgerows considered worthy of retention should be sustainably integrated and protected in the design of the development to ensure their long term survival.
3. Where the loss of significant trees is unavoidable it must be compensated for on the basis of at least three replacement trees for every tree removed.
4. Replacement trees, woodlands and/or hedgerows must be integrated in development schemes as part of a comprehensive landscape scheme. Where it can be demonstrated that this is not practicable, contributions to off-site provision should be made, prioritised in the locality of the development.

#### Ancient woodland

5. Appropriate buffers must be provided adjacent/around ancient woodland to avoid any harm to the woodland arising from new development. Development proposals on any site adjacent to ancient woodland must be supported by evidence to justify the extent of the undeveloped buffer proposed.

#### Ancient or veteran trees

6. Ancient or veteran trees must be retained in development schemes and, wherever possible, located in public open space. Retained veteran trees must be protected through a management plan in accordance with Natural England guidelines (Veteran Trees: A Guide to Good Management).

#### Hedgerows

7. Hedgerows deemed to be important under the Hedgerow Regulations 1997 must be retained and their loss, by exception, would require a particularly compelling justification.

### Supporting information

**4.30** LPS Policy SE 5 'Trees, hedgerows and woodland' discusses the role that woodland, trees and hedgerows play as important visual and ecological assets and the role they play in mitigating climate change. LPS Policy SE 3 'Biodiversity and geodiversity' adds further detail from an ecological perspective and LPS Policy SE 6 'Green infrastructure' deals with all aspects of green infrastructure of which trees, hedgerows and woodland are key elements, often providing connectivity and supporting health and well-being.

**4.31** Trees can offer many environmental, economic, social and climatic benefits by improving air quality, by acting as filters to pollution, absorbing CO<sub>2</sub> and therefore playing a key part in mitigating climate change. Trees provide shade, helping to reduce the urban heat island effect and help control water flow through the environment. They also contribute to biodiversity, amenity and provide benefits that help improve health and well being and improvements to quality of life.

**4.32** Trees, woodlands and hedgerows contribute to the identified landscape character and townscapes of Cheshire East and their retention and proper management is essential in maintaining local distinctiveness. The council will seek to retain and protect important trees, hedgerows and



woodlands that are significant in terms of their amenity, cultural, biodiversity, landscape and heritage value. Where necessary the council will make Tree Preservation Orders (TPOs) in order to retain individual trees, groups of trees and woodlands that make a significant contribution to the amenity of an area or are likely to do so in the future.

**4.33** Developers should carry out an assessment of potential development sites at an early stage to make sure that existing trees are identified and taken into consideration in the layout design of any future development proposal. The council will take into account the ultimate mature size of trees and their relationship to buildings and private amenity space to avoid future conflict with residential amenities. Where existing trees are likely to be affected by proposed development, an arboricultural impact assessment in accordance with BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012) (and any subsequent revisions) shall be submitted in support of any planning application.

**4.34** Contributions to off-site replacement trees will be calculated using an appropriate cost equivalent replacement calculation agreed with the council, such as capital asset valuation of amenity trees (CAVAT). Compensation for the loss of woodland due to the impact of development shall be calculated in accordance with the DEFRA biodiversity offsetting metric referred to in Policy ENV 2 'Ecological implementation'.

**4.35** Proposed new planting on development sites should seek to increase overall canopy cover and make sure that tree species are selected to be in keeping with the urban and rural character of the area. Where appropriate, consideration should be given to planting species that provide resilience to climate change and make provision for wider environmental benefits including improvements to biodiversity, local air quality and flood prevention.

**4.36** Ancient woodlands, including plantations on ancient woodland sites, and semi-natural woodland protected as a local wildlife site covered by Section 41 of the Natural Environment and Rural Communities Act 2006, are highly valuable and sensitive to a number of indirect impacts associated with development. Ancient woodlands receive protection through LPS Policy SE 3 'Biodiversity and geodiversity' criterion (4) and paragraph 175(c) of the NPPF. Woodland is also an important element of LPS Policy SE 6 'Green infrastructure' and is part of the ecological network in criterion (3.x).

**4.37** Ancient or veteran trees have cultural, historical, landscape and nature conservation value because of their age, size or condition and are irreplaceable. As such, their loss or harm will not be permitted, and they should be sensitively integrated into schemes. Where trees are found to have potential veteran status they shall be assessed in accordance with the Natural England Specialist Survey Method for Veteran Trees and, where appropriate, shall be subject to a long term management plan in accordance with Natural England guidance.

**4.38** Ancient woodland must be protected from harm by an appropriate undeveloped buffer zone, the extent of which must be justified and reflect current standing advice.

**4.39** Development sites that include existing woodland must be supported by detailed management proposals to ensure the long term sustainable retention and enhancement of woodland.

**4.40** Hedgerows are a traditional form of field boundary, a distinctive feature of the countryside of Cheshire East, and are a habitat subject of a biodiversity action plan. Where there are existing agricultural hedgerows that are more than 30 years old and are proposed to be removed as part of a development proposal, the hedge should be assessed against the criteria in the Hedgerow Regulations 1997 in order to determine if it qualifies as 'important' under the Regulations.

**4.41** The government's 25 year plan to improve the environment stresses the importance of net environmental gain. The requirement of three replacement trees for every tree removed ensures this net gain. A two for one replacement would not result in net gain should one of the replacement trees fail to reach maturity, resulting in one for one replacement only.



## Related documents

- The Hedgerow Regulations 1997
- BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations (2012, BSI)
- The UK Forestry Standard: The Government's Approach to Sustainable Forestry (2017, Forestry Commission)
- Tree Species Selection for Green Infrastructure: A Guide for Specifiers (2018, Trees and Design Action Group)
- Ancient Woodland, Ancient Trees and Veteran Trees: Protecting them from Development (2018, Natural England and the Forestry Commission)
- Trees in the Townscape: A Guide for Decision Makers (2012, Trees and Design Action Group)
- Veteran Trees: A Guide to Good Management (2000, English Nature)
- A Green Future: Our 25 Year Plan to Improve the Environment (2018, HM Government)
- Biodiversity Net Gain: Good Practice Principles for Development (2017, CIEEM, CIRIA and IEMA)

## Climate change

### Policy ENV 7

#### Climate change

1. **Climate change mitigation and adaptation:** Development proposals should incorporate measures that can adapt and/or demonstrate resilience to climate change and mitigate its impacts. Development proposals should:
  - i. maximise opportunities for both natural heating and ventilation and also reduce exposure to wind and other elements through the orientation and location of buildings;
  - ii. incorporate measures such as solar shading, thermal mass, heating, cooling, ventilation and appropriately coloured materials in areas exposed to direct sunlight, green and brown roofs and green walls;
  - iii. incorporate blue and green infrastructure, trees and other planting, to provide opportunities for cooling, shading of amenity areas, buildings and streets and to help to connect habitats, using native plants that are carefully selected so they can be managed and sustained to meet the predicted changed climatic conditions;
  - iv. include, where possible, opportunities for the growing and sourcing of local food supplies (such as allotments and other community schemes);
  - v. incorporate measures that reduce the need to travel and/or support sustainable travel initiatives in line with LPS Policy CO 1 'Sustainable travel and transport';
  - vi. incorporate water efficiency measures and include appropriate sustainable drainage systems (SuDS) to minimise and manage surface water runoff and its impacts in line with LPS Policy SE 13 'Flood risk and water management' and SADPD Policy ENV 16 'Surface water management and flood risk';
  - vii. implement opportunities to retrofit resistance and resilience measures into the existing building stock;
  - viii. minimise the generation of waste and energy consumption in the design, construction, use and life of buildings and promote more sustainable approaches to waste management, including the reuse and recycling of construction waste and the promotion of layouts and designs that provide adequate, well-designed space to facilitate waste minimisation, reuse, recycling and composting; and
  - ix. provide space for physical protection measures and/or make provision for the future relocation of vulnerable development and infrastructure, where demonstrated as necessary to ensure the future resilience of communities and infrastructure to climate change impacts.



2. **Energy efficiency:** Development Proposals should optimise energy efficiency measures in line with LPS Policy SE 9 'Energy efficient development'. New build residential development should achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 Edition of the 2010 Building Regulations (Part L) unless this is superseded by an updated building regulations requirement requiring a higher environmental performance standard or where applicants can demonstrate that it is not viable or feasible to meet the standards.
3. **Decentralised, Renewable and Low Carbon Energy Sources:** Development proposals should optimise the use of decentralised energy, renewable or low carbon energy sources in line with LPS Policy SE 8 'Renewable and low carbon energy' and LPS Policy SE 9 'Energy efficient development' with reference to the following minimum standards:
  - i. in line with criterion 2 of LPS Policy SE 9 'Energy efficient development' non residential development over 1,000 sq.m. is expected to secure at least 10% of its predicted energy needs from decentralised, renewable or low carbon sources, unless not feasible or viable; and/or
  - ii. all 'major' residential development schemes should provide for at least 10% of their energy needs from renewable or low carbon energy generation on site unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable.

### Supporting information

**4.41a** The Climate Change Act 2008 introduced a legally binding target for the UK to reduce greenhouse gases by 80% by 2050, against a 1990 baseline. In June 2019, the UK committed to cut emissions to a net zero target by 2050 (relative to the 1990 baseline). The council, in May 2019, committed to be carbon neutral by 2025 and has prepared an Environment Strategy as part of a package of measures to detail how this commitment will be met. The council encourages all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumption and by promoting healthy lifestyles.

**4.42** The planning system has a critical role to play in addressing climate change, in terms of both mitigating its effects and shaping places to cope with its impacts. This policy, building on policies in the LPS and the content of the Environment Strategy, in combination with other policies in the plan, is designed to make sure that development and use of land in the borough contributes to the mitigation of, and adaptation to, climate change impacts. Climate change mitigation measures can also add to the sense of place and the design quality of development. The policy is consistent with the government's commitment to a more sustainable construction sector in the Industrial Strategy Construction Sector Deal (2018), including its mission to at least halve the energy use of new buildings by 2030.

**4.42a** In line with LPS Policy SE 8 'Renewable and low carbon energy', the council will look favourably upon development that follows the principles of the Energy Hierarchy, and seeks to achieve a high rating under schemes such as BREEAM (for non-residential development), CEEQUAL (for public-realm development) and Building for Life.

**4.43** The need to mitigate the effects of and adapt to the impacts of climate change should be considered at an early stage in formulating development proposals so appropriate design measures can be incorporated into it to help address these important issues. Many measures, if considered at an early stage, can be included at little or no additional cost in the design and layout of development proposals.

**4.43a** Information on how a proposal seeks to meet energy efficiency and decentralised energy, renewable and/or low carbon energy standards will need to be provided upfront at the planning application stage through an energy/sustainability statement. The submission will form part of the validation process. The new standards will be applied through planning conditions attached to any





permission granted. If sufficient evidence is not submitted at this stage, or during the life of a planning application, a pre-commencement planning condition will be attached to any planning permission to confirm that the development will be able to achieve the required standard prior to construction starting.

**4.43b** Where viability or feasibility assessments are submitted by an applicant in response to the standards set in the policy, they will be evaluated independently with the cost being borne by the applicant.

### Related documents

- Local Plan Site Allocations and Development Policies Viability Assessment (2020, HDH Planning and Development) [ED 52]
- Cheshire East Energy Framework (2015, Cheshire East Council)
- Climate Change and Sustainable Energy Planning Research (2011, LDA Design)
- Industrial Strategy Construction Sector Deal (2018, HM Government)
- Cheshire East Council Environment Strategy 2020-2024 (2020, Cheshire East Council)

## Energy

### Policy ENV 8

#### District heating network priority areas

1. The areas within the settlement boundaries of Crewe and Macclesfield, as defined by the adopted policies map, are identified as district heating network priority areas.
2. Development in district heating network priority areas or in large scale development elsewhere should contribute to the development of a strategic district heating network in accordance with LPS Policy SE 9 'Energy efficient development', unless it is demonstrated that this is not feasible or viable. Consideration should be given to opportunities to connect into an existing network or to establish a new network to serve both the proposed development and surrounding land uses.

### Supporting information

**4.44** LPS Policy SE 9 'Energy efficient development' states that the SADPD will identify district heating priority areas.

**4.45** In line with the Cheshire East Energy Framework (2015), the council is undertaking heat network feasibility work for two principal towns in the borough: Crewe and Macclesfield. This work is continuing through the European Local Energy Assistance programme. These are the areas with the highest potential for heat networks, with high heat density as identified in the national heat map (2010-2018). It is anticipated that this work will be extended to other areas of the borough during the life of the plan, which will be addressed in subsequent plan reviews.

### Related documents

- Cheshire East Energy Framework (2015, Cheshire East Council)
- Crewe Town Centre Detailed Feasibility Study (Heat Mapping and Masterplanning) (2015, AECOM)
- Macclesfield Town Centre Heat Network Detailed Feasibility Study (2017, Arup)
- Cheshire East Council Carbon Neutrality Action Plan 2020-2025 (2020, Cheshire East Council)
- National Heat Map (2010-2018) (2010, Centre for Sustainable Energy)



## Policy ENV 9

### Wind energy

1. In accordance with LPS Policy SE 8 'Renewable and low carbon energy' criterion (5), proposals for wind energy development, involving one or more wind turbines, will only be considered as suitable where they meet all of the following criteria:
  - i. proposals are located outside of those areas identified on the adopted policies map as being highly sensitive to wind energy development, including local landscape designations, the Peak District National Park fringe and their settings;
  - ii. proposals do not adversely affect the integrity of international ecological designations<sup>(5)</sup> listed in LPS Policy SE 3 'Biodiversity and geodiversity';
  - iii. the impacts of the proposed wind energy development on key landscape characteristics are minimised. This means of a scale and type where landscape sensitivity to wind energy development has been identified as being 'low to moderate' or 'moderate' in impact in the Landscape Sensitivity to Wind Energy Developments (2013) study;
  - iv. the individual and cumulative impact of schemes is acceptable in line with the landscape, ecological, amenity and operational factors set out in LPS Policy SE 8 'Renewable and low carbon energy'. Proposals should not have an impact on air traffic safety or give rise to unacceptable harm to the natural or historic environment, heritage assets and their settings; and
  - v. sufficient distance can be maintained between the proposal and sensitive receptors to protect amenity, particularly with respect to noise and visual impacts.
2. Applications for wind energy development should also include:
  - i. an assessment of shadow flicker or reflected light that might affect nearby land uses and/or properties. This assessment should also look to identify appropriate mitigation measures;
  - ii. details of associated infrastructure including connection to the electricity network and the suitability of the access routes to the proposed site for construction and operation of the proposed use;
  - iii. a landscape appraisal or landscape visual impact assessment (when environmental impact assessment is required) that should carefully consider cumulative impacts;
  - iv. details of consultation with statutory bodies and infrastructure providers, as appropriate;
  - v. an appraisal of how any proposal responds to the general design principles set out in the Landscape Sensitivity to Wind Energy Developments study; and
  - vi. details of what will be decommissioned and removed from the site at the end of its operational use through a decommissioning method statement. Planning conditions and/or legal agreements will be used to secure these.

### Supporting information

**4.46** Planning applications for wind energy development will also be considered alongside national planning policy as a material consideration. The NPPF (footnote 49) and LPS Policy SE 8 'Renewable and low carbon energy' say, amongst other things, that proposed new wind turbines (except where they involve repowering of existing turbines) should not be considered acceptable unless, following consultation, it can be demonstrated that the planning impacts identified by the local community have been fully addressed and the proposal has their backing.

<sup>5</sup> Including Special Protection Areas, Special Areas of Conservation, Ramsar sites and any potential Special Protection Areas, candidate Special Areas of Conservation or proposed Ramsar Sites.



**4.47** The turbine heights and cluster sizes that apply to this policy are shown below in Table 4.1 'Turbine heights and cluster sizes'.

**Table 4.1 Turbine heights and cluster sizes**

Turbine height (to blade tip)	
Very small turbines	Approximately 15 to 25 metres excluding roof mounted turbines
Small turbines	Approximately 26 to 50 metres
Medium turbines	Approximately 51 to 75 metres
Large turbines	Approximately 76 to 110 metres
Very large turbines	Approximately 111 to 150 metres (plus)
Turbine cluster size	
Small scale clusters	Up to 5 turbines
Medium scale clusters	6 to 10 turbines
Large scale clusters	11 to 25 turbines
Very large scale clusters	26 turbines and over

**4.48** This policy has been informed by the Climate Change and Sustainable Energy Planning Research (2011) and the Landscape Sensitivity to Wind Energy Developments (2013) study. The climate change and sustainable energy study describes the potential sources of renewable energy in the borough taking account factors such as wind speeds and the presence of high level constraints.

**4.49** The landscape sensitivity study is based on an assessment of landscape character using carefully defined criteria and provides guidance on design and layout of schemes to minimise impacts on the landscape. Together, these studies provide useful guidance for preparing and considering proposals for wind development, and should be read alongside this policy.

**4.50** The landscape sensitivity study identifies areas where the sensitivity of the landscape to wind development is likely to be greatest and areas where impacts may be more moderate. Proposals for very large and large wind turbines are unlikely to be acceptable anywhere in the borough due to the sensitivity of the landscape. In addition, applications for wind energy development in high landscape sensitivity areas will not normally be permitted.

**4.51** The clustering of turbines in particular concentrations can be damaging to the landscape. As such, proposals for large and very large scale clusters of turbines are unlikely to be acceptable anywhere in the borough due to the sensitivity of the landscape.

**4.52** Proposals for small or medium turbines in single free standing units or small groups may be acceptable in areas where landscape sensitivity has been identified as being low-moderate or moderate (there are no areas of low sensitivity) and when considered against all aspects of this policy and alongside LPS Policy SE 8 'Renewable and low carbon energy'. Table 6.1 of the Landscape Sensitivity to Wind Energy Developments study summarises the overall landscape sensitivity across landscape character type areas across the borough.

**4.53** However, in all areas there will be characteristics in the landscape that are sensitive to wind energy development and applicants should demonstrate how impacts, including cumulative impacts, would be acceptably minimised through siting, layout and design. Guidance on such factors can be found in appendices 1 and 2 of the Landscape Sensitivity to Wind Energy Developments study.

**4.54** Applicants are encouraged to initiate consultations with airport operators and Jodrell Bank, where necessary, prior to the submission of planning applications.



**4.55** The presence and operation of wind turbines can present issues for aviation. The amount of interference depends on the number and size of wind turbines, construction materials, location and on the shape of the blades. The most significant impacts are likely to arise in connection with large turbines, but smaller installations can also have impacts and need to be assessed. Where consultations with the relevant operators identify that there may be impacts on air traffic safety then proposals will not be supported.

**4.56** In line with LPS Policy SE 14 'Jodrell Bank' and Policy HER 9 'World heritage site', development proposals within the Jodrell Bank Observatory Radio Telescope Consultation Zone/World Heritage Site Buffer Zone that impair the efficiency of the telescope or have an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Observatory Radio Telescope will not be supported.

**4.57** Applicants are encouraged to carry out pre-application consultation with the local community, for all planning applications for wind development involving more than two turbines or where the hub height of any turbine exceeds 15 metres. Details of the consultation should be agreed with the local planning authority in advance. In larger scale developments, regular site liaison committees should be held, where there is interest from local residents.

**4.58** Proposals for wind turbines in the Green Belt constitute inappropriate development. In such cases developers will need to demonstrate very special circumstances in accordance with national policy.

**4.59** Onshore wind turbines typically have a design life of 25 years and so planning conditions and/or legal agreements will be used to address issues such as decommissioning and removal.

**4.60** LPS Policy SE 15 'Peak District National Park fringe' notes the value of the Peak District National Park as an asset of national, regional, and local importance and this policy will seek to protect the setting of the national park, where development comprises its statutory designation and purpose.

**4.61** Prospective applicants are encouraged to contact the relevant water undertaker to consider the effects in public water supply catchment land so as to minimise potential impacts.

#### **Related documents**

- Climate Change and Sustainable Energy Planning Research (2011, LDA Design)
- Landscape Sensitivity to Wind Energy Developments (2013, LUC)

### **Policy ENV 10**

#### **Solar energy**

#### **Solar farms/parks (ground mounted solar energy developments)**

Proposals for solar farms/parks should meet the requirements of LPS Policy SE 8 'Renewable and low carbon energy', alongside the following criteria:

1. Proposals should be sited on previously developed land wherever possible, in line with LPS Policy SE 2 'Efficient use of land'. Development on previously developed land in close proximity to the electricity grid will be supported.
2. Proposals should avoid the loss of best and most versatile agricultural land in line with Policy RUR 5 'Best and most versatile agricultural land'. Where proposals are sited on agricultural land, land around the structure should be maintained to be used for livestock grazing or other agricultural use, wherever possible.
3. Individual and cumulative impacts of schemes will be considered in line with the landscape, ecological, amenity and operational factors set out in LPS Policy SE 8 'Renewable and low



carbon energy'. This may also include the requirement of a glint and glare assessment, where necessary. Mitigation measures will be used to address any identified impacts, as and when appropriate.

4. Associated development and buildings such as access roads, security perimeter fencing and CCTV, inverter cabinets, lighting and any buildings must be designed so as to minimise its visual impact, whilst ensuring that the development causes no risk to public safety.
5. Proposals should not have an impact on air traffic safety or give rise to unacceptable harm to the natural or historic environment, heritage assets and their settings.
6. Proposals should include a decommissioning statement, detailing the anticipated lifespan of the technology and how the removal of all structures and machinery will be delivered alongside the full restoration of the site.

#### **Photovoltaics for domestic and non-domestic buildings**

7. Where solar thermal and photovoltaics on domestic and non-domestic buildings do not fall within permitted development, these, particularly roof based schemes, will be encouraged where they do not conflict with other local planning policies, particularly in relation to the impact upon heritage assets, conservation areas and the principles set out in LPS Policy SE 8 'Renewable and low carbon energy'. Schemes will also be encouraged to maximise solar gain through appropriate layout, design and orientation.

#### **Supporting information**

**4.62** Applications for ground mounted solar energy developments must be supported by a landscape appraisal or, in the case of development requiring environmental impact assessment, a landscape and visual impact assessment. The scope of these should be agreed at the outset with the council. This should consider mitigation measures through layout, siting, design and screening. Wherever possible, hedgerows, trees, field patterns and strong boundary features should be used to mitigate the visual impact of solar energy developments. This should also consider any cumulative impacts.

**4.63** The presence and operation of solar panels can present operational issues for aviation. In addition to their potential for presenting a physical obstacle to air navigation, solar panels can present a hazard to aircraft through glint or glare impacts and potential interference with aeronautical communication navigation systems (CNS) equipment. Developers are encouraged to undertake thorough pre-planning application discussions with airport operators at the earliest stage of project planning. Where consultations with the relevant operators identify that there may be impacts on air traffic safety then proposals will not be supported.

**4.64** In line with LPS Policy SE 14 'Jodrell Bank' and Policy HER 9 'World heritage site', development proposals within the Jodrell Bank Radio Observatory Telescope Consultation Zone/World Heritage Site Buffer Zone that impair the efficiency of the telescope or have an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Observatory Radio Telescope will not be supported.

**4.65** Planning conditions/legal obligations will be used to make sure that the ground mounted solar energy developments installations are removed when no longer in use and the land is restored to its previous use.

#### **Related documents**

- Climate Change and Sustainable Energy Planning Research (2011, LDA Design)
- Cheshire East Council Carbon Neutrality Action Plan 2020-2025 (2020, Cheshire East Council)



## Policy ENV 11

### Proposals for battery energy storage systems

In line with LPS Policy SE 8 'Renewable and low carbon energy', proposals for battery energy storage systems will be supported where they assist with the balancing of the electricity grid and support renewable energy sources (such as wind and solar) alongside meeting the following criteria:

1. schemes should be located on previously developed land and/or in existing industrial areas, wherever possible, close to existing users who can make use of the heat and/or power generated;
2. proposals should avoid the loss of best and most versatile agricultural land in line with Policy RUR 5 'Best and most versatile agricultural land';
3. proposals should not adversely impact neighbouring land users, or the existing commercial/operational requirements of surrounding businesses;
4. the cumulative impacts of existing and proposed developments on the landscape, natural environment, amenity, operational use and surrounding users will be acceptable in line with LPS Policy SE 8 'Renewable and low carbon energy';
5. development should look to utilise existing power lines, structures and infrastructure, wherever possible. Where it can be demonstrated that this is not possible and new power lines and pipelines are proposed, their impact on the landscape must be acceptably minimised;
6. associated development and buildings such as access roads, security perimeter fencing and CCTV, inverter cabinets, lighting and any buildings must be designed so as to acceptably minimise its visual impact, whilst ensuring that the development causes no risk to public safety; and
7. planning conditions/legal obligations will be used to make sure that the installations are removed when no longer in use and the land is restored to its previous condition.

### Supporting information

**4.66** Battery storage facilities allow energy to be stored and released back into the network when energy demand is at its highest. Proposals should look to make best use of existing infrastructure, where possible, and engage with appropriate infrastructure providers at an early stage in the design of such schemes.

**4.67** In line with LPS Policy SE 14 'Jodrell Bank' and Policy HER 9 'World heritage site', development proposals within the Jodrell Bank Observatory Radio Telescope Consultation Zone/World Heritage Site Buffer Zone that impair the efficiency of the telescope or have an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Observatory Radio Telescope will not be supported.

### Related documents

- Climate Change and Sustainable Energy Planning Research (2011, LDA Design)
- Cheshire East Council Carbon Neutrality Action Plan 2020-2025 (2020, Cheshire East Council)



## Policy ENV 12

### Air quality

Proposals that are likely to have an impact on local air quality will be required to provide an air quality assessment (AQA). Where the AQA shows that the construction or operational characteristics of the development would cause harm to air quality, including cumulatively with other planned or committed development, planning permission will be refused unless measures are adopted to acceptably mitigate the impact.

### Supporting information

**4.68** This policy adds further detail to LPS Policy SE 12 'Pollution, land contamination and land instability', which seeks to make sure that all development is located and designed so as not to result in poor air quality.

**4.69** Every local authority in England and Wales has a statutory duty to review local air quality under the Environment Act 1995. The aim of the review process is to identify any areas where the government's national air quality standards and objectives for eight key pollutants (benzene; 1,3-butadiene; carbon monoxide; lead; nitrogen dioxide (NO<sub>2</sub>); sulphur dioxide; particulates (PM<sub>10</sub>); and ozone) are likely to be exceeded, to declare any such areas an air quality management area (AQMA) and then to prepare action plans to set out ways towards improving air quality in these areas.

**4.70** Cheshire East Council has declared 19 AQMAs. All the areas (with one exception) are declared on the basis of being likely to breach the air quality standard for the annual mean concentration of nitrogen dioxide. Further information on this, including maps of these areas, can be viewed on the council's website<sup>(6)</sup>. The council regularly produces updated screening assessments, progress reports and amendments to the air quality action plan that it has produced to try to improve air quality.

**4.71** An air quality assessment will be required where proposals are of a large scale and/or likely to have a significant or cumulative impact upon local air quality, particularly where development is located in or within relative proximity to an AQMA. The level of assessment will depend on the nature, extent and location of the development.

**4.72** Developments that introduce sensitive receptors (such as housing, schools, care homes, hospitals) in locations of poor air quality should take into account Policy ENV 15 'New development and existing uses', and will not be acceptable unless designed to mitigate the impact. Mitigation measures will need to be locationally-specific; will depend on the proposed development; and will be proportionate to the likely impact.

**4.73** The Low Emissions Strategy Partnership<sup>(7)</sup> provides advice on how large developments can minimise their air quality impacts, particularly in relation to reducing traffic emissions.

### Related documents

- Cheshire East Local Air Quality Strategy (2018, Cheshire East Council)
- Cheshire East Air Quality Management Areas Maps (Cheshire East Council)
- Cheshire East Air Quality Action Plan (2018, Cheshire East Council)
- Cheshire East Air Quality Annual Status Report (2019, Cheshire East Council)

6 [www.cheshireeast.gov.uk/environment/environmental\\_health/local\\_air\\_quality/aqma\\_area\\_maps.aspx](http://www.cheshireeast.gov.uk/environment/environmental_health/local_air_quality/aqma_area_maps.aspx)

7 [www.lowemissionstrategies.org/](http://www.lowemissionstrategies.org/)



- Guidance on Land-Use Planning and Development Control: Planning for Air Quality (2017, Institute of Air Quality Management)
- Guidance on the Assessment of Dust from Demolition and Construction (2014, Institute of Air Quality Management)

## Policy ENV 13

### Aircraft noise

The 2019 summer (mid-June to mid-September) average mode daytime  $L_{Aeq,16-hour}$  (07:00-23:00) noise contours published by Manchester Airport, as shown on the policies map, will be used for the purposes of planning application decision making until the number of air transport movements is equal or greater than that for 2019. The noise mitigation to achieve the requirements set out in the policy must assume the noise levels shown by these contours.

#### 1. Dwellings (houses, flats, bungalows and maisonettes):

- i. Planning permission for new dwellings will not normally be granted within areas subject to aircraft noise levels above the Significant Observed Adverse Effect Level (SOAEL)<sup>(8)</sup>.
- ii. Planning permission for new dwellings will be granted in areas subject to daytime aircraft noise levels between the Lowest Observed Adverse Effect Level (LOAEL)<sup>(9)</sup> and the SOAEL<sup>(8)</sup> where it is demonstrated by the applicant that:
  - a. the internal ambient noise levels under summertime conditions with windows closed (and with the necessary ventilation to prevent overheating and ensure good indoor air quality) shall not exceed the levels set out in BS8233:2014 (or any successor to this standard), which are repeated in the table below. The application should demonstrate that the acoustic design of the proposed development will achieve the below indoor ambient noise levels and has been developed in combination with ventilation and overheating strategies. The application should maximise natural ventilation, avoid overheating, minimise sound pollution and have good air quality in accordance with policy H1 of the National Design Guide and avoid a situation where occupants would have to choose between good internal ambient noise levels and thermal comfort or good indoor air quality<sup>(10)</sup>. The acoustic, ventilation and overheating strategies must not rely upon continuous mechanical extract (MEV) or continuous mechanical supply and extract with heat recovery (MVHR) ventilation systems that require energy use unless these can be powered by renewable energy generation within the development; and

Indoor ambient noise levels for dwellings			
Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq,16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$	-

8 SOAEL is currently considered to be 63 dB  $L_{Aeq,16hour}$  (07:00 -23:00).

9 LOAEL is currently considered to be 54 dB  $L_{Aeq,16hour}$  (07:00 -23:00).

10 The Acoustics, Ventilation and Overheating Residential Design Guide published by the Association of Noise Consultants provides advice to designers on adopting an integrated approach to the acoustic design within the context of the ventilation and thermal comfort requirements.





### Indoor ambient noise levels for dwellings

Activity	Location	07:00 to 23:00	23:00 to 07:00
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30 dB $L_{Aeq,16hour}$

- b. private gardens, sitting out areas and balconies that are intended to be used for relaxation that form an intrinsic part of the overall scheme are designed to achieve the lowest practicable noise level and will not exceed 55dB  $L_{Aeq,16hour}$  across a reasonable proportion of them.
- iii. Given that individual noise events can also cause sleep disturbance, where average mode summer night noise levels exceed 48 dB  $L_{Aeq,8hour}$ , planning permission will only be granted where applicants can demonstrate that a commensurate level of protection can be provided so that a maximum sound level of 45 dB  $L_{AF,max}$  in bedrooms during the summer (mid-June to mid-September) will not normally be exceeded more than ten times during a night (23:00 to 07:00). Typical aircraft  $L_{AF,max}$  noise levels may be determined either by a noise survey over a representative period (typically a number of weeks) or by noise modelling, in line with a methodology that should be first agreed with the council so that the application is based on suitable noise data.
- iv. Applications for sites affected by aircraft noise should be accompanied by a noise impact assessment. The noise assessment should highlight any noise mitigation measures and demonstrate:
  - a. a good acoustic design process;
  - b. that the indoor ambient noise levels set out in criterion 1(ii)(a) will be achieved;
  - c. that the external noise levels set out in criterion 1(ii)(b) will be achieved; and
  - d. any other relevant issues (e.g. how the acoustic design will avoid unintended adverse consequences on indoor air quality and overheating).

- 2. **Hotels and rooms for residential purposes (including student halls of residence, school boarding houses and hostels):** The requirement for achieving acceptable internal ambient noise levels (including for individual noise events) due to external noise ingress is the same as for dwellings. There are no requirements in respect of noise levels within external amenity areas.
- 3. **Hospices and residential care homes:** The requirement for achieving acceptable internal ambient noise levels (including for individual noise events) due to external noise ingress is the same as for dwellings. Due to the potential for residents of such developments to have difficulties with their hearing and limited mobility, schemes must incorporate easily accessible external amenity areas that are subject to noise levels at or below 55 dB  $L_{Aeq,16hour}$ .
- 4. **Educational development:** Planning permission will normally only be granted for schools and nursery schools if suitable noise control measures to achieve the internal noise levels set out in BB93: Acoustic design of schools - performance standards (or any successor) are demonstrated.
- 5. **Healthcare development:** Planning permission will normally only be granted for hospitals and other medical facilities with accommodation for patients if suitable noise control measures to achieve the internal noise levels set out in 'Table 1 Criteria for noise intrusion from external sources' of Health Technical Memorandum 08-01: Acoustics (or any successor) are demonstrated.
- 6. **Other noise sensitive development:** Planning permission will normally only be granted where the applicant demonstrates that the internal ambient noise levels will be suitable for the intended use.



## Supporting information

**4.74** This policy seeks to avoid significant adverse aircraft noise impacts on health and quality of life, and adequately mitigate and minimise adverse impacts on health and quality of life.

**4.75** Under normal circumstances, the application of this policy would be based on the latest available summer-time noise contours published annually by Manchester Airport. This is to make the policy reactive to changes in aircraft noise over time, due to factors such as growth in air transport movements and potential reductions in noise from individual aircraft due to technological improvements. However, the coronavirus situation since March 2020 has radically reduced the number of air transport movements into and out of Manchester Airport and it may be several years before movements return to pre-coronavirus levels again. Under these circumstances it is necessary to adopt the 2019 noise contours instead, which are the latest ones available prior to the advent of coronavirus, to prevent decisions being made based on atypically low aircraft noise levels. The policy allows the noise contours for a future year to be used when the number of air transport movements return to, or exceed, that recorded in 2019. The council will liaise with Manchester Airport to monitor this and will publicise through the Local Plan pages on its website and in the Authority Monitoring Report when this position is reached.

**4.75a** Planning Practice Guidance advises that for noise sensitive developments, mitigation measures can include avoiding noisy locations in the first place; designing the development to reduce the impact of noise from adjoining activities or the local environment; incorporating noise barriers; and optimising the sound insulation provided by the building envelope. It also advises that care should be taken when considering mitigation to ensure the envisaged measures do not make for an unsatisfactory development.

**4.75b** The council considers it important to avoid building homes that will result in additional carbon emissions through additional energy use associated with mechanical ventilation systems to mitigate aircraft noise. This approach is consistent with the statutory target set by the Climate Change Act 2008 for at least a 80% reduction of UK greenhouse gas emissions by 2050 (compared to 1990 levels) and the council's commitment to tackling climate change expressed through its Environment Strategy and Carbon Action Plan.

**4.76** It is recommended that an Acoustic Design Statement be prepared in accordance with ProPG to demonstrate good acoustic design with a focus on Element 2 – observing internal noise level guidelines. If relying on closed windows to meet the internal noise levels, the application would need to demonstrate how an appropriate alternative method of ventilation will be achieved that does not compromise the facade thermal insulation, summertime internal temperatures or the resulting noise level. There should be consistency between the method of ventilation (and operating mode) assumed for acoustic calculations, and the method of ventilation assumed for thermal analysis (especially overheating). For example, if the acoustic strategy relies upon closed windows then these conditions should also be adopted for the thermal analysis.

### Related documents

- Aircraft Noise Policy Background Report (2020, Jacobs) [ED 15]
- ProPG: Planning and Noise, New Residential Development (2017, Association of Noise Consultants, Institute of Acoustics and Chartered Institute of Environmental Health)
- Acoustics Ventilation and Overheating Residential Design Guide, Version 1.1 (2020, Association of Noise Consultants)
- BS 8233 Guidance on sound insulation and noise reduction for buildings (2014, British Standards Institute)
- BB93: Acoustic design of schools - performance standards (2015, Department for Education)
- Health Technical Memorandum 08-01: Acoustics (2013, Department of Health)
- BS EN 16798-1 Energy performance of buildings – ventilation for buildings part 1: Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics - Module M1 (2019, British Standards Institute)

- Cheshire East Council Environment Strategy 2020-2024 (2020, Cheshire East Council)
- Cheshire East Council Carbon Neutrality Action Plan 2020-2025 (2020, Cheshire East Council)
- National Design Guide (2019, MHCLG)



## Policy ENV 14

### Light pollution

Lighting schemes will be permitted provided the following criteria are met:

1. the amount of lighting is the minimum required for security, safety and/or operational purposes;
2. light spillage and glare will be minimised to an acceptable level;
3. the lighting is as energy efficient as possible; and
4. there will be no significant adverse effect individually or cumulatively on: residential amenity; pedestrians, cyclists and other road users; the character of the area; nature conservation; heritage assets; specialist facilities; and individuals and groups.

### Supporting information

**4.78** This policy complements LPS Policy SE 12 'Pollution, land contamination and land instability', which seeks to make sure all development is located and designed so as not to result in a harmful or cumulative impact on light pollution that would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm.

**4.79** There is increasing awareness of the impact light pollution can have on wildlife, such as disrupting migration, reproduction and feeding patterns. Light pollution can also affect the well-being of people, including through sleep disruption.

**4.80** Potential lighting schemes include, but are not limited to: housing developments; industrial developments; retail developments; equestrian development; illuminated advertisements and shop windows; private and school sports facilities; roads and footpaths; spaces for community use; and car parks.

**4.81** Proposals including significant external lighting will require a lighting impact assessment prepared by a lighting specialist. Where the council decides to grant planning permission, conditions may be used to mitigate any significant impact such as: hours of illumination; angle of lights; light levels; column heights; specification and colour; retention of screening vegetation; or use of planting and bunding.

**4.81a** Consideration will be given to whether any proposal will conflict with the needs of specialist facilities which require low level of lighting. Specialist facilities include, but are not limited to, airports, observatories and general aviation facilities. The proposals should also take into account the needs of particular individuals and groups where appropriate such as astronomers, the elderly and visually impaired.

**4.82** Particular attention should be paid to proposals involving additional lighting in/around conservation areas, or on/in proximity of listed buildings to prevent any harm arising to these historic assets; and to lighting proposals in rural areas which can significantly affect the character of a dark location.

### Related documents

- Guidance Notes for the Reduction of Light Pollution (2000, Institute of Lighting Engineers)



- Guidance Notes for the Reduction of Obtrusive Light (2020, Institute of Lighting Professionals)
- Night Blight: Mapping England's Light Pollution and Dark Skies (2016, CPRE)

## Policy ENV 15

### New development and existing uses

New development must effectively integrate with existing uses, and existing businesses and community facilities must not have unreasonable restrictions placed on them as a result of it. Where the operation of an existing business or facility could have a significant adverse effect on a proposed new development in its vicinity, the applicant shall submit appropriate information to demonstrate that such impacts will not arise or can be prevented through suitable mitigation measures. Where such impacts will arise and cannot be avoided through mitigation, planning permission will be refused.

### Supporting information

**4.83** Originally, the responsibility for managing and mitigating noise impacts and other sources of nuisances such as odour, dust, light pollution, air pollution, vibration and traffic has been placed on the existing use, regardless of how long it has been operating in the area. In some cases, this has led to newly-arrived residents complaining about such nuisances, which has resulted in existing businesses and community facilities having additional restrictions and some closing down. Businesses and community facilities include employment uses, places of worship, pubs, music venues, and sports clubs.

**4.84** Proposals for new sensitive development in close proximity to existing uses that generate noise or other nuisances must now follow the 'agent of change' principle. The agent of change principle places the responsibility for mitigating the impact of noise or other nuisance firmly on the proposed new development, thereby ensuring that users or residents of the new development are protected from the nuisance and existing uses are protected from complaints.

**4.85** The agent of change principle also works the other way. For example, if a new noise-generating use is proposed close to existing noise sensitive uses, such as residential development or businesses, the onus is on the new use to make sure the building or activity is designed to protect existing users or residents from the impacts. If a proposal cannot show to the satisfaction of the council that impacts would be mitigated and managed as part of the proposed new development, it will be deemed inappropriate.



## Policy ENV 16

### Surface water management and flood risk

1. Development proposals will be supported where they relate specifically to reducing the risk of flooding.
2. It should be demonstrated how surface water runoff can be appropriately managed. Surface water runoff should be managed to achieve:
  - i. on greenfield sites, at least no increase in runoff rates, and a reduction in rates where possible; and
  - ii. on previously developed sites, a reduction in existing runoff rates in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015) or any subsequent replacement standards.
3. Development proposals should manage and discharge surface water through a sustainable drainage system (SuDS). The preference will be for new development to incorporate surface level SuDS with multi-functional benefits, as opposed to underground tanked storage systems, for the management of surface water. If it is demonstrated that such a system cannot feasibly be achieved, then the following options may be implemented, in the priority listed:
  - i. an attenuated discharge to watercourse; or
  - ii. where (i) is demonstrated not to be feasible, an attenuated discharge to a highway drain<sup>(11)</sup> or public surface water sewer; or
  - iii. where (ii) is demonstrated not to be feasible, an attenuated discharge to a public combined sewer.
4. Approved development proposals will be expected to be supplemented by appropriate maintenance and management regimes for surface water drainage schemes.
5. Development in a critical drainage area must address and mitigate known risks in that area, where relevant and appropriate.
6. Development proposals should not result in the loss of open watercourse, and culverts should be opened wherever possible. The culverting of existing open watercourses will not be permitted unless it is adequately demonstrated that there is an overriding need to do so.
7. Watercourses and riverside habitats must be conserved and enhanced, where necessary, through management and mitigation measures.

### Supporting information

**4.86** LPS Policy SE 13 'Flood risk and water management' seeks to reduce flood risk in the borough, through directing development to those areas that are at lowest risk of flooding from all potential sources (sequential approach). In line with the requirements of the NPPF, in the first instance development should be situated in Flood Zone 1 (low risk). Where development in Flood Zone 1 cannot be accommodated, consideration should then be made towards siting development in Flood Zone 2. Development in Flood Zone 3 should only be proposed if there are no reasonably available alternative sites (subject to the exceptions test). Inappropriate development in Flood Zone 3b will not be permitted.

<sup>11</sup> Due to design limitations not all highways drains will be suitable points of discharge and due consideration will need to be given on a site specific basis.



**4.87** There is a requirement to consult with the appropriate risk management authority (e.g. the Environment Agency), and local water companies (e.g. United Utilities) for all sources of flooding.

**4.88** In demonstrating a reduction of surface water discharge on previously developed land, applicants should include clear evidence of existing positive connections from the site with associated calculations on rates of discharge. In relation to the reduction of greenfield runoff rates, applicants should include clear evidence of existing positive operational connections from the site with associated calculations on rates of discharge. This evidence is critical to make sure that development does not increase flood risk.

**4.89** Landscaping proposals should consider what contribution the landscaping of a site can make to reducing surface water discharge. This can include hard and soft landscaping such as permeable surfaces to reduce the volume and rate of surface water discharge.

**4.90** The treatment and processing of surface water is not a sustainable solution; surface water should be managed at source and not transferred, with every option investigated before discharging surface water into a public sewerage network. The expectation will be for only foul flows to communicate with the public sewer. Applicants wishing to discharge to public sewer will need to submit clear evidence demonstrating why alternative options are not available. A discharge to groundwater or watercourse may require the consent of the Environment Agency or Lead Local Flood Authority.

**4.91** However, it is not always appropriate to discharge surface water runoff from certain catchments to the environment prior to sufficient levels of treatment. Proposals for SuDS schemes should always be designed to incorporate sufficient treatment stages to make sure that the final discharge is treated to such a standard as is appropriate for the receiving environment. Further information is available from the Environment Agency in its groundwater protection guidance and position statements and The SuDS Manual (CIRIA). Approved schemes will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any surface water drainage schemes.

**4.92** Any development proposal that is part of a wider development/allocation should demonstrate how the site delivers foul and surface water drainage as part of a wider strategy, having regard to interconnecting phases of development. It will be necessary to make sure the drainage proposals are part of a wider, holistic strategy that coordinates the approach to drainage between phases, between developers, and over a number of years of construction. The applicant will be expected to include details of how the approach to foul and surface water drainage on a phase of development has regard to interconnecting phases in a larger site. Infrastructure should be sized to accommodate flows from interconnecting phases and drainage strategies should make sure a proliferation of pumping stations is avoided on a phased development. This will make sure that a piecemeal approach to drainage is avoided and that any early phases of development provide the drainage infrastructure to meet the needs of any later interconnecting phases of development. In delivering drainage as part of a wider strategy, applicants will be expected to ensure unfettered rights of discharge between the various parcels of development in a wider development to prevent the formation of 'ransom situations' between separate phases of development.

**4.93** The Canal & River Trust is not a land drainage authority and surface water discharges from developments into Canal & River Trust waterways are not granted as of right; where they are granted they will be subject to completion of a commercial agreement.

**4.94** A critical drainage area is defined in the Town and Country Planning (General Development Procedure) (Amendment) (No.2) (England) Order 2006 as "an area within flood zone 1 which has critical drainage problems and which has been notified...[to]...the local planning authority by the Environment Agency." The Environment Agency has not identified or allocated any critical drainage areas in Cheshire East.

**4.95** Development(s) shall be situated to avoid the risk of flooding. Where this cannot be achieved, any developments situated in areas at risk of flooding must be designed to make sure they are made safe for their lifetime and do not increase the risk of flooding onsite or elsewhere, taking into account the impact of climate change. Mitigation of flood risk shall be achieved by incorporating on-site



measures. Off-site measures shall only be considered where proposed on-site measures are inadequate or where no alternative can be provided. Examples of proposals that could reduce the risk of flooding include mitigation/defence/alleviation work, retro-fitting of existing development, and off-site detention/retention for catchment-wide interventions.

**4.96** The council's Local Flood Risk Management Strategy (2017) notes that culverting:

- can damage the ecology of a watercourse;
- introduces an increased risk of blockage, with a consequent increase in flood risk; and
- can complicate maintenance because access into the culvert is restricted (in some cases being classified as a confined space and requiring trained operatives and specialist equipment).

#### Related documents

- Preliminary Flood Risk Assessment (2011, Jacobs)
- Preliminary Flood Risk Assessment Addendum (2017, Cheshire East Council)
- Cheshire East Strategic Flood Risk Assessment (2013, JBA Consulting)
- Cheshire East Local Flood Risk Management Strategy (2017, Cheshire East Council)
- The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003
- Catchment Flood Management Plans (2009, The Environment Agency)
- Non-Statutory Technical Standards for Sustainable Drainage Systems (2015, DEFRA)
- Groundwater protection guidance documents (The Environment Agency and DEFRA)
- Position statements: The Environment Agency's Approach to Groundwater Protection (2018, The Environment Agency)
- The SuDS Manual (2015, CIRIA)
- Surface Water Drainage (2015, The Canal & River Trust)

### Policy ENV 17

#### Protecting water resources

1. Development proposals will not be permitted that are likely to have a detrimental impact on the flow or quality of groundwater or surface water.
2. Any proposals for new development within groundwater source protection zones must accord with the Environment Agency guidance and position statement as set out in its document entitled 'The Environment Agency's approach to groundwater protection', or any subsequent iteration of the guidance. New development within groundwater source protection zones will be expected to conform to the following:
  - i. Master planning may be required to mitigate the risk of pollution to public water supply and the water environment. For residential proposals within source protection zone 1, pipework and site design will be required to adhere to a high specification to ensure that leakage from sewerage systems is avoided.
  - ii. Appropriate management regimes to secure open space features in the groundwater protection zone.
  - iii. A quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection will be required to manage the risk of pollution to public water supply and the water environment.
  - iv. Construction management plans will be required to identify the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters.



## Supporting information

**4.97** This policy supplements LPS Policy SE 12 'Pollution, land contamination and land instability' and makes explicit the protection of groundwater and surface water in terms of both their flow and quality. Our water resources provide drinking water, sustain crucial habitats for many different types of wildlife, and are an important resource for industry and recreation. Protecting and improving the water environment is an important part of achieving sustainable development and is vital for the long term health, well being and prosperity of everyone.

**4.98** The Environment Agency has defined groundwater source protection zones for groundwater sources, which are often used for public drinking water supply purposes. These source protection zones signify where there may be a particular risk from polluting activities on or below the land surface. The prevention of pollution to drinking water supplies is critical.

**4.99** Any risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage systems (pipework, trenches, manholes, pumping stations and attenuation features).

**4.100** The policy supports the EU Water Framework Directive (2000/60/EC), transposed into national law through The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003. They look to prevent deterioration of all water bodies (groundwater and surface waters) and to improve them with the aim to meet 'good status' or 'good ecological potential' by 2027.

**4.101** Groundwater provides a third of England's drinking water and must therefore be kept free from harmful pollution. The Environment Agency identifies source protection zones (SPZs). These signal that there are likely to be particular risks posed to the quality or quantity of water obtained, should certain activities take place nearby. There are a number of SPZs in the borough. When assessing proposals for development, reference should therefore be made to the Environment Agency's groundwater source protection zones map together with the Environment Agency's groundwater protection guidance documents to make sure any impact of development on groundwater quality in the area is properly considered and controlled.

**4.102** Development proposals on sites within a groundwater source protection zone must demonstrate that there will be no risk to the source during construction or post-construction stages.

### Related documents

- Groundwater Source Protection Zones (2019, The Environment Agency)
- Groundwater protection guidance documents (The Environment Agency and DEFRA)
- Position Statements: The Environment Agency's Approach to Groundwater Protection (2018, The Environment Agency)
- The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003





# 5

## The historic environment



## 5 The historic environment

**5.1** Cheshire East has one of the richest historic legacies in the north of England. Renowned for its numerous stately homes and extensive gardens and parkland, the borough has a magnificent heritage that the SADPD seeks to preserve and enhance. Heritage plays an important role in the quality and character of the borough, and so this section has strong linkages to other policy areas such as the economy and environment.

### Policy HER 1

#### Heritage assets

1. All proposals affecting heritage assets and their settings must be accompanied by proportionate information that assesses and describes their impact on the asset's significance. This must demonstrate a thorough understanding of the significance of the heritage asset and its setting, including (but not limited to) its historic form, fabric, character, archaeology and any other aspects that contribute to its significance. This should have regard to and reference, where relevant:
  - i. the Cheshire Historic Environment Record;
  - ii. relevant conservation area appraisals;
  - iii. the Cheshire Historic Landscape Assessment;
  - iv. the Cheshire Historic Towns Survey;
  - v. national sources; and
  - vi. original survey and field evaluation.
2. Where works of structural alteration to a heritage asset are proposed, the application must be accompanied by an adequate structural engineer's report and method statement of the impact of the works and how it will be carried out.

#### Supporting information

**5.2** Heritage assets include conservation areas; listed buildings; scheduled monuments; registered parks and gardens; registered battlefields; world heritage sites; areas of archaeological interest; locally listed buildings; other locally important assets not on the local list; locally significant historic parks and gardens; and other locally important heritage landscapes.

**5.3** Great weight must be given to the conservation of heritage assets. The more significant the asset, the greater the weight that must be given to its conservation. Crucial to the conservation and enhancement of heritage assets is an understanding of what makes them significant, and how the setting contributes to that significance.

**5.4** Significance is the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For a world heritage site, the cultural value described within its statement of outstanding universal value forms part of this significance. Significance can relate to a single asset such as a building or archaeological site, or a larger historic area such as a whole village or landscape.

**5.5** Designated heritage assets such as conservation areas, listed buildings, scheduled monuments, registered parks and gardens, registered battlefields and world heritage sites can make a significant contribution to local character and are statutorily protected from development that is inappropriate in scale, design, materials, details and form.



## Related documents

- Cheshire Historic Environment Record (Cheshire Archaeology Planning Advisory Service)
- Cheshire Historic Towns Survey (2003, Cheshire County Council and English Heritage)
- The Cheshire Historic Landscape Characterisation (2008, Cheshire County Council and English Heritage)
- Conservation area character appraisals (Cheshire East Council)
- National Heritage List for England (Historic England)
- Local List of Historic Buildings supplementary planning document (2010, Cheshire East Council)
- Cheshire East Borough Design Borough Design Guide supplementary planning document (2017, Cheshire East Council)

## Policy HER 2

### Heritage at risk

1. New development should identify specific opportunities where heritage assets have been identified as being at risk, and make provision to secure their future through repair and re-use, enabling them to contribute to place-making.
2. Applications for the positive reuse of heritage assets will be supported.
3. Where there is evidence of deliberate neglect of and/or damage to a heritage asset the deteriorated state of that asset will not be taken into consideration when making a decision on a development proposal.
4. Where a development site contains a listed building identified as being at risk, proposals should be phased to secure its repair and re-use as early as possible in the development process, and in all cases before the use or occupation of any new buildings.

## Supporting information

**5.6** Heritage assets are a finite resource and are irreplaceable. Heritage assets can fall into disrepair and become at risk through neglect, decay or other threats. Where heritage assets are at risk, it will be important to take advantage of opportunities for their repair and re-use.

**5.7** New development should positively address heritage assets at risk. The council will monitor buildings and other heritage assets at risk through neglect, decay or other threats proactively seeking solutions for assets at risk through:

- discussions with owners;
- a positive approach to development schemes that would safeguard the future of a heritage asset at risk; and
- as a last resort, using its statutory powers.

**5.8** Heritage assets make a vital contribution to the environment and historic context of the borough. Any application involving the loss of a heritage asset must be supported by an adequate structural engineer's report as well as a report on the economic feasibility of repair and/or conversion instead of demolition. These reports should not take into account the personal circumstances of the owner, deliberate neglect or land value.

**5.9** The council is currently undertaking a review of all listed buildings, which will form the evidence base for the Cheshire East Buildings at Risk Register. This will include a strategy for how the council will proactively manage listed buildings.



**5.9a** For the avoidance of doubt, this policy does not allow for ‘enabling development’ that would usually be considered harmful. However, any resulting benefits from enabling development that outweigh harm may be a material consideration in the determination of planning applications.

### Policy HER 3

#### Conservation areas

1. Development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Proposals should take account of the established townscape and landscape character of the area and its wider setting, including (but not limited to):
  - i. local topography, landscape setting and natural features;
  - ii. existing townscape, local landmarks, views and skylines;
  - iii. the quality and nature of material, both traditional and modern;
  - iv. the established layout and spatial character of building plots, the existing alignments and widths of historic routes and street hierarchy (where physically and historically evident);
  - v. the contribution that open areas make to the special character and appearance of the conservation area;
  - vi. the scale, height, bulk and massing;
  - vii. architectural historical and archaeological features and their settings;
  - viii. the need to retain historic boundary and surface treatments;
  - ix. the local dominant building materials;
  - x. the building typology that best reflects the special character and appearance of the area, features and detailing;
  - xi. minimising and mitigating the loss of trees, hedgerows and other landscape features; and
  - xii. any positive improvements in the quality of the historic environment as a result of the development.
2. Proposals for the demolition of a building or group of buildings that positively contribute to the character or appearance of a conservation area will not be supported unless:
  - i. the harm or loss is outweighed by the public benefits of an approved replacement scheme; and
  - ii. the building is structurally unsound and its repair is not economically feasible; and
  - iii. alternative uses for the building have been investigated.

#### Supporting information

**5.10** National policy encourages local planning authorities to look for opportunities for new development in conservation areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the area and its setting will be treated favourably.

**5.11** Cheshire East has a large number of conservation areas, each with particularly distinctive or important historic environment features and significance. Development within or affecting the setting of conservation areas will be supported where it responds positively to local character, distinctiveness and history; reflects the identity and materials; and preserves or enhances its character and appearance.



**5.12** Site specific design guidance through development briefs should inform new development within the setting of conservation areas. The Cheshire East Design Guide should be used alongside to inform the correct approach. Development briefs will encourage new development in historic environments that complements the established grain, settlement pattern and overall character, ensuring the new development makes a positive contribution to the significance of the conservation area.

**5.13** Many conservation areas within Cheshire East have a sylvan character and therefore development that would erode this character, through subdivision of existing large plots or the over development of plots is unlikely to be supported.

**5.14** In many cases, buildings that make a positive contribution will be identified specifically within conservation area appraisals. Buildings making a positive contribution to the significance of a conservation area may or may not be identified on the Cheshire East Local List of Historic Buildings.

**5.15** Where consent for demolition of buildings within a conservation area is granted, conditions will be attached to make sure that no demolition can take place until the buildings are appropriately recorded before demolition, in accordance with 'A Guide to Good Recording Practice' (2016, Historic England). A copy of this record should be submitted to the local authority's Historic Environment Record.

**5.16** Planning applications for development within conservation areas should be submitted as full applications because outline applications do not usually offer sufficient information to make an informed judgement of the likely visual impact of a proposal on its surroundings.

**5.17** Article 4 Directions may also be used to manage change in conservation areas.

#### **Related documents**

- Conservation area character appraisals (Cheshire East Council)
- Understanding Historic Buildings: a Guide to Good Recording Practice (2016, Historic England)
- Cheshire East Borough Design Guide supplementary planning document (2017, Cheshire East Council and e\*SCAPE Urbanists)
- Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1 (2019, Historic England)



## Policy HER 4

### Listed buildings

1. Development proposals affecting a listed building or its setting will be expected to preserve and enhance the asset and its setting wherever possible.
2. Applications affecting a listed building involving alterations (including partial demolition and extensions) and development in its setting will only be supported where:
  - i. any extensions respect the architectural detail, appearance, character and scale of the existing building;
  - ii. the proposal would retain the identity of the original listed building (usually remaining subservient to it) and avoid harm to its setting;
  - iii. the listed building's architectural features and historic interest are preserved;
  - iv. the original plan form, roof construction and interior features as well as the exterior of the building is retained; and
  - v. the listed building or structures, and any curtilage listed structures or features of special architectural or historic landscape interest are retained.
3. Proposals involving the demolition of listed buildings or structures will not be supported unless exceptional circumstances can be clearly demonstrated.
4. Proposals for the change of use or conversion of a listed building will be supported where:
  - i. the building's architectural features and historic significance are preserved;
  - ii. it can accommodate the new use without changes that harm its character or historic significance (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and
  - iii. the intended use (or associated development) of the building does not detract from its significance.
5. New development affecting the setting of listed buildings should preserve and enhance the setting, taking into account all relevant issues, including (but not limited to):
  - i. topography, landscape setting and natural features;
  - ii. existing townscapes, local landmarks, views and skylines;
  - iii. the need to retain trees;
  - iv. removal of harmful features that have an adverse impact;
  - v. the quality and nature of materials, both traditional and modern;
  - vi. established layout and spatial character;
  - vii. architectural, historical and archaeological features and their settings; and
  - viii. the need to retain historic boundary and surface treatments.

### Supporting information

**5.18** LPS Policy SE 7 'The historic environment' seeks to make sure that development proposals protect, preserve and (wherever possible) enhance listed buildings. Development will be required to respect and respond positively to designated heritage assets and their setting, avoiding loss or harm to their significance.

**5.19** There are around 2,638 listed buildings in Cheshire East, which form an important part of the borough's heritage. Alterations to listed buildings must be sympathetic and maintain the architectural and historic integrity of the buildings and their settings. The listed buildings are/will be identified on the borough list held by Historic England.



**5.20** Where applications for alteration (or, exceptionally, demolition) of listed buildings are approved, conditions will be attached to require the recording of the buildings prior to works taking place, in accordance with Historic England guidance on recording buildings.

**5.21** In the cases where, exceptionally, demolition is permitted, conditions will also be attached regarding the storage of materials and features for their re-use, and requiring no demolition to take place until a scheme for redevelopment has been approved and a contract for the works has been made. This will also apply to any curtilage buildings of the listed building or structures.

**5.22** Heritage assets are irreplaceable. All development should seek to avoid harm to heritage assets and their settings. The setting of a heritage asset includes adjacent development and the wider surroundings. This may relate to landscaping, trees, open spaces and other features that add to the significance of the site or structure.

### Related documents

- National Heritage List for England (Historic England)
- Understanding Historic Buildings: a Guide to Good Recording Practice (2016, Historic England)
- Listed Buildings and Curtilage: Historic England Advice Note 10 (2018, Historic England)

## Policy HER 5

### Registered parks and gardens

1. Development proposals affecting a Registered Historic Park and Garden or its setting will only be supported where it has been demonstrated that they would:
  - i. cause no unacceptable harm to the asset's significance, taking into account matters including the character, setting and appearance of those features that form part of and contribute to the special historic interest of the Registered Park and Garden;
  - ii. respect the integrity of the landscape and key views; and
  - iii. not lead to sub-division of the landscape.
2. Development within walled gardens will not be supported unless the public benefits of the development clearly outweigh the harm to the asset.

### Supporting information

**5.23** Cheshire East has 17 Registered Parks and Gardens. Development proposals that enhance and better reveal the significance of a Registered Park and Garden will be encouraged. Any new development should avoid, minimise and mitigate impact on the landscape. Any harmful impacts should be balanced against the sustainable development objective of conserving significance and the need for change. The Gardens Trust is a statutory consultee for all sites on the Historic England Register of Parks and Gardens of Historic Interest and must be consulted on planning applications which affect all grades of Registered Historic Parks and Gardens (Grade I, II\* and II).

**5.24** Historic landscapes, parklands and gardens are important in historical, cultural and recreational terms. Historic England maintains a register of Parks and Gardens of Special Historic Interest. Other locally recognised parks and gardens will also be afforded appropriate protection under Policy HER 7 'Non-designated heritage assets'.

### Related documents

- Cheshire Historic Environment Record (Cheshire Archaeology Planning Advisory Service)



- National Heritage List for England (Historic England)
- The Planning System in England and the Protection of Historic Parks and Gardens (2016, The Gardens Trust)

## Policy HER 6

### Historic battlefields

Development proposals will not be supported that would harm the historic significance, appearance, setting or integrity of the ability to understand and appreciate a battlefield recorded on the Register of Historic Battlefields.

### Supporting information

**5.25** Historic battlefields are important in historic and cultural terms. Nantwich is the only registered Battlefield in the borough. As such it is important to conserve the site of the 1644 Battle of Nantwich, which is one of only 3 such sites in the North West region to be included on The Historic England Register of important and accurately located Historic Battlefields.

## Policy HER 7

### Non-designated heritage assets

1. In line with LPS Policy SE 7 'The historic environment', development proposals will be encouraged and supported where they are designed to preserve or enhance the significance of non-designated heritage assets.
2. New development will be expected to avoid, minimise and mitigate negative impacts on such non-designated heritage assets. Development proposals that would remove, harm or undermine the significance of non-designated heritage assets, or their contribution to the character of a place, will only be supported where the benefits of the development outweigh the harm having regard to the level of the harm to the significance of the non-designated heritage asset.

### Supporting information

**5.26** It should be recognised that not all buildings, structures, parks, gardens or landscapes that may be of local significance are currently documented or captured on a local list. Where these have local architectural or historic significance they will be treated as non-designated heritage assets under this policy. This includes any landscapes, parks, gardens, buildings or structures highlighted in neighbourhood plans, designated as assets of community value, or identified in 'Parks and Gardens of the Cheshire Peaks and Plains' (1986, Ian C Laurie). Some examples of non-designated heritage assets are also set out in paragraph 13.69 of the LPS.

**5.27** The presumption is for the retention of non-designated heritage assets. An assessment of the non-designated heritage asset will be required to consider the asset's architectural and aesthetic quality and its unique contribution to the remaining architectural, historic, townscape and landscape interest of the area.





## Related documents

- Local List of Historic Buildings supplementary planning document (2010, Cheshire East Council)
- Made neighbourhood plans
- List of Assets of Community Value in Cheshire East (Cheshire East Council)
- Parks and Gardens of the Cheshire Peaks and Plains: Guide and Gazetteer (1986, Ian C Laurie)

## Policy HER 8

### Archaeology

1. Development proposals affecting a scheduled monument or an archaeological site of national significance should conserve those elements that contribute to its significance. Proposals involving harm to such elements will only be supported in exceptional circumstances where the harm is clearly justified and outweighed by the public benefits of the proposal.
2. Proposals affecting areas of archaeological interest (including areas of archaeological potential and sites of less than national importance) will be considered against Policy HER 7 'Non-designated heritage assets'. Proposals will be expected to conserve those elements that contribute to the asset's significance in line with the importance of the remains. Where proposals affecting such sites are acceptable in principle, the preservation of the remains in situ is the preferred solution to mitigate damage. When in situ preservation is not possible, the developer will be required to make adequate provision for excavation and recording before or during development. Subsequent analysis, publication and dissemination of the findings will be required to be submitted to the council and deposited with the Historic Environment Record.
3. Applications must be accompanied by an appropriate archaeological assessment, which includes information on the significance of the heritage asset, including the extent, character and condition of the archaeological resource. The significance of the archaeological remains should be assessed, as should the likely impact of the development on the archaeological remains. Where the existing information is not sufficient to allow such an assessment to be made, a field evaluation prior to determination of the planning application may be required.

## Supporting information

**5.28** Archaeological remains are a valuable, but fragile, part of our heritage, and once destroyed they can never be replaced. Such remains include not just finds, but also traces of buildings, layers of soil and entire landscapes. Depending on the nature of the proposed development and the significance of the asset, it may be appropriate for pre-determination archaeological work to be carried out (such as desk based archaeological assessment or a programme of field evaluation) and the results submitted as a report in support of a planning application. The report will assist in establishing the level of harm to the significance of any heritage assets and help identify what mitigation is required to minimise or remove the harm.

**5.29** Where necessary to minimise the harm to archaeological heritage assets, conditions requiring a programme of archaeological mitigation will be attached to permissions. These may include requirements for detailed agreement concerning ground impacts and programmes of archaeological investigation, building recording, reporting and archiving.

**5.30** The Cheshire Archaeology Planning Advisory Service can provide specifications for archaeological work, monitor archaeological fieldwork and post-excavation programmes and advise on the discharge of archaeological conditions. The results of any archaeological investigations and recording should be deposited with the Cheshire Historic Environment Record.



## Related documents

- Cheshire Historic Environment Record (Cheshire Archaeology Planning Advisory Service)
- Cheshire Historic Towns Survey (2003, Cheshire County Council and English Heritage)

### Policy HER 9

#### World heritage site

1. Proposals that conserve or enhance the outstanding universal value of the world heritage site at Jodrell Bank will be supported.
2. Development proposals within the world heritage site at Jodrell Bank (or within its buffer zone) that would cause harm to the significance of the heritage asset (including elements that contribute to its outstanding universal value) will not be supported unless there is a clear and convincing justification; and an appropriate heritage impact assessment has evaluated the likely impact of the proposals upon the significance of the asset and the attributes that contribute to its outstanding universal value.
3. Where development has a demonstrable public benefit, and harm to the outstanding universal value is unavoidable and has been minimised, this benefit will be weighed against the level of harm to the outstanding universal value of the world heritage site.

#### Supporting information

**5.31** As a designated heritage asset of the highest significance, there is a strong presumption against development that would result in harm to the outstanding universal value of a world heritage site, its authenticity or integrity. This presumption applies equally to development in the buffer zone of a world heritage site, where key views should also be protected.

**5.32** LPS Policy SE 7 already identifies Jodrell Bank as one of Cheshire East's key heritage assets. In recognition of its international, historic, and scientific significance, it was proposed to UNESCO in January 2018 as the UK government's next candidate for UNESCO world heritage site inscription. The nomination dossier has been reviewed by UNESCO and the World Heritage Committee announced its decision to inscribe Jodrell Bank on the world heritage list in July 2019. This policy addresses the associated need to afford this historic asset appropriate protection through the development plan as amongst the most important heritage sites in the world. Further policy guidance will also be provided through a supplementary planning document.

**5.33** The scientific and heritage value of Jodrell Bank are inextricably linked. The site's continuing function as an operational facility at the cutting edge of scientific endeavour is highly relevant to the significance of the heritage asset, its heritage value and outstanding universal value of the world heritage site. This policy must be considered in conjunction with LPS policy SE 14 'Jodrell Bank.'

**5.34** Proposals for development within the world heritage site at Jodrell Bank or its buffer zone should take account of advice set out in any related management plan or supplementary planning document.

**5.35** The Jodrell Bank Observatory World Heritage Site and the Jodrell Bank Observatory Buffer Zone are defined by the UNESCO World Heritage Committee's inscription and are shown on the adopted policies map.

#### Related documents

- Decisions Adopted During the 43rd Session of the World Heritage Committee (2019, UNESCO)



# 6

## Rural issues



## 6 Rural issues

**6.1** Cheshire East is in large part a rural borough. Whilst the area contains many large and medium-sized towns and other parts are influenced by the major Greater Manchester and Potteries conurbations, Cheshire East contains many deeply rural areas and much attractive and highly valued countryside. Maintaining the character of the countryside whilst supporting the livelihoods of those who live and work there are significant and enduring tensions in the borough. Policies seek to balance these different and sometimes competing considerations.

### Agriculture

#### Policy RUR 1

##### New buildings for agriculture and forestry

1. Under LPS Policy PG 6, development that is essential for the purposes of agriculture and forestry will be permitted in the open countryside. Where planning permission is required, proposals for new agricultural and forestry buildings in the open countryside will only be permitted where they accord with other policies in the development plan and:
  - i. it is demonstrated that there is an established, clear long-term need for the development in connection with the agricultural or forestry enterprise;
  - ii. the proposals make best use of existing infrastructure, such as existing buildings, utilities, tracks and vehicular access;
  - iii. new buildings are restricted to the minimum level reasonably required for the efficient existing or planned operation of the enterprise; are well-related to each other and existing buildings and do not form isolated or scattered development;
  - iv. do not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance), either on its own or cumulatively with other developments; and
  - v. provide appropriate landscaping and screening.
2. The design of any new building for agriculture or forestry must be appropriate to its intended function and must not be designed to be easily converted to any non-agricultural or forestry use in the future.
3. Adequate provision must be made for the disposal of foul and surface water drainage and animal wastes without risk to watercourses.
4. Adequate provision must be made for access and the movement of machinery and livestock to avoid creating or intensifying highway safety issues.

##### Supporting information

**6.2** LPS Policy PG 6 'Open countryside' allows for development that is essential for the purposes of agriculture and forestry. LPS Policy EG 2 'Rural economy' seeks to support the rural economy, including through the creation and expansion of sustainable farming and food production businesses and allow for the adaption of modern agricultural practices. The construction of new buildings for agriculture and forestry in the Green Belt is not inappropriate development, as set out in LPS Policy PG 3 'Green Belt'.

**6.3** The General Permitted Development Order allows for certain types of agricultural or forestry development to take place without the need for planning permission, subject to prior approval being sought from the council. Where planning permission is required, the council will seek to make sure that new farm and forestry buildings minimise their impact on the rural environment, whilst supporting agriculture and forestry as essential components of the rural economy.



**6.4** Other policies in the development plan may also have particular relevance to the proposals for new buildings for agriculture and forestry, particularly those related to access, car parking, design, landscape, nature conservation and heritage.

**6.5** Additional policy requirements for proposals for agricultural and forestry workers dwellings are set out in Policy RUR 3 'Agricultural and forestry workers dwellings'.

## Policy RUR 2

### Farm diversification

1. Proposals for the diversification of agricultural businesses in the open countryside will be supported where they accord with other policies in the development plan and:
  - i. the development proposals are ancillary and related to the primary agricultural business;
  - ii. the development is necessary to support the continued viability of the existing agricultural business;
  - iii. the proposals make best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
  - iv. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the planned operation of the diversified business; are well-related to each other and existing buildings and do not form isolated or scattered development;
  - v. do not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance), either on its own or cumulatively with other developments; and
  - vi. provide appropriate landscaping and screening.
2. In addition to the above, any proposals for retail sales must be limited in scale. Proposals for new or extensions to existing farm shops will only be permitted where the range of goods sold is restricted to those in connection with the land-based business and the majority of goods sold should be produced on site.
3. Where appropriate, the council may impose conditions to control the future expansion or nature of the business when granting planning permission.

### Supporting information

**6.6** LPS Policy PG 6 'Open Countryside' allows for development that is essential for the expansion or redevelopment of an existing business. LPS Policy EG 2 ('Rural economy') seeks to support the rural economy, including through the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification.

**6.7** To demonstrate that the development is necessary to support continued viability of the existing land-based business, a business plan will be necessary to outline the business profile alongside the present and proposed activities, which should be proportionate to the scale of the proposal.

**6.8** In the Green Belt, additional restrictions to development will apply under LPS Policy PG 3 'Green Belt'.

**6.9** Other policies in the development plan may also have particular relevance to the diversification of land-based business; particularly those related to access, car parking, design, landscape, nature conservation, heritage, and best and most versatile agricultural land.



## Policy RUR 3

### Agricultural and forestry workers dwellings

1. Under LPS Policy PG 6 'Open countryside', development that is essential for the purposes of agriculture and forestry will be permitted in the open countryside. Proposals for essential rural workers dwellings in the open countryside to support agricultural and forestry enterprises will be only be permitted where they accord with other policies in the development plan and:
  - i. it can be clearly demonstrated that there is an existing functional need for an additional worker to live permanently at the site;
  - ii. the existing functional need relates to a full-time worker in their primary employment as an essential rural worker; and could not be fulfilled by any other existing accommodation on the site or in the area, which is suitable and available;
  - iii. the size and siting of the dwellings is strictly commensurate with the existing functional need and does not significantly exceed the gross internal floorspace for the intended number of bedrooms, as set out in Table 6.1 'Gross internal floorspace (square metres)' below;
  - iv. the new dwelling is tied to the agricultural or forestry enterprise under which it operates, through planning condition and/or legal obligation;
  - v. the proposals make best use of existing infrastructure, such as existing utilities and vehicular access; the dwelling is well-related to existing buildings; and does not form isolated or scattered development;
  - vi. do not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, design and appearance), either on its own or cumulatively with other developments; and
  - vii. provide appropriate landscaping and screening.
2. The functional need will only exist if it is essential for the proper agricultural or forestry functioning of the enterprise for one or more workers to be readily available at most times of the day and night. The functional need must not relate to:
  - i. the personal preferences or personal circumstances of the individuals involved; or
  - ii. the functioning of any part of the enterprise that is not strictly agricultural or forestry-based.
3. Permitted development rights for new agricultural and forestry workers dwellings will be removed to make sure that the size of the dwelling remains commensurate to the functional need of the business.
4. Subject to the other requirements of this policy, proposals for permanent essential rural workers dwellings will be supported where the agricultural or forestry enterprise has been established on the site for at least three years; is currently financially sound; has a good prospect of remaining so; makes a profit and is capable of sustaining the full time essential worker in the long term. Where the dwelling is essential to support a newly established enterprise (whether on an established or a newly-created agricultural or forestry unit), temporary permission for up to three years will be granted subject to the other requirements of this policy. In such circumstances, the temporary dwelling should be provided by a caravan or other temporary structure, which can be easily dismantled and removed from the site.

### Supporting information

**6.10** In the open countryside, LPS Policy PG 6 'Open countryside' allows for development that is essential for the purposes of agriculture and forestry but it restricts new dwellings to limited infilling in villages; the infill of a small gap in an otherwise built-up frontage elsewhere; rural exceptions



affordable housing; and dwellings that are exceptional in design and sustainable development terms. To support the rural economy, it is recognised that some agricultural and forestry business may have a functional need for workers to live on the site.

**6.11** New permanent farm workers accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable, and a financial test will be necessary to evidence this, and the size of the dwelling that the unit can sustain.

**6.12** Restrictive occupancy conditions will be applied to agricultural and forestry workers dwellings allowed under this policy. As set out in the policy, planning conditions and/or legal obligations will tie dwellings to the enterprise under which they operate.

**6.13** Larger dwellings will be more expensive from the outset and the restrictive occupancy condition could be undermined if the dwelling is outside of the range of property affordable by the local workforce. In order to keep the size of the dwelling commensurate to the functional need and to curtail the future resale value of dwellings intended for persons engaged in agriculture or forestry, the size of dwelling should be guided by that prescribed by the national space standard, taking into account the intended number of bedrooms. The current standards are set out in Table 6.1 'Gross internal floorspace (square metres)' below.

**Table 6.1 Gross internal floorspace (square metres)**

Number of bedrooms	Gross internal floorspace
1	39-58 sq.m
2	61-79 sq.m
3	74-108 sq.m
4	90-130 sq.m

#### Related documents

- Technical Housing Standards: Nationally Described Space Standard (2015, DCLG).



## Policy RUR 4

### Essential rural worker occupancy conditions

1. Applications to remove essential rural worker occupancy conditions will only be permitted where:
  - i. there is no long-term functional need for the dwelling to support an agricultural or forestry enterprise, either on-site or in the surrounding area; and
  - ii. proper efforts have been made to dispose of the dwelling to persons who could occupy it in accordance with its attached occupancy condition<sup>(12)</sup>.
2. Where essential rural worker occupancy conditions are removed, planning conditions and/or legal obligations will be usually imposed to require the dwelling to remain as affordable housing, with occupancy restricted in perpetuity in line with LPS Policy SC 6 'Rural exceptions housing for local needs'. Exceptions may be made where:
  - i. An up-to-date housing needs survey<sup>(13)</sup> identifies that there is no requirement for affordable housing provision in the parish; or
  - ii. It can be demonstrated that there are no Registered Providers willing to acquire the property with a discount from the open market value reflecting the value of the property as affordable housing<sup>(14)</sup>.

### Supporting information

**6.14** Essential rural workers dwellings are only permitted where they are required to meet the functional need of the enterprise to which they are attached. It is important to retain these dwellings for agricultural and forestry workers to meet the needs of the rural area and to make sure that sufficient accommodation remains available to house agricultural and forestry workers.

**6.15** LPS policies PG 6 'Open countryside' and PG 3 'Green Belt' restrict the provision of open market housing in the open countryside and the Green Belt. Where there genuinely is no long-term functional need for the dwelling and it can no longer be occupied in accordance with its occupancy condition, there is an opportunity to re-use the dwelling for affordable housing in perpetuity, which will assist in increasing the stock of affordable housing in rural areas.

**6.16** The value of the property for affordable housing should be assessed by a suitably qualified and experienced surveyor.

### Related documents

- Cheshire East Rural Housing Needs Surveys (Cheshire East Council)

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12 To demonstrate that no other occupiers can be found who could occupy the dwelling in accordance with its occupancy condition, the dwelling should be marketed at a realistic price reflecting its occupancy condition for a period of not less than 12 months. The council will require evidence that a proper marketing exercise has been carried out including a record of all offers and expressions of interest received.

13 Cheshire East Council has housing needs surveys for many rural areas, which may be utilised. Where an up-to-date survey does not exist, the applicant must conduct a survey, based on the Cheshire East Council model survey, in conjunction with the parish council where possible.

14 To demonstrate that there are no Registered Providers that would be willing to acquire the property without its essential rural worker occupancy condition, a statement should be submitted setting out: the names and contact details of Register Providers approached; the property particulars provided to those parties including the proposed asking price; the dates(s) of this correspondence; and any responses received.





## Policy RUR 5

### Best and most versatile agricultural land

1. Outside of sites specifically allocated for development in the development plan, proposals should avoid the loss of best and most versatile agricultural land.
2. Where proposals involve the loss of best and most versatile agricultural land to development, the council may require detailed field assessments in accordance with technical advice or information from Natural England, and it must be demonstrated that:
  - i. the benefits of development clearly outweigh the impacts of the loss of the economic and other benefits of the land; and
  - ii. every effort has been made to mitigate the overall impact of the development on best and most versatile agricultural land.
3. Schemes that make provision for opportunities to improve the quality or quantity of best and most versatile agricultural land will be supported subject to other policies in the development plan.

### Supporting information

**6.17** Best and most versatile agricultural land is land in grades 1, 2 and 3a of the agricultural land classification as set out in the NPPF. LPS Policy SD 1 'Sustainable development in Cheshire East' requires development to protect the best and most versatile agricultural land where possible, whilst the NPPF requires consideration of the economic and other benefits of the best and most versatile agricultural land.

**6.18** Cheshire East is a food-producing area with a significant agricultural economy. It also faces significant development pressures and the protection of best and most versatile agricultural land is of particular importance in the borough.

**6.19** Once best and most versatile agricultural land is used for built development, it is difficult to mitigate for its loss. However, other forms of mitigation or improvement may be possible through the planning system, including:

- careful site layout and design;
- reducing flood risk, pollution and soil erosion;
- soil management measures to increase water uptake and reduce erosion; maintaining and improving field drainage; and strategic placement of buffer strips and hedgerows; and
- protecting best and most versatile agricultural land for environmental mitigation.

### Related documents

- The Role of Best and Most Versatile Agricultural Land in Cheshire East (2016, Harvey Hughes and 3D Rural Surveyors)



### Policy RUR 6

#### Outdoor sport, leisure and recreation outside of settlement boundaries

1. Under LPS Policy PG 6 'Open countryside', development that is essential for the purposes of outdoor recreation will be permitted in the open countryside. Proposals for outdoor sport, leisure and recreation in the open countryside will be permitted provided they accord with other policies in the development plan and:
  - i. it can be demonstrated that a countryside location is necessary for the proposal;
  - ii. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
  - iii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the operation of the site<sup>(15)</sup>; are well-related to each other and existing buildings and do not form scattered development or development isolated from the main sports, leisure or recreation use of the site;
  - iv. the proposal does not unacceptably affect the amenity and character of the surrounding area or landscape either on its own or cumulatively with other developments; and
  - v. appropriate landscaping and screening is provided.
2. Wherever possible, proposals should be integrated with existing facilities, areas of open space and the public rights of way network.
3. Artificial lighting will be permitted in line with Policy ENV 14 'Light pollution' only where it is visually acceptable and strictly necessary. Its design and operation may be limited by condition in order to minimise light pollution in the open countryside.
4. In the Green Belt, the construction of new buildings for the provision of appropriate facilities for outdoor sport and outdoor recreation is not inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Permission for development that falls outside of the definition of 'not inappropriate' will not be granted, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

#### Supporting information

**6.20** The open countryside is the area outside of any settlement with a defined settlement boundary. Outdoor sport, leisure and recreation uses are most sustainably located in existing settlements. However, it is recognised that there may be occasions where a countryside location is required, particularly for uses needing extensive areas of land such as golf courses and driving ranges, watersports facilities, fishing and war games.

**6.21** LPS Policy PG 6 'Open countryside' allows for development essential for the purpose of outdoor recreation in the open countryside, but the impacts on the open countryside should be minimised. LPS Policy EG 2 'Rural economy' supports developments that create or extend rural based tourist attractions, visitor facilities and recreational uses.

**6.22** In the Green Belt, the construction of new buildings for the provision of appropriate facilities for outdoor sport and outdoor recreation is not inappropriate development, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

15 Development reasonably required for the operation of the site may include space and facilities that can be demonstrated to be required to support the viability and sustainability of sports clubs.



**6.23** Other policies in the development plan may also have particular relevance to outdoor sport, leisure and recreation in the open countryside; particularly those related to access, car parking, design, landscape, nature conservation, heritage, and best and most versatile agricultural land.

## Policy RUR 7

### Equestrian development outside of settlement boundaries

1. In the open countryside, proposals for equestrian development related to grazing and equestrian enterprises (including stables, training areas, riding centres and studs) will be supported where they accord with other policies in the development plan and:
  - i. make the best use of existing infrastructure such as existing buildings, utilities, bridleways, tracks, parking and vehicular access;
  - ii. ancillary development (including hardstanding, parking and manure storage sites) is restricted to the minimum level reasonably required for the operation of the facility; is well-related to any existing buildings; and does not form isolated or scattered development;
  - iii. do not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance), either on its own or cumulatively with other developments;
  - iv. provide sufficient land for supplementary grazing and exercise<sup>(16)</sup>; and
  - v. provide appropriate landscaping and screening.
2. Additional buildings and structures may be permitted for small scale non-commercial proposals or for proposals to facilitate the sustainable growth and expansion of existing businesses, provided there are no existing buildings or structures that could be converted and where they are restricted to the minimum level reasonably required for the operation of the facility; are well-related to each other and existing buildings; and do not form isolated or scattered development. Larger non-commercial proposals and proposals for a new business should utilise existing buildings and structures; and new buildings and structures will not usually be permitted.
3. Any new building or structure must be constructed of temporary materials such as timber; its design must be appropriate to its intended equestrian use; and must not be designed to be easily converted to any non-equestrian use in the future.
4. Artificial lighting will be permitted in line with Policy ENV 14 'Light pollution' only where it is visually acceptable and strictly necessary. Its design and operation may be limited by condition in order to minimise light pollution in the open countryside.
5. Proposals should be accompanied by a waste management scheme, including horse manure and other waste.
6. In the Green Belt, permission for development that falls outside of the definition of 'not inappropriate' will not be granted, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

### Supporting information

**6.24** The open countryside is the area outside of any settlement with a defined settlement boundary. Equestrian facilities usually need to be located outside of settlements and their operation contributes to the rural economy with tourism and leisure benefits.

<sup>16</sup> As set out in the Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (2017) or any updated guidance.



**6.25** Under LPS Policy PG 6 'Open countryside', development that is essential for uses appropriate to a rural area will be permitted in the open countryside. Equestrian development related to grazing and equestrian enterprises (including stables, training areas, riding centres and studs) is considered to be a use appropriate to a rural area provided it is small in scale and it can be demonstrated that a countryside location is necessary for the proposal. Larger or commercial proposals may also be appropriate to a rural area where they re-use existing buildings and do not involve the construction of new buildings.

**6.26** By their nature, facilities such as stables, paddocks, training areas and associated facilities such as parking may often have impacts on the rural environment, landscape and local amenity.

**6.27** Under UK legislation, a horse is an agricultural animal if it is used directly for farming purposes. The term 'agricultural use' includes the breeding and keeping of livestock and the use of land for grazing. If horses are kept on the land for the primary purpose of grazing and/or are kept for the sole purpose of breeding, this will generally fall under the definition of 'agricultural use'. However, if horses are kept in a field for recreational use, this constitutes a material change in the use of the land, which requires planning permission.

**6.28** LPS Policy PG 6 'Open countryside' allows for development that is essential for uses appropriate to a rural area, but the impacts on the open countryside should be minimised. LPS Policy EG 2 ('Rural economy') supports developments that create or extend rural-based tourist attractions, visitor facilities and recreational uses. In the Green Belt, additional restrictions to development will apply under LPS Policy PG 3 'Green Belt'.

**6.29** Other policies in the development plan may also have particular relevance to equestrian development in the open countryside; particularly those related to access, car parking, design, landscape, nature conservation, heritage, and best and most versatile agricultural land.

#### **Related documents**

- Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (2017, DEFRA)



## Policy RUR 8

### Visitor accommodation outside of settlement boundaries

1. Under LPS Policy PG 6 'Open countryside', development that is essential for uses appropriate to a rural area will be permitted in the open countryside. Certain types of visitor accommodation may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside. This will not include new-build hotels or guest houses.
2. In the open countryside, proposals for visitor accommodation that are demonstrated to be appropriate to a rural area under criterion 1 will be supported where they accord with other policies in the development plan and:
  - i. it can be clearly demonstrated that the proposal requires a countryside location;
  - ii. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
  - iii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the existing or planned operation of the accommodation; are well-related to each other and existing buildings and do not form isolated or scattered development;
  - iv. the proposal does not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance) either on its own or cumulatively with other developments; and
  - v. appropriate landscaping and screening is provided.
3. Where visitor accommodation is permitted in the open countryside that would be physically capable of forming a habitable dwelling, the council will impose planning conditions and/or legal obligations to restrict occupancy of the accommodation to prevent unauthorised permanent occupation. This includes (but is not limited to) static caravans, chalets, cabins and pods.
4. In the Green Belt, permission for development that falls outside of the definition of 'not inappropriate' will not be granted, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

### Supporting information

**6.30** LPS Policy EG 4 'Tourism' seeks to support tourism development but, where outside of principal towns, key service centres and local service centres, there must be evidence that the facilities are required in conjunction with a particular countryside location.

**6.31** LPS Policy PG 6 'Open countryside' allows for development that is essential for uses appropriate to a rural area in the open countryside. Only those types of visitor accommodation whose scale is appropriate to the location and setting; and that specifically require a countryside location are considered to be appropriate to a rural area.

**6.32** Outside of the exceptions listed in LPS Policy PG 6, proposals for new housing in the open countryside will not be supported. To make sure that visitor accommodation remains in use as visitor accommodation and is not illegitimately used as a dwelling, it is likely to be necessary to limit occupation so that it cannot be used year-round.

**6.33** The policy applies to all development proposals for visitor accommodation where there is some form of static accommodation (whether temporary or permanent in nature) including new build,



extension, conversion or the material change of use of land. Visitor accommodation includes, but is not restricted to; hotels, guest houses, bed and breakfast accommodation, static caravans, chalets, cabins and other forms of static accommodation such as pods, yurts, tepees or glamping structures). It does not apply to proposals where visitors bring their own accommodation, such as touring caravan and camping sites.

## Policy RUR 9

### Caravan and camping sites

1. Under LPS Policy PG 6 'Open countryside', development that is essential for uses appropriate to a rural area will be permitted in the open countryside. Where their scale is appropriate to the location and setting, sites for touring caravans and camping (where visitors pitch their own tents) are considered to be uses appropriate to a rural area, provided it can be demonstrated that a countryside location is necessary for the proposal.
2. In the open countryside, proposals for touring caravan and camping sites that are demonstrated to be appropriate to a rural area under criterion 1 will be supported where they accord with other policies in the development plan and:
  - i. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
  - ii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the existing or planned operation of the facility; are well-related to each other and existing buildings and do not form isolated or scattered development;
  - iii. the proposal does not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise and odour) either on its own or cumulatively with other developments;
  - iv. appropriate landscaping and screening is provided;
  - v. the site is capable of being connected to existing services;
  - vi. the site is capable of providing essential facilities (for sanitary and basic domestic uses) for users of the site; and
  - vii. the highway network is suitable for the types of vehicles and caravans that are likely to use the site.
3. In the Green Belt, permission for development that falls outside of the definition of 'not inappropriate' will not be granted, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

### Supporting information

**6.34** By their nature, touring caravan and camping sites often need to be located outside of settlements and they contribute to the rural and visitor economy.

**6.35** This policy is limited to proposals where visitors bring their own accommodation. It does not apply to proposals for any form of static accommodation (whether temporary or permanent in nature) including (but not limited to) static caravans, chalets, pods, yurts, tepees or glamping structures.



## Policy RUR 10

### Employment development in the open countryside

1. Under LPS policy PG 6 'Open countryside', development that is essential for uses appropriate to a rural area will be permitted in the open countryside. Certain types of small scale employment development may be appropriate to a rural area where the nature of the business means that a countryside location is essential and the proposals provide local employment opportunities that support the vitality of rural settlements.
2. Where it is demonstrated that the proposal is appropriate to a rural area, small scale employment development will be supported where it accords with other policies in the development plan and:
  - i. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
  - ii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the existing or planned operation of the business; are well-related to each other and existing buildings and do not form isolated or scattered development;
  - iii. the proposal does not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance) either on its own or cumulatively with other developments; and
  - iv. appropriate landscaping and screening is provided.
3. The design of any new building for employment purposes in the open countryside must be appropriate to its intended function and must not be designed to be easily converted to residential use in the future.

### Supporting information

**6.36** Employment development refers to development in use classes E(g)(i), E(g)(ii), E(g)(iii), B2 and B8.

**6.37** LPS Policy EG 2 'Rural economy' takes a positive approach to sustainable new development in rural areas but specifically notes that development must not conflict with LPS Policy PG 6 'Open countryside'. In the open countryside, Policy PG 6 allows development that is essential for uses appropriate to a rural area. This policy clarifies the circumstances under which employment development in the open countryside would be considered to be a use appropriate to a rural area.

**6.38** Employment development that is not considered to be a use appropriate to a rural area under this policy may also be allowed in the open countryside, where it meets one or more of the exceptions to the restrictive approach set out in LPS Policy PG 6. This includes:

- where the development constitutes limited infilling in villages as set out in Policy PG 10 'Infill villages';
- where the development is limited to the re-use of rural buildings, where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension;
- where the development is limited to the replacement of buildings by new buildings not materially larger than the buildings they replace; or
- for development that is essential for the expansion or redevelopment of an existing business.

**6.39** In the Green Belt, additional restrictions to development will apply under LPS Policy PG 3 'Green Belt'.



### Policy RUR 11

#### Extensions and alterations to buildings outside of settlement boundaries

1. Extensions and alterations to existing buildings (including the construction of ancillary outbuildings or structures in their curtilages) in the open countryside and Green Belt will be only be permitted where the proposed development would:
  - i. not result in disproportionate additions over and above the size of the original building;
  - ii. respect the character of the existing building, particularly where it is of traditional construction or appearance; and
  - iii. not unduly harm the rural character of the countryside by virtue of prominence, excessive scale, bulk or visual intrusion.
2. When considering whether a proposal represents disproportionate additions, matters including height, bulk, form, siting and design will be taken into account. Increases in overall building height will usually be considered to be disproportionate additions.
3. In addition to criterion (2) above, proposals will usually be considered to represent disproportionate additions where they increase the size of the original building by more than 30% in the Green Belt or 50% in the open countryside. Exceptions to these size thresholds may be acceptable where the proposal:
  - i. is within a village infill boundary as shown on the adopted policies map;
  - ii. provides additional floorspace with no significant alterations to the building's envelope or external appearance (such as basement extensions);
  - iii. is required to provide basic amenities or sanitation; or
  - iv. is for a small scale domestic outbuilding in a residential curtilage.
4. In assessing proposals, full account will be taken of any previous extensions or development to the original building or in its curtilage. This original building means the building and outbuildings/structures as it was originally built, or as it existed on 01 July 1948 if constructed before this date. The increase in size will usually be determined by assessing the net increase in floorspace. Applicants must provide clear evidence of the original and proposed floorspace.

#### Supporting information

**6.40** Under LPS Policy PG 3 'Green Belt', the extension or alteration of a building is not inappropriate development in the Green Belt, provided that it does not result in disproportionate additions over and above the size of the original building. LPS Policy PG 6 'Open countryside' generally restricts development in the open countryside to that which is essential for a use appropriate to a rural area but makes an exception for extensions to existing dwellings where the extension is not disproportionate to the original dwelling.

**6.41** The policy sets out the types of matters that will be taken into account when determining whether or not proposals represent disproportionate additions. It also sets out size thresholds, above which proposals will usually be considered to be disproportionate. Proposals within these size thresholds may also be considered to be disproportionate additions, depending on the consideration of matters including height, bulk, form, siting and design.

**6.42** Due to the importance attached to Green Belts through national policy, it is appropriate to impose a less permissive approach to the term 'disproportionate additions' in the Green Belt than it is in the open countryside outside of the Green Belt, as defined through the LPS.





**6.43** Exceptions to the size thresholds under criterion (3) may be acceptable subject to compliance with the other policy criteria. It acknowledges the need for homes to have basic amenities or sanitation. It is expected that applications relying on this exception would be a rare occurrence, probably limited to the odd instances of very small and unimproved properties.

**6.44** Extensions and alterations to existing dwellings (including the construction of ancillary outbuildings in residential curtilages) will also be subject to Policy HOU 9 'Extensions and alterations'. Extensions to agricultural and forestry workers dwellings will also be subject to Policy RUR 3 'Agricultural and forestry workers dwellings'.

## Policy RUR 12

### Residential curtilages outside of settlement boundaries

1. Outside of any settlement with a defined settlement boundary, proposals for the extension of residential gardens or curtilages involving the material change of use of land will not be permitted unless:
  - i. the area of existing curtilage is severely restricted, and could not provide a reasonable sitting out area; or
  - ii. the extension is required to provide space for essential services (such as central heating fuel tanks or septic tanks) where there is insufficient space in the existing curtilage; or
  - iii. the dwelling has no vehicular access, an access with restricted visibility, or no off road parking space and a limited curtilage extension would enable a significant highway safety risk to be removed.
2. In cases where an extension may be appropriate, it must be limited to the minimum amount of land reasonably required for the purpose of the extension and must not unacceptably affect the amenity and character of the surrounding area or countryside, either on its own or cumulatively with other development.
3. In the Green Belt, permission for development that falls outside of the definition of 'not inappropriate' will not be granted, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

### Supporting information

**6.45** LPS Policy PG 6 'Open countryside' allows for development that is essential for uses appropriate to a rural area in the open countryside. Extensions to residential gardens and curtilages can have significant impacts on the rural and open character of the countryside by enclosing land, creating new boundaries and introducing domestic uses and paraphernalia. Such extensions are only considered to be essential for uses appropriate to a rural area in the limited circumstances described by this policy.

**6.46** For the avoidance of doubt, this policy also applies to proposals to incorporate paddocks, equestrian facilities, agricultural land, smallholding fields and other land uses into a residential garden.



## Policy RUR 13

### Replacement buildings outside of settlement boundaries

1. The replacement of existing buildings in the open countryside and Green Belt will be only be permitted where the replacement building:
  - i. is not materially larger than the existing building; and
  - ii. would have no materially greater impact on the rural character of the countryside than the existing building, by virtue of prominence, scale, bulk or visual intrusion.
2. When considering whether a replacement building is materially larger, matters including height, bulk, form, siting, design, floorspace and footprint will be taken into account. Proposals involving increases in overall building height and development extending notably beyond the existing footprint will usually be considered to be materially larger.
3. In addition to criterion (2) above, proposals will usually be considered to be materially larger where they increase the size of the existing building by more than 5% in the Green Belt or 10% in the open countryside. Exceptions to these size thresholds may be acceptable where the proposal is within a village infill boundary as shown on the adopted policies map.
4. The increase in size will usually be determined by assessing the net increase in floorspace between the existing building and the replacement building. Floorspace from any detached outbuildings in the curtilage will only be taken into account where the buildings to be replaced can sensibly be considered together in comparison with what is proposed to replace them. Applicants must provide clear evidence of the existing and proposed floorspace.
5. The existing building means the building as it exists at the time of submitting the planning application.
6. Proposals for replacement dwellings should include appropriate provision for domestic storage and garaging.

### Supporting information

**6.47** Under LPS Policy PG 3 'Green Belt', the replacement of a building is not inappropriate development in the Green Belt, provided the new building is in the same use and not materially larger than the one it replaces. LPS Policy PG 6 'Open countryside' generally restricts development in the open countryside to that which is essential for a use appropriate to a rural area but makes an exception for the replacement of buildings, provided the new buildings are not materially larger.

**6.48** Determining what is 'materially larger' will depend upon the circumstances of each case. The policy sets out the types of matters that will be taken into account when deciding whether or not proposals are materially larger. It also sets out size thresholds, above which proposals will usually be considered to be materially larger. However, proposals within these size thresholds may still be considered to be materially larger depending on their height, bulk, form, siting, design, floorspace and footprint.

**6.49** Due to the importance attached to Green Belts through national policy, a less permissive approach to the term 'materially larger' is applied in the Green Belt than the open countryside outside of the Green Belt, as defined through the LPS.

**6.50** Where permission is granted for a replacement building outside of settlement boundaries, a condition withdrawing permitted development rights will be considered in each case, having regard to the character of the site and its surroundings.



## Policy RUR 14

### Re-use of rural buildings for residential use

1. The residential re-use of existing rural buildings will be permitted where the building is:
  - i. of permanent and substantial construction so as not to require extensive alteration or rebuilding; and
  - ii. of a size that is able to accommodate a satisfactory living environment in the new dwelling and would not require extending.
2. The curtilage of the new dwelling must be limited to the original curtilage of the building unless an extension can be justified under Policy RUR 12 'Residential curtilages outside of settlement boundaries' and must not have a harmful effect on the character of the surrounding countryside.
3. The proposals must be sympathetic to the building's architectural character and/or historic interest, as well as the character of its rural surroundings. Particular attention will be given to the impact of domestication and urbanisation of the proposals on the surrounding rural area including through:
  - i. the supply of utility and infrastructure services, including electricity, water and waste disposal to support residential use;
  - ii. the provision of safe vehicular access;
  - iii. the provision of adequate amenity space and parking;
  - iv. the introduction of a domestic curtilage;
  - v. the alteration of agricultural land and field walls; and
  - vi. any other engineering operation associated with the development.
4. In the Green Belt, permission for development that falls outside of the definition of 'not inappropriate' will not be granted, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

### Supporting information

**6.51** LPS Policy PG 6 'Open countryside' restricts development in the open countryside to that which is appropriate to a rural area. New dwellings are not considered to be a use appropriate to a rural area but exceptions to the restrictive approach may be made where proposals are limited to the re-use of existing buildings where the building is permanent, substantial, and would not require extensive alteration, re-building or extension.

**6.52** Within the Green Belt, the re-use of buildings is not inappropriate provided that the buildings are of permanent and substantial construction and development would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

**6.53** Modern agricultural buildings are often not capable of conversion for residential re-use because the nature of their construction usually means they would require extensive alteration, rebuilding or extension. Proposals for conversion of heritage assets should take also account of relevant policies relating to the historic environment.





# 7

## Employment and economy



## 7 Employment and economy

**7.1** There is an ongoing need to support the business base of the borough. Cheshire East possesses one of the strongest economies in the north of England, but if business is to thrive in the long-term, sufficient provision must be made for current and future employment needs. Policies seek to make sure enough land is made available for business use over the plan period, and that the requirements of local businesses and growing sectors are fully accounted for.

### Policy EMP 1

#### Strategic employment areas

1. The following areas are designated as strategic employment areas and shown on the adopted policies map:
  - i. Alderley Park;
  - ii. Bentley Motors, Crewe;
  - iii. Booths Hall, Knutsford;
  - iv. Crewe Gates Industrial Estate, Crewe;
  - v. Crewe Green Business Park, Crewe;
  - vi. Hurdsfield Industrial Estate, Macclesfield;
  - vii. Jodrell Bank;
  - viii. Ma6nitude, Middlewich;
  - ix. Radbroke Hall, Knutsford;
  - x. Recipharm, Holmes Chapel; and
  - xi. Waters Corporation, Wilmslow.
2. These strategic employment areas are of particular significance to the economy of Cheshire East and will be protected for employment use as set out in LPS Policy EG 3 'Existing and allocated employment sites'.
3. Proposals for further investment for employment uses in these areas will be supported, subject to other policies in the development plan.

#### Supporting information

**7.2** These are the existing strategic employment areas as identified in the LPS. They are of particular significance to the economy in Cheshire East, collectively providing employment for over 13,000 people.



## Policy EMP 2

### Employment allocations

1. In addition to the new employment sites allocated through the LPS and SADPD, the following sites are allocated for business; industrial; and storage and distribution uses:
  - i. Site EMP 2.1 'Weston Interchange, Crewe' (0.60 ha for E(g)/B2/B8 uses);
  - ii. Site EMP 2.2 'Meadow Bridge, Crewe' (0.43 ha for E(g) uses);
  - iii. Site EMP 2.4 'Hurdsfield Road, Macclesfield' (1.33 ha for E(g)/B2 uses);
  - iv. Site EMP 2.5 '61MU, Handforth' (4.92 ha for E(g)/B2/B8 uses);
  - v. Site EMP 2.6 'Land rear of Handforth Dean Retail Park, Handforth' (2.64 ha for E(g)/B2/B8 uses);
  - vi. Site EMP 2.7 'New Farm, Middlewich' (7.83 ha for B2/B8 uses);
  - vii. Site EMP 2.8 'Land west of Manor Lane, Holmes Chapel' (2.30 ha for E(g)/B2/B8 uses); and
  - viii. Site EMP 2.9 'Land at British Salt, Middlewich' (7.05 ha for B2/B8 uses).
2. Other ancillary uses may also be permitted on these sites, where they are compatible with the employment use of the site and are delivered as part of a comprehensive employment scheme.
3. These employment allocations are shown on the adopted policies map and will be protected for employment use as set out in LPS Policy EG 3 'Existing and allocated employment sites'.

### Supporting information

**7.3** Under LPS Policy EG 3 'Existing and allocated employment sites', there is a presumption that existing employment areas and allocated employment sites will be protected for employment use. In addition to new employment sites allocated through the LPS and SADPD, the existing employment land supply forms an important component of the overall employment land provision.

**7.4** As required by LPS Policy EG 3, the remaining employment allocations from the saved policies of the former districts' local plans have been reviewed and the sites listed in this policy are considered to be suitable for employment purposes, with a reasonable prospect of development during the plan period.

**7.5** As demonstrated through the Employment Allocations Review (2019), each of these sites is considered to be suitable for employment development, although in some cases mitigation measures will be required. Planning applications for the development of these employment sites should take account of all other policies in the development plan and should submit evidence to demonstrate that mitigation measures proposed will address the impacts of development (for example through transport assessments, flood risk assessments, heritage impact assessments) as necessary. Particular issues that should be addressed through any future planning application include (but are not limited to):

#### Site EMP 2.4 'Hurdsfield Road, Macclesfield':

- A gravity sewer and clean water infrastructure crosses the site and a detailed constraints plan will be required to inform any future development layout.
- The area includes a former mill and gas works and a phase 1 and phase 2 contaminated land assessment would be required with any future planning application.
- The council is aware from BGS mineral resource mapping that the site is likely to contain shallow coal resources, as well as being part of a wider coal resource. The Coal Authority should be consulted on any planning application for the development of this site.



#### **Site EMP 2.5 '61MU, Handforth':**

- The site is part of a former MOD site with known radiological issues and a phase 1 and phase 2 contaminated land assessment would be required with any future planning application.

#### **Site EMP 2.7 'New Farm, Middlewich':**

- A high pressure gas pipeline crosses the site and a detailed constraints plan will be required to inform any future development layout.
- The site triggers the impact risk zone for Sandbach Flashes SSSI. Any future application should be supported with appropriate evidence regarding any impacts, along with mitigation measures if required.

#### **Site EMP 2.8 'Land west of Manor Lane, Holmes Chapel':**

- The site includes water and wastewater infrastructure and a detailed constraints plan will be required to inform any future development layout.
- The council is aware from BGS mineral resource mapping that the site is likely to contain sand and gravel, and silica sand resources, as well as being part of a wider adjoining sand resource. As sand is a finite resource essential to support economic growth, it is considered to be of local and national importance in planning policy terms. In line with LPS Policy SE 10 'Sustainable provision of minerals' and national guidance on mineral safeguarding, the council will require the applicant to submit a Mineral Resource Assessment as part of any application to provide information on the feasibility of prior extraction of the mineral resource before the proposed development proceeds and the sterilisation potential that the proposed development will have on any future extraction of the wider resource. The Mineral Resource Assessment should be of a standard acceptable to the council, as the Minerals Planning Authority, and undertaken by a suitably competent person with appropriate qualifications or professional background, such as a minerals surveyor. The findings of the Minerals Resource Assessment will be an important planning consideration in the determination of any planning application for the development of this site.

#### **Site EMP 2.9 'Land at British Salt, Middlewich':**

- The site triggers the impact risk zone for Sandbach Flashes SSSI. Any future application should be supported with appropriate evidence regarding any impacts, along with mitigation measures if required.

#### **Related documents**

- Employment Allocations Review (2020, Cheshire East Council) [ED 12]
- Minerals Safeguarding Practice Guidance v1.4 (2019, The Mineral Products Association & The Planning Officers Society)





# 8

## Housing



## 8 Housing

**8.1** The SADPD seeks to make sure that the housing built in the borough reflects the area's diverse needs, especially in terms of the type and size of homes provided. The plan also makes sure that new development creates satisfactory living environments for both new and existing residents.

### Housing types

#### Policy HOU 1

##### Housing mix

1. In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demands. Taking account of the most up to date housing needs and demand information, national policies and where relevant, neighbourhood plan policies, a housing mix statement should be provided at detailed planning/reserved matters stage for all major housing schemes on how the proposed housing mix and type on the site responds to:
  - i. assessments of housing need including house types, tenures and sizes using Table 8.1 'Indicative house type tenures and sizes' as a starting point for analysis;
  - ii. assessment of the local housing market and its characteristics;
  - iii. character and design of the site and local area reflecting on the scheme's ability to accommodate a mix and range of housing; and
  - iv. the requirements of Policy HOU 3 'Self and custom build dwellings'.
2. The housing mix statement should demonstrate how the proposal would address the needs of particular groups in the borough including first time buyers, those wishing to self build, families, the requirements of an ageing population and those also wishing to downsize.
3. The housing mix statement should also address how the proposal will be capable of meeting, and adapting to, the long term needs of the borough's older residents including supporting independent living.
4. Housing developments that do not demonstrate an appropriate mix on the site will not be permitted.

##### Supporting information

**8.2** The housing requirement set out in LPS Policy PG 1 'Overall development strategy' of 1,800 homes each year is based on the housing need of all existing and future residents. This policy builds on LPS Policy SC 4 'Residential mix, which seeks to make sure that housing is provided that is reflective of housing need across the borough as a whole. An appropriate mix of housing will need to be provided in individual developments, proportionate to the scale of the development proposed. Housing developments should not be dominated by large dwellings (four or more bedrooms), which are unlikely to meet the majority of the borough's housing needs.

**8.3** The demographic profile of the borough is expected to change throughout the plan period as a result of an ageing population. Providing a mix of housing is important to support independent living and choice. This also includes ensuring that housing design is flexible enough to adapt to meeting the changing needs of residents over time. Therefore, reference should also be made to Policy HOU 2 'Specialist housing provision' and Policy HOU 6 'Accessibility and wheelchair housing standards'.



**8.4** The council will encourage all residential developments to be designed and built to encourage sustainable and flexible living. In particular, it will provide accommodation that can be easily adapted to suit changing household needs and circumstances, including to cater for home working and to benefit household members with disabilities or older residents who may need care and support (considered alongside other policies in the local plan). All dwellings should therefore incorporate sufficient storage space and floor layouts, which will provide practical usable space and a good standard of amenity.

**8.5** The housing mix statement should be a proportionate and up to date assessment of local circumstances and demonstrate how the proposed mix of housing tenure, type and sizes can help support the creation of mixed, balanced and inclusive communities. The Cheshire East Residential Mix Study (2019) includes an assessment of the bedroom size and tenure of housing in Cheshire East up to 2030 and should be considered the starting point for the analysis included in the housing mix statement as set out in Table 8.1 'Indicative house type tenures and sizes'<sup>(17)</sup>.

**Table 8.1 Indicative house type tenures and sizes**

	Market housing	Intermediate housing	Low cost rent
1 bedroom	5%	14%	26%
2 bedroom	23%	53%	42%
3 bedroom	53%	28%	20%
4 bedroom	15%	4%	10%
5+ bedroom	3%	1%	3%

#### Related documents

- Cheshire East Residential Mix Assessment (2019, Opinion Research Services) [ED 49]
- Cheshire East Custom and Self Build Register (Cheshire East Council)
- Cheshire East Housing Strategy 2018-2023 (2018, Cheshire East Council)
- Cheshire East Housing Development Study (2015, Opinion Research Services)
- Vulnerable and Older Persons Housing Strategy (2014, Cheshire East Council)

17 Note: figures quoted in Table 8.1 'Indicative house type tenures and sizes' are rounded to the nearest whole number and do not necessarily sum exactly to 100%.



## Policy HOU 2

### Specialist housing provision

1. The delivery, retention and refurbishment of supported and specialised housing, which meets an identified need, will be supported. Supported and specialised housing should be designed to satisfy the requirements of the specific use or group it is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development and meet the requirements of other relevant local plan policies.
2. Measures that assist people to live independently in their own homes and to lead active lives in the community will be supported subject to other relevant local plan policies. This could include adaptable homes and the utilisation of assistive technology, which can accommodate the changing needs of occupants as they grow older.
3. Schemes that provide specialised older persons accommodation such as nursing homes and elderly persons accommodation, whilst promoting independent living, will be supported, provided that the following criteria are met:
  - i. the type of specialised accommodation proposed meets identified needs and contributes to maintaining the balance of the housing stock in the locality;
  - ii. the proposal provides easy access to services, community and support facilities, including health facilities and public transport, enabling its residents to live independently as part of the community;
  - iii. the proposal meets the accessibility and wheelchair housing standards set out in Policy HOU 6 'Accessibility and wheelchair housing standards';
  - iv. the design of the proposal, including any individual units of accommodation, should be capable of meeting the specialised accommodation support and care needs of the occupier. This includes pick up and drop off facilities close to the principal entrance suitable for taxis (with appropriate kerbs), minibuses and ambulances and the ability to provide assistive technology and internet connectivity where relevant;
  - v. the provision of suitable open space/grounds that can be used by residents;
  - vi. the provision of suitable levels of safe storage and charging facilities for residents' mobility scooters, where relevant; and
  - vii. affordable housing provision will be required in line with the thresholds set out in LPS Policy SC 5 'Affordable homes'.

### Supporting information

#### 8.6 Supported and specialised accommodation could include:

- move-on accommodation for people leaving hostels, refuges and other supported housing, to enable them to live independently;
- accommodation for care leavers;
- accommodation for disabled people (including people with physical and sensory impairments and learning difficulties) who require additional support or for whom living independently is not possible;
- accommodation for people with mental health issues who require intensive support;
- temporary accommodation for rough sleepers and those with substance misuse;
- accommodation for victims of domestic abuse; and
- accommodation for older persons.

**8.7** Whilst the term independence is often used in the context of older people, promoting independence is important across all stages of life, young children, throughout adulthood and into old age. Our priority is to reach people early and keep them in their own homes through prevention



and early intervention to reduce people reaching crisis point. This will include equipment and adaptations to support continued independence and enable care to be provided at home, and work with registered providers to improve the use of existing accessible housing stock.

## Older persons

**8.8** The population projections used in the Cheshire East Housing Development Study 2015 identify that the population of Cheshire East is likely to increase from 383,600 persons to 431,700 persons over the 12-year period 2018-30; a 12-year increase of 48,100 persons. The population in older age groups is projected to increase substantially during this period, with an increase in the population aged 60 or over of 35,600, of which over 60% are projected to be 75+ (22,250 persons). This is particularly important when establishing the types of housing required and the need for housing specifically for older people. Whilst most of these older people will already live in the area and many will not move from their current homes, those that do move home are likely to be looking for suitable housing.

**8.9** The term 'older people' covers a range of people with differing needs. These can be addressed through a number of housing options either in specialist housing (for example, supported housing, extra care, assisted living, retirement villages, care homes and continuing care communities, residential and nursing care, close care or very sheltered housing); or mainstream housing (that is, people living independently in their own home, if necessary with some adaptations to their properties) depending on the level of care and support provided.

**8.10** A large proportion of older people and vulnerable residents prefer to live at home. The council will consider applications to adapt or extend such houses in a positive and supportive manner as a means of helping more people to remain living independently in their own home, consistent with other policies in the local plan. An appropriate housing mix, in line with LPS policy SC 4 'Residential mix' and Policy HOU 1 'Housing mix' should also provide for appropriate options for those residents in the borough looking for alternative housing options, such as downsizing.

**8.11** The Cheshire East Residential Mix Assessment (2019) considers the need for specialist older person housing across the borough up to 2030. There is a current estimated need of 6,862 specialist housing units for older persons but this is expected to increase by a further 5,573 over the 2018-30 period, meaning that the total required additional provision up to 2030 for specialist housing for older people is estimated at 12,435. All of these properties are already counted within the Objectively Assessed Needs identified in the LPS.

**8.12** The Cheshire East Residential Mix Assessment (2019) identifies that it is unlikely that all of the identified needs for older people will be delivered by specialist accommodation alone. Many householders identified as needing specialist accommodation will choose to remain in their own homes with appropriate assistance from social care providers, assistive technology and appropriate adaptations or downsize to more suitable accommodation. Furthermore, the health, longevity and aspirations of older people mean that they will often live increasingly healthier lifestyles and therefore future housing needs may be different from current identified needs.

**8.13** The provision of specialist older persons accommodation should also consider the overall viability of development, in the longer term, including the availability of revenue funding for ongoing care and its procurement. It will also be important for the council and its partners to determine the most appropriate types of specialist older persons accommodation to be provided in the area. Early engagement with the council, the health service and other social care providers is recommended. Specialist older persons accommodation should also be registered with the Care Quality Commission.

## Related documents

- Cheshire East Housing Strategy 2018-2023 (2018, Cheshire East Council)
- Cheshire East Joint Strategic Needs Assessment (Health and Wellbeing Board)
- Vulnerable and Older Persons Housing Strategy (2014, Cheshire East Council)



- Cheshire East Housing Development Study (2015, Opinion Research Services)
- Cheshire East Residential Mix Assessment (2019, Opinion Research Services) [ED 49]

## Policy HOU 3

### Self and custom build dwellings

1. The council will support proposals for self-build and custom-build housing in suitable locations.
2. On all housing developments providing 30 or more homes, a proportion of serviced plots of land should be provided, consistent with the latest available evidence of unmet demand.

### Supporting information

**8.14** The government wishes to increase opportunities for people to build or commission their own homes, and in so doing increase the role that these play in boosting the overall supply of new homes. This policy responds to that challenge and seeks to increase the amount of self-build and custom-build housing in the borough.

**8.15** The council has a legal duty to give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding. 'Self-build' is housing usually built in full by its final owners/occupiers from scratch. 'Custom-build' is housing usually part built by a provider and then customised by its owners/occupiers. In both instances, owners/occupiers are expected to have significant influence over the final design of their home. Owners/occupiers can be individuals or associations of individuals. A 'serviced plot of land' is land that can be connected to basic infrastructure. Each term is defined in the Housing and Planning Act, Self-build and Custom Housebuilding Act and associated regulations.

**8.16** The NPPF states that planning policies should consider the size, type and tenure of housing needed for different groups, including people wishing to commission or build their own homes. LPS Policy SC 4 'Residential mix' states that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes. This could include people wishing to build or commission their own homes.

**8.17** To increase diversification in the housing market, for custom-build housing schemes, the council will encourage developers to offer the widest range of customisation options possible. As minimum however, owners/occupiers of custom-build housing should be able to influence the design/appearance of the external envelope of their home and choose their own room dimensions and layout.

**8.18** On larger sites (30 or more dwellings), opportunities for self-build and/or custom-build housing should be provided as part of the housing mix in line with Policy HOU 1 'Housing mix'. Such developments are required to provide a housing mix statement at detailed planning/reserved matters stage. As part of this statement, an assessment of the unmet demand for self-build and/or custom-build housing should be provided, having regard to any shortfall in terms of the number of serviced plots permitted versus the current demand from the council's self-build register. Information regarding the extent to which the council is meeting its legal duties associated with self and custom-build will be published annually in its Authority Monitoring Report.

**8.19** Where an applicant considers that the provision of self-build and/or custom-build is unviable, this should be demonstrated through submission of a viability assessment. Any costs associated with the council independently evaluating the viability assessment will be borne by the applicant.



**8.20** Provision of self and custom-build housing opportunities will be controlled through conditions and/or Section 106 legal agreements as necessary.

**8.21** The requirement for self or custom build housing is separate to any affordable housing requirements set out in LPS Policy SC 5 'Affordable homes', although the council will be open to considering the provision of affordable housing through a self or custom-build route.

**8.22** Schemes for self-build and custom-build homes must still comply with policies and guidance in the development plan governing location and design of new homes. The fact that a proposed new home may be self or custom-build will not, in itself, override these policies.

### Related documents

- Cheshire East Custom and Self Build Register (Cheshire East Council)

## Policy HOU 4

### Houses in multiple occupation

1. The change of use to a house in multiple occupation (HMO), or proposals to extend existing HMOs to accommodate additional residents, will be permitted provided that:
  - i. the number of existing HMOs within 50 metres of the application site does not exceed 10% of the total number of dwellings;
  - ii. the extended or proposed HMO would not 'sandwich' an existing dwelling (C3) between two HMOs;
  - iii. the proposal would not have an adverse impact on:
    - a. the character and appearance of the property or the local area;
    - b. on-street car parking levels;
    - c. the capacity of local services/facilities; or
    - d. the amenity or environment of surrounding occupiers;
  - iv. the property is of a size, whereby the proposed layout, room sizes, daylight provision, range of facilities and external amenity space of the HMO would ensure an adequate standard of residential amenity for future occupiers;
  - v. adequate provision is made in the curtilage of the dwelling for covered cycle parking; and
  - vi. adequate provision is made in the site for waste and recycling storage.
2. Exceptions to criteria 1(i) and 1(ii) may be applied where a proposal is made in a group of properties, for example a terrace, where the number of dwellings remaining in C3 use is so low (one or two dwellings) that the proposal would not cause further harm to the overall character of the area and the proposal is supported by evidence<sup>(18)</sup> to show that there is no reasonable demand for the existing C3 use.

18 To demonstrate that no other occupiers can be found who could occupy the dwelling in C3 use, the dwelling should be marketed for sale or rent at a realistic price for a period of not less than 12 months. The council will require evidence that a proper marketing exercise has been carried out including a record of all offers and expressions of interest received.



## Supporting information

**8.23** A HMO is defined as a house or flat occupied by three or more individuals who form two or more unrelated households who share basic amenities. HMOs are classified by the Uses Classes Order as use class C4 (between three and six residents) or Sui Generis (of its own kind) (more than six residents). Permitted development rights enable the change of use of a dwelling (C3) to a small HMO (up to six residents) (C4) without the need for planning permission.

**8.24** HMOs are an important source of low cost, private sector housing for those on low incomes, students and those seeking temporary accommodation. However, the increase in the number of people living in a dwelling will increase demands on services and infrastructure above the demands of a smaller household traditionally associated with a C3 dwellinghouse. A concentration of HMOs in one area can change the character of that residential area, result in a decline in the settled population and harm the amenity of surrounding residents.

**8.25** The policy seeks to strike a balance. It recognises the role that HMOs can play in achieving a range of accommodation whilst ensuring that sufficient policy controls exist to address potential adverse impacts that may arise from them, particularly in areas where there is a greater concentration of such accommodation.

**8.25a** The council is currently considering the introduction of three non-immediate Article 4 Directions in parts of Crewe to remove permitted development rights for HMOs accommodating between three and six unrelated residents. The council will continue to monitor the concentration of HMOs elsewhere in the borough. A Supplementary Planning Document is also being prepared to provide additional guidance, including the density calculation and potential exceptions to this.

**8.26** The policy is intended to work in parallel with mandatory HMO licensing rules, which became effective on 01 October 2018. All HMOs that accommodate five or more people who form two or more households, are now required to be licensed. Licensing requirements include a minimum size for rooms used as sleeping accommodation and conditions to require license holders to comply with any scheme issued by the local housing authority for the storage and disposal of household waste.

### Related documents

- Amenity and Facilities Standards in Houses in Multiple Occupation (2018, Cheshire East Council)





## Policy HOU 5a

### Gypsy and Traveller site provision

1. In line with LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople', Gypsy and Traveller sites will be allocated or approved to meet the needs set out in the most recent Gypsy and Traveller Accommodation Assessment (GTAA). The GTAA (2018) identifies a need in the borough for the following provision over the remaining plan period (2017 to 2030):
  - i. 32 additional permanent residential pitches for Gypsies and Travellers; and
  - ii. a transit site of between 5 and 10 pitches for Gypsies and Travellers.
2. The following sites as shown on the adopted policies map are allocated for Gypsy and Traveller sites to ensure a deliverable supply of pitches:
  - i. Site G&T 1 'Land east of Railway Cottages, Nantwich (Baddington Park)' (2 additional permanent pitches);
  - ii. Site G&T 2 'Land at Coppenhall Moss, Crewe' (7 permanent pitches);
  - iii. Site G&T 3 'New Start Park, Wettenhall Road, Nantwich' (8 permanent pitches);
  - iv. Site G&T 4 'Three Oakes Site, Booth Lane, Middlewich' (24 permanent pitches);
  - v. Site G&T 5 'Cledford Hall, Cledford Lane, Middlewich' (10 transit pitches); and
  - vi. Site G&T 8 'The Oakes, Mill Lane, Smallwood' (4 additional permanent pitches).
3. In the open countryside, outside the Green Belt, Gypsy and Traveller pitches, over and above those provided for on allocated sites, will only be permitted through the application of criterion 3(i) of LPS Policy PG 6 'Open Countryside' or where it is evidenced that the intended occupiers of a proposed pitch:
  - i. are able to provide evidence to demonstrate strong links to Cheshire East in line with the local connection criteria, as set out by Cheshire Homechoice;
  - ii. have a genuine need for culturally appropriate accommodation; and
  - iii. cannot meet their accommodation needs by occupying an existing pitch within an established, authorised Gypsy and Traveller site or a new pitch on an allocated site.
4. Where these requirements are met, new pitches should be provided within an established Gypsy and Traveller site wherever possible, or, if not, as a small scale extension to it. A pitch on a new, stand-alone site will only be permitted where it is demonstrated that neither of these options are feasible.

### Supporting information

**8.27a** National planning guidance requires that local planning authorities very strictly limit new Traveller site development in open countryside that is away from existing settlements. LPS Policy PG 6 'Open countryside' restricts development in the open countryside to that appropriate to a rural area with limited exceptions listed including limited infilling where the requirements of the policy are met.

**8.27b** As set out in footnote 59 of the LPS, Gypsy and Traveller sites in the Green Belt are considered to be inappropriate development.

**8.28** In light of government changes to Planning Policy for Traveller sSites (2015), particularly the change to the definition of who constitutes a 'Traveller' for the purpose of planning, the council has updated its evidence base, on a sub-regional basis, on the need for additional Gypsy and Traveller accommodation. The policy reflects and seeks to address the updated assessment of accommodation



needs. The GTAA (2018) identifies the need for 32 pitches for households who meet the planning definition, as set out in Annex 1 of planning policy for Traveller sites (2015), up to 2030.

**8.28a** The GTAA (2018) acknowledges that it was not possible to determine the travelling status of all of the households surveyed, and a proportion of these households may meet the definition provided in Annex 1 of Planning Policy for Traveller Sites (2015). The GTAA (2018) identifies that two additional pitches may be needed to address the potential needs of households where the travelling status has not been able to be determined through the GTAA. The GTAA (2018) also identifies a need for 3 additional pitches in the Plan period for households who may need culturally appropriate accommodation but fall outside of the planning definition provided in Annex 1 of Planning Policy for Traveller Sites (2015). Proposals for further Gypsy and Traveller sites in the borough arising in the plan period will be considered according to the policy approach set out in Policy HOU 5a 'Gypsy and Traveller site provision'.

**8.28b** Applicants who bring forward proposals on sites not allocated in the plan will need to demonstrate that they meet the definition provided for by the government's Planning Policy for Travellers Sites and that they have a local need which cannot be met by existing authorised or allocated sites. The council is also mindful of its duties under the Equality Act (2010). The policy, through a criteria based approach, also seeks to provide for the accommodation needs of ethnic Gypsies and Travellers who fall outside the planning definition but nevertheless still need culturally appropriate accommodation.

**8.28c** Strong links to Cheshire East can be demonstrated through the local connection criteria as set out by Cheshire Homechoice, and are currently identified as intended occupiers who:

- Currently live, or have lived, within Cheshire East and have done for at least 2 consecutive years;
- Have immediate family (mother, father, brother, sister, adult child, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more;
- Have a permanent contract of employment based within Cheshire East Borough;
- Members of the armed forces: (a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge, (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner, or (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result; or
- Other significant reason.

**8.29** Occupation of any development for consented Gypsy and Traveller sites will be restricted, via condition.

**8.30** In line with LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople', there is a presumption against the loss of existing permanent consented Gypsy and Traveller sites where this would exacerbate or result in an identified shortfall unless suitable replacement provision is found.

**8.30a** The council will monitor the provision of additional pitches for Gypsies and Travellers that are delivered during the plan period. The effectiveness of the policy will be kept under review either as part of a Local Plan update or if there are any significant changes in the requirements for pitch provision, identified through monitoring, changes in national planning policy or as evidenced, for example, through a review of the GTAA.

#### **Related documents**

- Cheshire East, Cheshire West and Chester, Halton and Warrington Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018, Opinion Research Services) [ED 13]
- Gypsy and Traveller and Travelling Showpeople Site Selection Report (2020, Cheshire East Council) [ED 14]
- Cheshire Homechoice Common Allocation Policy (2018, Cheshire Homechoice)



## Policy HOU 5b

### Travelling Showperson site provision

1. In line with LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople', Travelling Showperson sites will be allocated or approved to meet the needs set out in the most recent Gypsy and Traveller Accommodation Assessment (GTAA). The GTAA (2018) identifies a need in the borough for five additional plots for Travelling Showpeople over the remaining plan period (2017 to 2030).
2. The following sites, as shown on the adopted policies map, are allocated for Travelling Showperson sites to ensure a deliverable supply of plots:
  - i. Site TS 1 'Lorry park, off Mobberley Road, Knutsford' (3 plots);
  - ii. Site TS 2 'Land at Fir Farm, Brereton' (10 plots); and
  - iii. Site TS 3 'Land at former brickworks, A50 Newcastle Road' (2 additional plots).

### Supporting information

**8.30b** In light of government changes to Planning Policy for Traveller sites (2015), the council has updated its evidence base, on a sub-regional basis, on the need for additional Gypsy and Traveller accommodation. The policy reflects and seeks to address the updated assessment of accommodation needs for Travelling Showpeople. The GTAA (2018) identified a requirement for 5 plots up to 2030.

**8.30c** The allocation at Site TS 2 'Land at Fir Farm, Brereton' responds to a site specific requirement identified following the completion of the 2018 GTAA. The site will be recorded in future iterations of the GTAA. The policy also supports the appropriate intensification or reconfiguration of the existing Showman's Yard on the A50 (Site TS 3 'Land at former brickworks, A50 Newcastle Road') site for up to two additional plots.

**8.30d** As set out in footnote 59 of the LPS, Travelling Showperson sites in the Green Belt are considered to be inappropriate development.

**8.30e** Occupation of any development for consented Travelling Showperson sites will be restricted, via condition, to persons complying with the national definition of Travelling Showpeople, as appropriate.

**8.30f** In line with LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople', there is a presumption against the loss of existing permanent consented Travelling Showperson sites where this would exacerbate or result in an identified shortfall unless suitable replacement provision is found.

**8.30g** The council will monitor the provision of additional plots for Travelling Showpeople delivered during the plan period. The effectiveness of the policy will be kept under review either as part of periodic reviews/updates of the Local Plan or if there are any significant changes in the requirements for plot provision, identified through monitoring, changes in national planning policy or as evidenced, for example, through a review of the GTAA.

### Related documents

- Cheshire East, Cheshire West and Chester, Halton and Warrington Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018, Opinion Research Services) [ED 13]
- Gypsy and Traveller and Travelling Showpeople Site Selection Report (2020, Cheshire East Council) [ED 14]



## Policy HOU 5c

### Gypsy and Traveller and Travelling Showperson site principles

Alongside the considerations set out in LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople', proposals for Gypsy and Traveller and Travelling Showperson sites in the borough should make sure that they:

1. are well related to the size and location of the site and respect the scale of the nearest settled community;
2. clearly indicate the proposed number of pitches/plots intended for the site;
3. are well planned, including clearly marked site and pitch or plot boundaries and include soft landscaping, appropriate boundary treatments and play areas for children where needed;
4. provide a safe environment for intended occupants and adequate on site facilities for parking and vehicle manoeuvring, servicing arrangements, storage, play and amenity space/facilities;
5. are capable of providing safe and adequate vehicle and pedestrian access arrangements including to emergency service vehicles;
6. provide for roads, gateways and footpaths constructed using appropriate materials;
7. provide for an appropriate level of essential services and utilities including mains electricity, a connection to a public sewer or provision of discharge to a septic tank, a mains water supply and a suitable surface water drainage system, prioritising the use of Sustainable Drainage Systems (SuDS) in line with LPS Policy SE 13 'Flood risk and water management'; and
8. make provision for waste to be stored appropriately for disposal and is able to be collected in an efficient manner.

### Supporting information

**8.30h** This policy addresses specific design principles that should be met by all new sites for travelling and non-travelling Gypsies and Travellers and Travelling Showpeople and should be read alongside LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.

**8.30i** The site design and layout should ensure the safety and security of residents. If external lighting will help achieve this, it should be designed into the proposal at the outset to ensure it is the minimum required and appropriate for the location. Safe access to, and movement within, the site for pedestrians, cyclists and vehicles is essential, as well as ensuring access is retained at all times for emergency vehicles and servicing requirements, including refuse collection.

**8.30j** Sites must be capable of being serviced by all necessary utilities in order to provide an appropriate residential environment. Foul drainage to a public sewer should be provided wherever possible. Where foul drainage to a public sewer is not feasible sites will only be permitted if proposed alternative facilities are considered adequate and would not pose an unacceptable risk to the quality or quantity of ground or surface water, pollution of local ditches, watercourses or sites of biodiversity importance. Sites must incorporate appropriate measures for surface water drainage, utilising Sustainable Drainage Systems where practicable.

**8.30k** Each pitch should be designed to provide appropriate accommodation for a household, and should normally allow for the siting of at least one trailer/mobile home and a touring caravan and space for car parking.



## Related documents

- Cheshire East, Cheshire West and Chester, Halton and Warrington Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018, Opinion Research Services) [ED 13]
- Gypsy and Traveller and Travelling Showpeople Site Selection Report (2020, Cheshire East Council) [ED 14]

## Housing standards

### Policy HOU 6

#### Accessibility and wheelchair housing standards

1. In order to meet the needs of the borough's residents and to deliver dwellings that are capable of meeting people's changing circumstances over their lifetime, the following accessibility and wheelchair standards will be applied.
  - i. For major developments:
    - a. at least 30% of housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and
    - b. at least 6% should comply with requirement M4 (3) of the Building Regulations regarding wheelchair adaptable dwellings.
  - ii. For specialist housing for older people:
    - a. all specialist housing for older people should comply with M4 (2) of the Building Regulations regarding accessible and adaptable dwellings; and
    - b. at least 25% of all specialist housing for older people should comply with requirement M4 (3) of the Building Regulations regarding wheelchair adaptable dwellings.
2. The standards set out in criterion 1 will apply unless site specific factors indicate that step-free access cannot be achieved or is not viable. Where step-free access is not viable, the Optional Technical requirements in part M of the Building Regulations will not apply.
3. Proposals for new residential development in the borough should meet the Nationally Described Space Standard.

## Supporting information

**8.31** In order to help deliver a wide choice of homes and create sustainable, inclusive and mixed communities, the NPPF states that local planning authorities should plan for the needs of different groups in the community, including older people and people with disabilities.

**8.32** The population projections used in the Cheshire East Housing Development Study 2015 identify that the population of Cheshire East is likely to increase from 383,600 persons to 431,700 persons over the 12-year period 2018-30; a 12-year increase of 48,100 persons. The population in older age groups is projected to increase substantially during this period, with an increase in the population aged 60 or over of 35,600, of which over 60% are projected to be 75+ (22,250 persons).

**8.33** National planning policy allows local planning authorities to set optional technical standards for new housing in relation to accessibility and wheelchair standards through their local plans. Using



the optional technical standards will allow the new housing to be more easily adaptable and support people in living in their homes for longer.

**8.34** Approved Document M of the Building Regulations 2010 (or as updated) sets out these standards. M4 (1): visitability is the mandatory building standard that applies to all new homes. M4 (2): accessible and adaptable dwellings and M4 (3): wheelchair user dwellings are the optional standards that local authorities can apply. The implementation of accessibility and wheelchair standards will take account of site-specific factors such as vulnerability to flooding, site topography and other factors. Where it is clearly demonstrated that step-free access cannot be achieved or is not viable, neither of the optional requirements in the policy will apply.

**8.35** The council is not intending to implement the tighter Building Regulations water efficiency standards optional requirement of 110 litres/person/day. The borough does not fall in an area with a 'serious' water company stress classification in the Environment Agency's 'Water stressed areas – final classification'.

**8.36** All new residential dwellings will be required to be built to the Nationally Described Space Standard (or any future successor). Applicants will be expected to design schemes in accordance with the Nationally Described Space Standards, including sufficient built-in storage. Applicants will be expected to submit appropriate and proportionate evidence alongside planning applications to make sure that compliance with the standards can be verified.

**8.36a** Reference should also be made to energy efficiency and renewable energy generation standards included in Policy ENV 7 'Climate change'.

#### **Related documents**

- Cheshire East Residential Mix Assessment (2019, Opinion Research Services) [ED 49]
- Local Plan Site Allocations and Development Policies Viability Assessment (2020, HDH Planning and Development) [ED 52]
- Nationally Described Space Standards (2020, Cheshire East Council) [ED 57]
- Housing: Optional Technical Standards (2015, DCLG)
- Cheshire East Housing Development Study (2015, Opinion Research Services)
- Technical Housing Standards: Nationally Described Space Standard (2015, DCLG)

### **Policy HOU 7**

#### **Subdivision of dwellings**

Subdivision of existing dwellings into self-contained residential units will be permitted where the proposals accord with other policies in the development plan and:

1. satisfactory living environments can be created in the new dwellings;
2. sufficient amenity space and car parking is retained; and
3. adequate provision is made in the site for waste and recycling storage.

#### **Supporting information**

**8.37** The creation of additional self-contained housing units by the sub-division of existing dwellings is often an effective way of providing lower-cost accommodation, but the usual standards for dwellings will still apply.

**8.38** Changes to the existing housing stock may, from time to time, result in the replacement of former dwellings that have been demolished. Such forms of development need to be considered in



the same manner as a new dwelling because they can have a similar impact on the environment and require similar services and infrastructure.

**8.39** Any extensions or alterations must accord with the requirements of Policy HOU 9 'Extensions and alterations'.

## Policy HOU 8

### Backland development

Proposals for tandem or backland development will only be permitted where they:

1. demonstrate a satisfactory means of access to an existing public highway that has an appropriate relationship with existing residential properties;
2. do not have unacceptable consequences for the amenity of the residents of existing or proposed properties;
3. are equal or subordinate in scale to surrounding buildings, particularly those fronting the highway; and
4. are sympathetic to the character and appearance of the surrounding area through its form, layout, boundary treatments and other characteristics.

### Supporting information

**8.40** The council encourages the effective use of the finite land resource and recognises that land in the built framework of towns and villages can usefully contribute towards meeting housing need. However, badly planned backland development can create unsatisfactory living environments for existing and future residents. This policy seeks to avoid the undesirable cramming of new dwellings onto sites already occupied by existing buildings. Only where the site is large enough to accommodate additional dwellings without adversely affecting the amenities enjoyed by existing properties, and where an acceptable, separate means of access can be provided, would such a form of development be appropriate.

## Policy HOU 9

### Extensions and alterations

Extensions or alterations to existing dwellings and construction of ancillary outbuildings in residential curtilages should:

1. be in keeping with the scale, character and appearance of their surroundings and the local area, and be subordinate to the existing dwelling;
2. not have a significant adverse impact on the amenity of nearby occupiers or the future occupiers of the dwelling; and
3. include suitable provision for access and parking in a way that does not detract from the character and appearance of the area.



## Supporting information

**8.41** To meet the changing needs of occupiers, this policy allows for extensions and alterations to existing dwellings, providing they are appropriately designed and have regard to neighbouring properties. In the application of this policy, reference should also be made to Policy HOU 11 'Residential standards'.

**8.42** The term 'existing dwelling' is classed as the dwelling at the time of the planning application.

**8.43** The assessment of whether a development is in keeping with the scale, character and appearance of its surrounding and local area will have regard to the design, scale, height, massing, material finishes, visual appearance and character of buildings, and the prevailing layout and landscaping of the development.

### Policy HOU 10

#### Amenity

Development proposals must not unacceptably harm the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of those properties due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

## Supporting information

**8.44** This policy intends to protect the amenities of residential occupiers or sensitive uses in the vicinity of any new development. Policy that reflects the agent of change principle can be found in Policy ENV 15 'New development and existing uses'.

**8.45** Environmental disturbance includes the effects of noise, vibration, smells, fumes, smoke, dust or grit. Sensitive uses are those uses whose activities are particularly vulnerable to disturbance from noise, pollution, loss of privacy, or daylight and visual intrusion, such as schools, hospitals and homes.





## Policy HOU 11

### Residential standards

1. Proposals for housing development should generally:
  - i. meet the standards for space between buildings as set out in Table 8.2 'Standards for space between buildings', unless the design and layout of the scheme and its relationship to the site and its characteristics provides an adequate degree of light and privacy between buildings; and
  - ii. include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.
2. In addition to the standards set out in Table 8.2 'Standards for space between buildings':
  - i. each building should normally be set back at least 1 metre from the side boundary; and
  - ii. where it is necessary to provide a car parking space at the front of the dwelling, each dwelling should be set back at least 5.5 metres from the highway to provide car parking space off the highway.

### Supporting information

**8.46** The Cheshire East Borough Design Guide supplementary planning document (2017) supports an innovative design led approach and promotes opportunities for reduced distance standards through good design. However, these distances in Table 8.2 'Standards for space between buildings' should be seen as a minimum where it impacts on existing property.

**Table 8.2 Standards for space between buildings**

Position/height of building	Standards for space between buildings from the centre line of any window
<b>1. Habitable room facing habitable room or facing non-residential buildings</b>	
1 or 2 storeys	<ul style="list-style-type: none"> <li>• 18 metres front to front of buildings</li> <li>• 21 metres back to back of buildings</li> </ul>
3 storeys or upwards	<ul style="list-style-type: none"> <li>• 20 metres front to front of buildings</li> <li>• 24 metres plus 2.5 metres per additional storey back to back of buildings</li> </ul>
<b>2. Habitable room facing non-habitable room</b>	
1 or 2 storeys	<ul style="list-style-type: none"> <li>• 14 metres</li> </ul>
3 storeys or upwards	<ul style="list-style-type: none"> <li>• 2.5 metres per additional storey</li> </ul>
<b>3. Allowance for differences in level between buildings</b>	
All cases where 1 and 2 (above) are applied and difference in level exceeds 2 metres	<ul style="list-style-type: none"> <li>• Add 2.5 metres to distance</li> </ul>
Each further 2 metres difference in level	<ul style="list-style-type: none"> <li>• Add additional 2.5 metres per 2 metres difference in level</li> </ul>

**8.47** A habitable room is any room in a house except the hall, stairs, landing, toilet, bathroom, and kitchen, unless the kitchen is a kitchen diner.



**8.48** The space criteria apply where the sole or principal window in the habitable room faces:

- in the case of 1, another habitable room; or
- in the case of 2, a blank wall or a wall that contains obscure glazing only.

#### Related documents

- Cheshire East Borough Design Guide supplementary planning document (2017, Cheshire East Council and e\*SCAPE Urbanists)

### Policy HOU 12

#### Housing density

1. Residential development proposals will generally be expected to achieve a net density of at least 30 dwellings per hectare.
2. Development proposals will be expected to achieve a higher density:
  - i. in the settlement boundaries of principal towns, key service centres and local service centres where sites are well served by public transport; and/or
  - ii. close to existing or proposed transport routes/nodes.
3. In determining an appropriate density, the following factors will also be taken into account:
  - i. the mix and type of housing proposed;
  - ii. the character of the surrounding area (recognising that there are some areas of the borough with an established low density character that should be protected) and their wider landscape and/or townscape setting;
  - iii. the nature, setting and scale of the proposal including site constraints and local context;
  - iv. the character of the site including its topography and biodiversity value;
  - v. local market conditions and viability;
  - vi. the need to preserve the amenity of existing or future residents; and
  - vii. availability and capacity of local services, facilities and infrastructure.
4. Higher densities will be supported where innovative design solutions are proposed and consistent with the Cheshire East Borough Residential Design Guide supplementary planning document.

#### Supporting information

**8.49** Proposals for housing developments should use land efficiently in line with LPS Policy SE 2 'Efficient use of land'. Policy HOU 12 'Housing density' sets out the council's expectations on the net density of sites in the borough. It does recognise that there will be sites where higher or lower densities will be more appropriate and sets out the factors that should be taken into account.

**8.50** In the application of this policy, reference should also be made to Policy HOU 1 'Housing mix' as providing for a broad mix of dwelling types, particularly smaller dwellings, can achieve higher net densities and the more effective and efficient use of land.

**8.51** The appreciation of landscape and townscape character, alongside well thought out and designed housing schemes, can assist in the efficient use of land when balanced with other design considerations. The efficient and effective use of land is important in contributing to regeneration, protecting greenfield sites, minimising Green Belt loss and supporting the achievement of sustainable



development across the borough. There are, however, areas in the borough that have an established and important low density character that needs to be protected.

**8.52** Net dwelling density is defined as including only those site areas that will be developed for housing and directly associated uses, including access roads in the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas, where these are provided.

**8.53** Where viability assessments are submitted, they will be evaluated independently with the cost being borne by the applicant.

#### Related documents

- Cheshire East Borough Design Guide supplementary planning document (2017, Cheshire East Council and e\*SCAPE Urbanists)

## Housing delivery

### Policy HOU 13

#### Housing delivery

1. The council supports the use of masterplans, design codes and area-wide design assessments to help bring forward and co-ordinate the delivery of housing sites and infrastructure in the borough.
2. The council will support the sub-division of large sites, where this could help to speed up the delivery of homes, and does not conflict with their comprehensive planning and delivery when read alongside other policies in the local plan.
3. Modern methods of construction will be encouraged where their use supports the delivery of homes and does not conflict with other policies in the local plan.
4. To help make sure that proposals for housing development are implemented in a timely manner, the council will consider imposing planning condition(s) requiring development to begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability.

#### Supporting information

**8.54** The council will work closely with key partners, developers and landowners to expedite the delivery of housing and to maintain at least a five year deliverable supply of housing land and meet the overall development requirements of the local plan.

**8.55** The sub-division of larger sites to support the delivery of homes will only be supported where the delivery requirements of the larger site, for example by infrastructure delivery, public open space or the wider objectives of the site are not compromised.



## Policy HOU 14

### Small and medium-sized sites

The particular benefits of providing well-designed new homes on small and medium-sized sites, up to 30 homes, will be given positive weight in determining planning applications.

### Supporting information

**8.27** LPS Policy SC 4 'Residential mix' seeks to achieve a mix of housing types, tenures and sizes to address the wide range of needs of existing and future residents in the borough. The government wishes to diversify the housing market, opening it up further to small and medium sized builders and to make it easier for people who want to build their own homes<sup>(19)</sup>. The delivery of smaller sites plays an important role in meeting housing needs. Smaller sites offer a number of benefits, including providing a greater diversity of sources, locations, type and mix of housing supply, supporting smaller housebuilders and supporting those wishing to bring forward custom, self-build and community-led housing. The policy makes clear the council's ambition to see more homes built on appropriate smaller sites.

**8.28** There is no universally accepted definition of what constitutes a small site. It may vary by reference to the characteristics of a particular area. In a joint report by the Local Government Information Unit and the Federation of Master Builders in December 2016,<sup>(20)</sup> a small site was considered to be one that was unlikely to be developed by large volume house builders. In the absence of a better measure this was defined as a site with the capacity for 30 units or fewer, or 1.5 hectares or less in size. A figure of 20 homes has been highlighted by the Home Builders Federation<sup>(21)</sup> on the basis that it provides a more appropriate broader potential site base for small and medium sized builders than the broadly applied definition of small sites involving around 10 dwellings. The council's view is that a threshold of 30 homes is appropriate in Cheshire East, because it generally reflects a scale of development that would be brought forward by small and medium size builders.

19 For example see the Housing White Paper 'Fixing Our Broken Housing Market' (2017, DCLG)

20 Small is Beautiful: Delivering More Homes Through Small Sites (2016, Local Government Information Unit and Federation of Master Builders)

21 Reversing the Decline of Small Housebuilders: Reinvigorating Entrepreneurialism and Building More Homes (2017, Home Builders Federation)



# 9

## Town centres and retail



# 9 Town centres and retail

9.1 Despite a period of dynamic change, town centres remain the focal point for much retailing, leisure and commerce. The plan seeks to support the role and function of town centres through this period of change, particularly by concentrating on core areas and activities. In recognition of their role as principal towns, more detailed policy is provided for Crewe and Macclesfield.

## Retailing

### Policy RET 1

#### Retail hierarchy

1. In line with LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce', the hierarchy of retail centres in Cheshire East is set out in the three tables below. The boundaries for principal town centres, town centres and local centres are shown on the adopted policies map. Development proposals should reflect the role, function and character of the relevant retail centre in the hierarchy to promote their long term vitality and viability.

Role and tier in retail hierarchy	Centre name	Centres
Principal town	Principal town centres	Crewe and Macclesfield
Key service centres	Town centres	Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow
Local service centres	Local centres	Alderley Edge, Audlem, Bollington, Chelford, Disley, Goostrey, Haslington, Holmes Chapel, Mobberley and Prestbury

2. Local centre boundaries are not proposed for Bunbury, Wrenbury and Shavington. As local service centres, any additional retail provision in these centres should focus on providing retailing of an appropriate scale, plus take opportunities for service users and small scale independent retailing of a function and character that meets the needs of the local community.
3. The following local urban centres are defined on the adopted policies map:

Role and tier in retail hierarchy	Centres
Local urban centres	Nantwich Road (Crewe), West Street (Crewe), West Heath Shopping Centre (Congleton), Welsh Row (Nantwich), Chapel Lane (Wilmslow) and Dean Row Road (Wilmslow)

4. The following neighbourhood parades of shops are defined on the adopted policies map:

Role and tier in retail hierarchy	Centres
Neighbourhood parade of shops	Crewe: Bramhall Road, Coronation Crescent, Coleridge Way, Kings Drive, Reasdale Avenue, Edleston Road; Macclesfield: Mill Lane, Tytherington Centre, Hurdsfield Green, Buxton Road, Park Lane, Thornton Square, Earlsway/Weston Square, Broken Cross, Kennedy Avenue, Westminster Road; Congleton: Hightown Biddulph Road; Handforth: Plumley Road; Knutsford: Longridge, Parkgate Lane, Woodlands Drive; Nantwich: Cronkinson Farm; Poynton: School Lane; Sandbach: Queens Drive; Wilmslow: Davenport Green, Twinnies Road; Alderley Edge: Wood Gardens; Bollington: Grimshaw Lane; Haslington: Crewe Road



## Supporting information

**9.2** LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce' sets out the retail hierarchy in Cheshire East, using the settlement hierarchy set out in LPS Policy PG 2 'Settlement hierarchy' (principal towns, key service centres and local service centres).

**9.3** Evidence from the individual settlement reports has led to the identification of local urban centres and neighbourhood parades of shops, which have been added to the retail hierarchy.

**9.4** This policy therefore supplements LPS Policy EG 5 and confirms the retail hierarchy in Cheshire East. Reference should be made to the following retail policies that may apply to the different levels of the retail hierarchy, as shown in Table 9.1 'Retail policies'.

**Table 9.1 Retail policies**

Role and tier	Centre name	Related policy
Principal town	Principal town centres	<ul style="list-style-type: none"> <li>LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce';</li> <li>Policy RET 2 'Planning for retail needs';</li> <li>Policy RET 7 'Supporting the vitality of town and retail centres';</li> <li>Policy RET 3 'Sequential and impact tests';</li> <li>Policy RET 8 'Residential accommodation in the town centre';</li> <li>Policy RET 9 'Environmental improvements, public realm and design in town centres';</li> <li>Policy RET 10 'Crewe town centre';</li> <li>Policy RET 11 'Macclesfield town centre and environs'.</li> </ul>
Key service centre	Town centres	<ul style="list-style-type: none"> <li>LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce';</li> <li>Policy RET 2 'Planning for retail needs';</li> <li>Policy RET 7 'Supporting the vitality of town and retail centres';</li> <li>Policy RET 3 'Sequential and impact tests';</li> <li>Policy RET 8 'Residential accommodation in the town centre';</li> <li>Policy RET 9 'Environmental improvements, public realm and design in town centres'.</li> </ul>
Local service centre	Local centres	<ul style="list-style-type: none"> <li>LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce';</li> <li>Policy RET 2 'Planning for retail needs';</li> <li>Policy RET 7 'Supporting the vitality of town and retail centres';</li> <li>Policy RET 3 'Sequential and impact tests'.</li> </ul>
	Local urban centres	<ul style="list-style-type: none"> <li>LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce';</li> <li>Policy RET 2 'Planning for retail needs';</li> <li>Policy RET 7 'Supporting the vitality of town and retail centres';</li> <li>Policy RET 3 'Sequential and impact tests'.</li> </ul>
	Neighbourhood parades of shops	<ul style="list-style-type: none"> <li>LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce';</li> <li>Policy RET 2 'Planning for retail needs';</li> <li>Policy RET 6 'Neighbourhood parades of shops'.</li> </ul>

**9.5** There is no discernible cluster of retail and town centre uses to enable a local centre boundary to be drawn in the case of Bunbury, Shavington and Wrenbury. However, they remain as local service centres in the retail hierarchy and any future additional proposed retail provision should take account of their role and function alongside other relevant local or neighbourhood plan policies.



**9.6** Local urban centres support the sustainability of larger centres and provide access to local day to day shopping needs. Neighbourhood parades of shops serve localised day to day needs of residents and are of purely neighbourhood significance. For the avoidance of doubt, local urban centres and neighbourhood parades of shops do not fall within the definition of town centres in the glossary of the NPPF.

### Related documents

- Settlement reports (2020, Cheshire East Council) [ED 21] to [ED 44]
- Cheshire East Retail Study Partial Update (2020, WYG) [ED 17]
- Cheshire East Retail Study Update (2016, WYG)

## Policy RET 2

### Planning for retail needs

Retail convenience and comparison floorspace need arising in the borough over the remaining plan period up to 2030 will be met principally through:

1. the delivery of sites allocated in the LPS that include an element of retailing to meet local needs;
2. further retail development in central Crewe and central Macclesfield, on sites in town centre boundaries; and
3. the delivery of allocated Site LPS 47 'Snow Hill, Nantwich'.

### Supporting information

**9.7** The Cheshire East Retail Partial Study Update (2020) identifies no need for additional comparison goods floorspace in the borough up to 2030. The study identifies the following need for convenience floorspace at a town level.

**Table 9.2 Need for convenience retail floorspace at a town level up to 2030**

	Convenience goods floorspace capacity	
	Min sq.m	Max sq.m
Crewe	0	0
Macclesfield	2,300	2,700
Alsager	0	0
Congleton	1,300	1,600
Handforth	0	0
Knutsford	3,600	4,300
Middlewich	2,000	2,400
Nantwich	1,700	2,100
Poynton	0	0
Sandbach	100	200
Wilmslow	0	0





**9.8** The Cheshire East Retail Study Partial Update (2020) recognises that expenditure growth forecasts in the longer term (and certainly beyond the next ten years) should be treated with caution given the inherent uncertainties in predicting the economy's performance over time and the pattern of future trading. Therefore, retail assessments will be reviewed on a regular basis in order to make sure that forecasts over the medium and long term are reflective of any changes to relevant available data.

**9.9** The need is expected to be met principally through the incremental development of allocated sites in the LPS, where such sites will incorporate an element of retail floorspace as part of their mixed-use development. Site LPS 47 'Snow Hill, Nantwich' includes support for appropriate retailing, including opportunities for small, independent retailers in that allocation.

**9.10** In line with their status as principal town centres, additional retail development will also be steered to the town centres of Crewe and Macclesfield. An example of this is the Royal Arcade scheme in Crewe town centre; a leisure-led, mixed use scheme that is expected to incorporate an element of retail use.

#### **Related documents**

- Cheshire East Retail Study Update (2016, WYG)
- Cheshire East Retail Study Partial Update (2020, WYG) [ED 17]



## Policy RET 3

### Sequential and impact tests

1. In accordance with LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce', a sequential test will be applied to planning applications for main town centre uses that are not in a defined centre<sup>(22)</sup>. Main town centre uses should be located in designated centres, and then in edge-of-centre locations, and only if suitable sites are not available or expected to become available within a reasonable period, should out of centre sites be considered. In terms of edge and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.
2. Development proposals for retail and leisure uses that are located on the edge or outside of a defined centre<sup>(22)</sup>, and that exceed the floorspace thresholds set out in the table below, will have to demonstrate that they would not have a significant adverse impact on:
  - i. the delivery of existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - ii. the vitality and viability of any existing centre, including local consumer choice and trade in the town centre and relevant wider retail catchment, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Centre	Impact test threshold (gross floorspace)
Principal town centres	500 sq.m
Town centres	300 sq.m
Local centres	200 sq.m

3. All proposals to extend existing class E(a) stores in 'edge-of-centre' or 'out-of-centre' locations should also be accompanied by an impact assessment, where the additional floorspace proposed exceeds the relevant impact test threshold. Proposals to vary the range of goods permitted to be sold should also be accompanied by an impact assessment where the necessary impact test threshold has been exceeded.
4. Where any proposal fails to satisfy the sequential test and/or is likely to have a significant adverse impact on one or more of the considerations set out in criterion (2) on a defined centre, it will be refused.

### Supporting information

**9.11** National planning policy promotes the role of town centres as the heart of communities and requires that their vitality and viability are protected and enhanced. In doing so, it requires applications for edge and out-of-centre development for retail and leisure uses that are not in accordance with an up-to-date development plan, to be supported by impact assessments, where their size exceeds the relevant threshold. The NPPF sets a national threshold of 2,500 sq.m<sup>22</sup> however, local planning authorities are able to set their own thresholds in the light of local evidence.

**9.12** In accordance with guidance set out in Planning Practice Guidance, the Threshold Policy for Main Town Centres Uses Impact Test: Evidence and Justification Report (2018) and the Retail Study

<sup>22</sup> Principal town centres, town centres, local centres, or local urban centres.



Partial Update (2020) have analysed data from a number of sources in forming a view on the appropriateness of setting alternative threshold levels. Overall, the reports concluded that it is appropriate to set local thresholds for the borough to reflect the differing scale of defined retail centres. These are shown in the table within the policy. For local urban centres, the threshold for the town where the local urban centre is located will apply.

**9.13** Where a catchment area extends across a number of centres, the need or otherwise for an impact assessment must have regard to the thresholds for each centre. Applicants are encouraged to engage with the council at an early stage to discuss the implementation of the sequential and impact assessment.

**9.13a** The Town and Country Planning (use classes) (Amendment) (England) regulations 2020 (SI 2020 No.757) have established Class E (commercial, business and services), Class F1 (learning and non-residential institutions) and Class F2 (local community) use classes. Policy RET 3 'Sequential and impact tests' applies to new floorspace, but also to change of use (where appropriate) and variations of conditions to remove or amend restrictions on how units operate in practice. In considering proposals for variations of conditions, the threshold should apply to the whole of the unit in question, rather than just the quantity of floorspace subject to the condition.

**9.14** In undertaking the sequential test, flexibility should be demonstrated on matters such as format and scale. In line with LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce', the sequential test will not be applied to applications for small scale rural offices or other small scale rural development.

#### **Related documents**

- Threshold Policy for Main Town Centres Uses Impact Test: Evidence and Justification Report (2018, WYG) [ED 16]
- Cheshire East Retail Study Partial Update (2020, WYG) [ED 17]
- Settlement reports (2020, Cheshire East Council) [ED 21] to [ED 44]



## Policy RET 4

### Shop fronts and security

#### Shop Fronts

1. Proposals for new shop fronts or alterations to existing shops, including commercial premises, will be supported subject to meeting the following criteria:
  - i. the design and materials used must be of a high quality and must relate to the building as an entity and the character of the area;
  - ii. proposals should reflect the traditional character of shop fronts and include historically accurate detailing;
  - iii. new shopfronts in conservation areas should incorporate traditional design elements and materials; and
  - iv. the proposals should be designed to meet the needs of disabled people; and
  - v. any existing features of historic or architectural interest are retained.

#### Shutters

2. Shopfronts should present an active frontage to the street scene at all times. Where security is essential, preference will be given to internal open mesh grilles. Where it is demonstrated that additional security is necessary, following the consideration first of other measures such as security glazing, lighting, closed circuit TV and alarms, external open mesh grilles may be permitted. The housing for retractable open mesh grilles should be integrated into the shop front fascia. External solid shutters that obscure the shopfront will not be permitted.

#### Blinds and Canopies

3. Applications for blinds, canopies, awnings or any such similar device will be permitted subject to satisfying the following criteria:
  - i. the size, colours, design and materials are appropriate to the character and features of the building, and the character and appearance of the local area;
  - ii. proposals should not obscure features of architectural or historic interest or be uncharacteristic of a building's design;
  - iii. by reason of height or degree of projection the canopy must not interfere with free pedestrian or traffic movement; and
  - iv. where canopies are retractable, the canopy/blind box must be recessed in the plane of the shop front. Where this is physically impossible, projecting blind boxes must be inconspicuous and painted in a colour to match the shop front.

### Supporting information

**9.15** This policy supports LPS Policy SE 1 'Design', which seeks to make sure that development makes a positive contribution to its surroundings. Shopfronts affect the character and attractiveness of an area, and very particular attention should be given to the design and appearance of shop fronts in conservation areas. The council will seek to make sure that new shopfronts are of a high standard everywhere and are sensitive to the area in which they are located and of the building concerned to make sure that important existing historical/architectural features are retained. The policy also seeks to comply with legislation regarding access and facilities for disabled people. For further guidance on this matter, reference can be made to the Easy Access to Historic Buildings (2015) report.



**9.16** Shop windows provide views into and out of premises and help bring activity and enhance feelings of security. External steel shutters, and particularly solid shutters, along shop fronts can create dead and hostile environments and can attract vandalism and graffiti. Opportunities to improve security that do not require obtrusive features on the exterior of buildings, such as security glazing and alarm systems, should always be explored first before open mesh external shutters are considered. Proposals for the installation of metal shutter boxes, external grilles or other obtrusive features will not be acceptable in conservation areas or on listed buildings.

### Related documents

- Easy Access to Historic Buildings (2015, Historic England)

## Policy RET 5

### Restaurants, cafés, pubs and hot food takeaways

1. The building or change of use of establishments to restaurants and cafés, drinking establishments and hot food takeaways will be permitted provided they comply with other policies in the development plan and where there will be no adverse effect, either individually or cumulatively, on the character of the area, amenities of residential occupiers, community safety and/or highway safety.
2. Where permission is granted for such uses or for an extension of such use, conditions appropriate to the permitted use may be imposed relating to community safety, hours of opening, noise, odour and fumes, the disposal of refuse, and restricting the sale of hot food to be consumed off the premises.
3. Where hot food takeaways are located within 400 metres of a secondary school or sixth form college, planning permission will be granted subject to a condition that the premises are not open to the public before 17:00 on weekdays and there is no over the counter sales before that time. The only exception to this approach will be where the proposal is in a principal town centre, town centre or local centre designated in the local plan.
4. Where space allows and it is appropriate to the use, character of the area, and will not conflict with pedestrian movement or public safety, external dining and seating shall be encouraged. Measures to screen outdoor dining and seating areas and to provide shelter should be of a high quality and not detrimental to the character and appearance of the area.

### Supporting information

**9.17** This policy supports LPS Policy SC 3 'Health and well-being', which recognises the importance of safe and healthy lifestyles.

**9.18** In the UK obesity is the greatest health issue for this generation. Hot food takeaways tend to sell food that is high in calories, fat, salt and sugar and low in fibre, fruit and vegetables. There is evidence that regular consumption for energy dense food from hot food takeaways is associated with weight gain and is appealing to children. It is recognised that the causes of obesity are complex and the result of a number of factors. A wide range of health experts recommend restricting the use of hot food takeaways, particularly around schools in order to create a healthier food environment. This policy therefore seeks to limit the availability of additional hot food takeaway facilities near to secondary schools and sixth form colleges. Further information can be seen in the Restaurants, Cafés, Pubs and Hot Food Takeaways Background Report [ED 50].

**9.19** The most popular time for purchasing food from takeaways is after school. The proximity to primary schools is not addressed in this policy as secondary schools and sixth form college pupils are considered to have greater mobility and independence compared to primary school pupils. Although the 400 metre distance (as the crow flies) will be taken from the school's entrance, site specific factors



such as physical barriers to pedestrian movement and the number and location of other takeaways along the school route will be taken into consideration.

**9.20** Whilst restaurants, cafés, pubs, and takeaways add to the diversity of a town centre and can make a positive contribution to the vitality of the evening economy, there are also a number of undesirable impacts that can occur as a result of an over-concentration of such uses, including smell, noise, fumes, and antisocial behaviour.

**9.21** Proposals for restaurants, cafés, pubs, and takeaways will need to show that they comply with Policy ENV 12 'Air quality'. Proposals must provide appropriate extraction systems to effectively disperse of odours. They must demonstrate that they have no adverse impacts on visual amenity, including location and external finish, and noise to nearby properties.

**9.22** A waste management strategy should accompany planning applications, which should detail how proposals will acceptably manage their own waste on site, set their approach to recycling and address the impacts of customers' waste.

**9.23** The council, when considering applications for such uses, will also take into account the location of the development, the nature of the proposal and the character of the surrounding area. The location of drinking establishments and hot food takeaways in residential areas will be very carefully assessed.

**9.24** The impact of proposals on road safety will also be an important consideration when determining planning applications. Proposals will need to demonstrate that they will not adversely affect highway safety or the free flow of traffic on adjacent highways.

#### **Related documents**

- Restaurants, Cafés, Pubs and Hot Food Takeaways Background Report [ED 50] (2020, Cheshire East Council)
- Using the Planning System to Control Hot Food Takeaways (2013, NHS London Healthy Urban Development Unit)

### **Policy RET 6**

#### **Neighbourhood parades of shops**

1. The role of neighbourhood parades of shops, to provide facilities that serve a local catchment, will be supported.
2. Development involving the loss of existing use class E(a) and/or F2(a) shops in neighbourhood parades of shops will only be permitted where it has been demonstrated that there is no reasonable prospect of the existing class E(a) and/or F2(a) use continuing in the premises because of the absence of market demand.
3. Development proposals in neighbourhood parades of shops for additional use class E(a) and/or F2(a) uses will be supported where they are in keeping with the scale, local role and catchment of the parade.

#### **Supporting information**

**9.25** In line with LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce', small parades of shops will be protected. This policy reflects the important role that neighbourhood parades of shops have in providing for the day to day needs of people their local area. Neighbourhood parades of shops generally form at least four shops located closely together. They can generally be readily accessed on foot and by bicycle and are a focus for interaction by local people, supporting



community vibrancy. The council therefore wants to support the continued provision of these small scale facilities, which include post offices, general stores and hairdressers.

**9.26** Changes in lifestyles over the last 50 years, such as the increase in car ownership and the emergence of large superstores, mean that many people can now travel further and more easily to obtain food and services. However, local facilities continue to play an important role for day-to-day convenience and for those residents who have difficulty accessing superstores or the town centre. These centres also provide opportunities for more specialist retailers as well as other local facilities and services, avoiding the higher rents prevalent in larger centres.

**9.27** To demonstrate the absence of market demand under the second clause of the policy, the council will normally expect the premises to have been properly marketed through a commercial agent for at least 12 months, at a market value that reflects the use, condition, quality and location of the premises, and that no purchaser or tenant has come forward.

**9.28** Neighbourhood parades of shops are purely of neighbourhood significance and do not fall within the definition of a town centre, as set out in the NPPF.

**9.29** Developments that support the retention and delivery of community services should also make reference to LPS Policy EG 2 'Rural economy' and Policy REC 5 'Community facilities'.

**9.29a** The Town and Country Planning (use classes) (Amendment) (England) regulations 2020 (SI 2020 No.757) have established Class E (commercial, business and services), Class F1 (learning and non-residential institutions) and Class F2 (local community) use classes. Class E(a) relates to shops and F2(a) relates to shops selling mostly essential goods defined as selling a range of dry goods and food to visiting members of the public where there are no commercial units within 1,000 metres, and the unit's area is under 280 square metres.

#### **Related documents**

- Settlement reports (2020, Cheshire East Council) [ED 21] to [ED 44].



## Town centres

### Policy RET 7

#### Supporting the vitality of town and retail centres

1. In line with LPS Policy EG 5 'Promoting a town centre first approach to retail and commerce', town centre locations are the primary location for main town centre uses to support their long term vitality and viability.
2. Primary shopping areas are defined on the adopted policies map for principal town centres and town centres.
3. In a primary shopping area, local centre or local urban centre:
  - i. development proposals for use class E(a) retail development or investment to enhance existing use class E(a) retail provision will be supported in principle;
  - ii. development proposals involving the loss of main town centre uses will not be permitted unless it can be demonstrated that:
    - a. there is no reasonable prospect of the existing use of the premises, or another main town centre use, continuing in the premises or on the site in the foreseeable future because of market demand; and
    - b. for primary shopping areas, the proposal does not unacceptably undermine the predominant character of the primary shopping area where retail uses (use class E(a)) are concentrated.
4. In a local centre or local urban centre, in addition to criterion 3(ii)(a) above, development proposals should be of a scale commensurate with the centre's role and function.

#### Supporting information

**9.30** The policy is consistent with the introduction of Class E, F1 and F2 use classes which seek to respond to the rapid and changing retail environment. The primary shopping areas remain the focus of retail uses in town centres and the policy seeks to support their vitality and viability. The retail market is continuously changing and responding to societal change, particularly around internet shopping and changing technology. Therefore, it is recognised that the focus of town centres may change over time towards the introduction of leisure uses, the emphasis on the evening/night time economy, and increased flexibility in the wider town centre boundary. However, it will be important to retain a retail function in town centres, particularly in the primary shopping area where retail uses are concentrated, to support a diverse range of main town centres uses and enhance the overall attractiveness of centres in the borough.

**9.31** There are a number of diverse retail centres in the borough, with a unique character and quality of place. It is important that town centres contribute to a sense and quality of place that is appropriate and locally distinctive in character in line with the design principles set out in Policy RET 9 'Environmental improvements, public realm and design in town centres'. Town centres should also be accessible, inclusive and easily understood to all users.

**9.32** To demonstrate the absence of market demand under criterion 3(ii) of the policy, the council will normally expect that the premises have been properly marketed through a commercial agent for at least 12 months, at a market value that reflects the use, condition, quality and location of the premises, and that no purchaser or tenant has come forward.

**9.33** Town centre boundaries and primary shopping areas are shown on the adopted policies map where the retail policies of the SADPD will apply. Neighbourhood plans may include their own retail





and town centre policies, including the definition of town centre related boundaries and primary shopping areas, where relevant, in order to support the specific policy approach and objectives as stated and evidenced in the neighbourhood plan.

### Related documents

- Settlement reports (2020, Cheshire East Council) [ED 21] to [ED 44]
- Cheshire East Retail Study Partial Update (2020, WYG) [ED 17]
- Cheshire East Retail Study Update (2016, WYG)

## Policy RET 8

### Residential accommodation in the town centre

1. The provision of additional residential accommodation in principal town centres and town centres, as defined on the adopted policies map, will be supported in principle, including through:
  - i. the conversion of under-utilised upper floors of commercial buildings into flats;
  - ii. the inclusion of new homes as part of town centre mixed-use development schemes; and
  - iii. the redevelopment of existing sites, including car parks, where the requirements of Policy INF 2 'Public car parks' are suitably addressed.
2. In line with Policy ENV 15 'New development and existing uses', proposals for new residential accommodation in the town centre should be integrated effectively with existing businesses and community facilities.
3. Proposals for residential accommodation in the town centre should ensure:
  - i. appropriate and safe access arrangements;
  - ii. secure, well designed and accessible cycle parking; and
  - iii. appropriate and well located waste and recycling facilities.

### Supporting information

**9.34** Town centre living can be beneficial to residents in terms of access to services and facilities. It also adds to the vitality of town centres, through providing additional surveillance and supporting the evening economy.

**9.35** Proposals for new residential uses in town centre environments should be effectively integrated with existing business and community facilities in line with the agent of change principle set out in Policy ENV 15 'New development and existing uses'.

**9.36** The council will support, where appropriate, the conversion of under utilised upper floors of commercial premises into flats where the proposal would provide an acceptable standard of accommodation with satisfactory access. Any alterations that are required to the front of the premises will be resisted where they would be detrimental to the appearance and character of the building, particularly where the proposed development is in a conservation area or affects a building of special architectural or historic interest.

**9.36a** Other policies in the development plan may also have relevance to the achievement of suitable residential development in the town centre; particularly relating to access, parking, design and amenity. Proposals for new residential uses in the primary shopping area, as defined on the



adopted policies map, should also consider the requirements of Policy RET 7 'Supporting the vitality of town and retail centres' to make sure that the primary shopping area remains the focus for retail uses in town centres to support their vitality and viability.

## Policy RET 9

### Environmental improvements, public realm and design in town centres

In line with LPS Policy SE 1 'Design', development proposals in principal town centres and town centres, as defined on the adopted policies map, will be permitted provided they make a positive contribution to their surroundings and reflect the following design principles:

1. Character - ensuring that the town centre has its own identity reinforced through new development. Development proposals should:
  - i. deliver high quality contemporary architecture that responds to the existing townscape character in terms of the width, character, massing, proportion, and rhythm of buildings;
  - ii. reinforce a sense of place in line with LPS Policy SE 1 'Design';
  - iii. integrate with its surroundings through its form, use of materials and landscape elements; and
  - iv. create distinctiveness through high quality architecture and detailing of buildings and the public realm.
2. High quality public realm - ensuring the town centre has attractive, accessible and vibrant outdoor streets and areas. Development proposals should:
  - i. include areas of attractive, thriving public spaces;
  - ii. include areas of green infrastructure;
  - iii. use high quality hard and soft landscaping detail to reinforce a sense of place and legibility;
  - iv. use a consistent palette of materials, relevant to the locality;
  - v. apply a consistent style of street furniture and signage, avoiding clutter;
  - vi. incorporate public art, where possible, including through the design of street furniture and making space for temporary art and performance;
  - vii. make creative use of lighting to add drama to the night time townscape, for example, by illuminating landmark buildings, whilst avoiding excessive light glow;
  - viii. evidence clear management and servicing regimes to maintain the quality of the public realm; and
  - ix. create spaces and routes that optimise safety and the sense of safety.
3. Ease of movement - ensuring that the town centre is easy to get to and move around. Development proposals should:
  - i. be permeable and well connected through a network of high quality routes and integrate with existing adjacent streets and public spaces;
  - ii. encourage and facilitate active travel and make provision for all forms of transport, giving priority to walking, cycling (including secure and convenient cycle parking) and public transport;
  - iii. address the accessibility needs of everyone in the design of buildings, public spaces and routes, especially those with pushchairs, people with disabilities and the elderly so that all users can use the development safely, easily and with dignity; and
  - iv. provide servicing arrangements for shops and other uses that do not conflict with shoppers and other town centre users.



4. Legibility - ensuring the town centre has a clear image and is easily understood. Development proposals should:
  - i. provide landmarks and gateways through the design, positioning and architectural detailing of buildings;
  - ii. make use of public art where possible;
  - iii. establish vistas and views aligned to landmarks in and outside individual sites; and
  - iv. consider the needs of all members of society in clearly defining the functions of different parts of the town centre, including public and private environments, through the use of appropriate visual cues and signage.
5. Diversity and mix of uses - ensuring that development provides a range of uses in the town centre that creates street life and a vibrant daytime and evening economy. Development proposals should:
  - i. have active ground floor uses facing the street and other areas of public realm;
  - ii. incorporate a vertical mix of uses in buildings, particularly residential uses over ground floor commercial uses; and
  - iii. address amenity issues, particularly where uses active into the later evening and residential uses are located close to one another in line with the requirements of Policy ENV 15 'New development and existing uses'.
6. Adaptability - ensuring that the use of buildings can change over time. Development proposals should:
  - i. plan new buildings in perimeter blocks that can accommodate a range of uses;
  - ii. ensure appropriate access, servicing and delivery arrangements;
  - iii. design buildings and their interior spaces so that they are flexible and can be adapted to new uses over time; and
  - iv. give consideration to the practicality of use, safety and lifespan of the building and spaces in the town centre through the use of attractive, robust materials which weather and mature well.

## Supporting information

**9.37** Good design is at the heart of creating successful places, including town centres. The policy builds on LPS Policy SE 1 'Design' and sets out six principles that all town centre developments should follow. The council wants developers to invest in quality. This includes designing buildings and spaces that create a sense of identity, are adaptable, accessible, inclusive, easily understood, and enhance local character and where the public realm associated with new development positively integrates with that of the wider town centre.

**9.37a** Town centres play an important role in supporting independent living. This policy seeks to support design principles in making buildings and spaces feel safe, accessible and easily understood by all users of the town centre. The centre should be attractive with a variety of uses and provide for the needs of all and provide a positive experience both during the day and evening. Buildings and spaces should support and provide opportunities for active travel and access to green infrastructure and other public spaces to support wellbeing.

**9.37b** It is important that the practical and day to day activity of the town centre is considered in the design of buildings and spaces including ensuring that development proposals facilitate appropriate management, delivery and servicing arrangements.



## Policy RET 10

### Crewe town centre

The council will support opportunities for improving and regenerating Crewe town centre in the development areas defined in this policy and Figure 9.1 'Crewe town centre development areas'. To achieve this aim, alongside applying policies relevant to all town centres, the following considerations will also apply:

1. **Northern Edge Development Area (NEDA):** Proposals involving the redevelopment of existing buildings and other land uses in the NEDA will be supported where they provide:
  - i. larger floorplate retail units to meet modern retailer requirements;
  - ii. high quality pedestrian routes and public realm connecting them with Victoria Street through the Victoria Centre and the Market Shopping Centre;
  - iii. measures to improve pedestrian and cycle connectivity between the NEDA and the University Technical College (UTC) to the north of West Street, where appropriate.
2. **Royal Arcade Development Area (RADA):** A comprehensive, leisure-led mixed use regeneration scheme will be supported in principle in the RADA central core. The scheme should:
  - i. be anchored by a multiplex cinema;
  - ii. include leisure and retail units, and potentially other main town centre uses;
  - iii. be designed with open streets with active building frontages;
  - iv. include a new multi storey car park, available for all town centre visitors;
  - v. provide attractive and safe routes through the area for pedestrians and cyclists between Victoria Street, Queensway, Delamere Street and Charles Street;
  - vi. provide a new bus interchange to replace the existing bus station; and
  - vii. provide main gateway connections into the core of the town centre at the junction of Queensway and Victoria Street.
3. Proposals that are likely to prejudice the comprehensive redevelopment of the RADA will not be permitted.
4. **Southern Gateway Development Area (SGDA):** Recognising the significance of the SGDA as the arrival point into the town centre for pedestrians and vehicles from the railway station, the following considerations will apply:
  - i. the refurbishment of existing buildings along High Street to support a vibrant range of main town centre uses will be supported. This could include the development of existing gaps in the street frontages and the redevelopment or improvement of existing poorly designed buildings;
  - ii. development proposals should provide for, wherever possible, safe and attractive pedestrian connections, including through to the Civic and Cultural Quarter Development Area (CCQDA), thereby reinforcing and improving connectivity between the primary shopping area, the CCQDA and Crewe Railway Station;
  - iii. redevelopment or reconfiguration on the site currently occupied by the retail warehouse buildings on the eastern part of the SGDA should provide for new and improved pedestrian/cycling connections between that site and the rest of the SGDA and also between that site and the CCQDA.
5. **Civic and Cultural Quarter Development Area (CCQDA):** The following development schemes will be supported:
  - i. the re-use or redevelopment of the former library buildings for a range of civic, cultural, community and other town centre uses, including a potential history centre;



- ii. the flexible use of Crewe Market Hall, to remain functioning primarily as a market, but allowing for other appropriate uses, for example, for entertainment and community events; and
  - iii. the re-use of Christ Church for a cultural, leisure, entertainment, community or other town centre use (or uses), respecting its grade II listed status.
6. In addition to the above, the following principles will also apply across the town centre:
- i. **Town centre public realm improvements:** Proposals that improve the quality of the public spaces, including green spaces, enhance the setting of heritage assets and improve routes across the town centre for pedestrians and cyclists, and links between the town centre, UTC and Crewe Railway Station, will be supported.
  - ii. **Connectivity between the town centre and Grand Junction Retail Park:** The council will support and implement a range of measures to improve pedestrian and cycle connectivity between the town centre and Grand Junction Retail Park, including through developer contributions, where justified.
  - iii. **New residential accommodation in the town centre:** New high quality residential accommodation in the town centre will be supported in line with Policy RET 8 'Residential accommodation in the town centre'.

## Supporting information

**9.38** Crewe town centre has a large catchment area with over 500,000 people living within a 30 minute drive-time. Crewe is recognised as a great place to live. It is the largest settlement in Cheshire East and is accommodating the highest share of the housing and employment growth in the LPS.

**9.39** The town centre suffers from a number of significant challenges including perception, the domination of key gateways into the town centre by car parks, poor quality connectivity through it by foot, vacant and underutilised buildings and, common to many other centres, an increasingly difficult retail market along with competition from out-of-centre retail and leisure destinations.

**9.40** However, looking ahead, the town centre has great potential as a destination and the local plan needs to play its full part to make sure this is harnessed. The town centre needs to diversify its offer, to become a mixed-use destination that is attractive both during the day and in the evenings, for shopping and as a place of choice to spend leisure time.

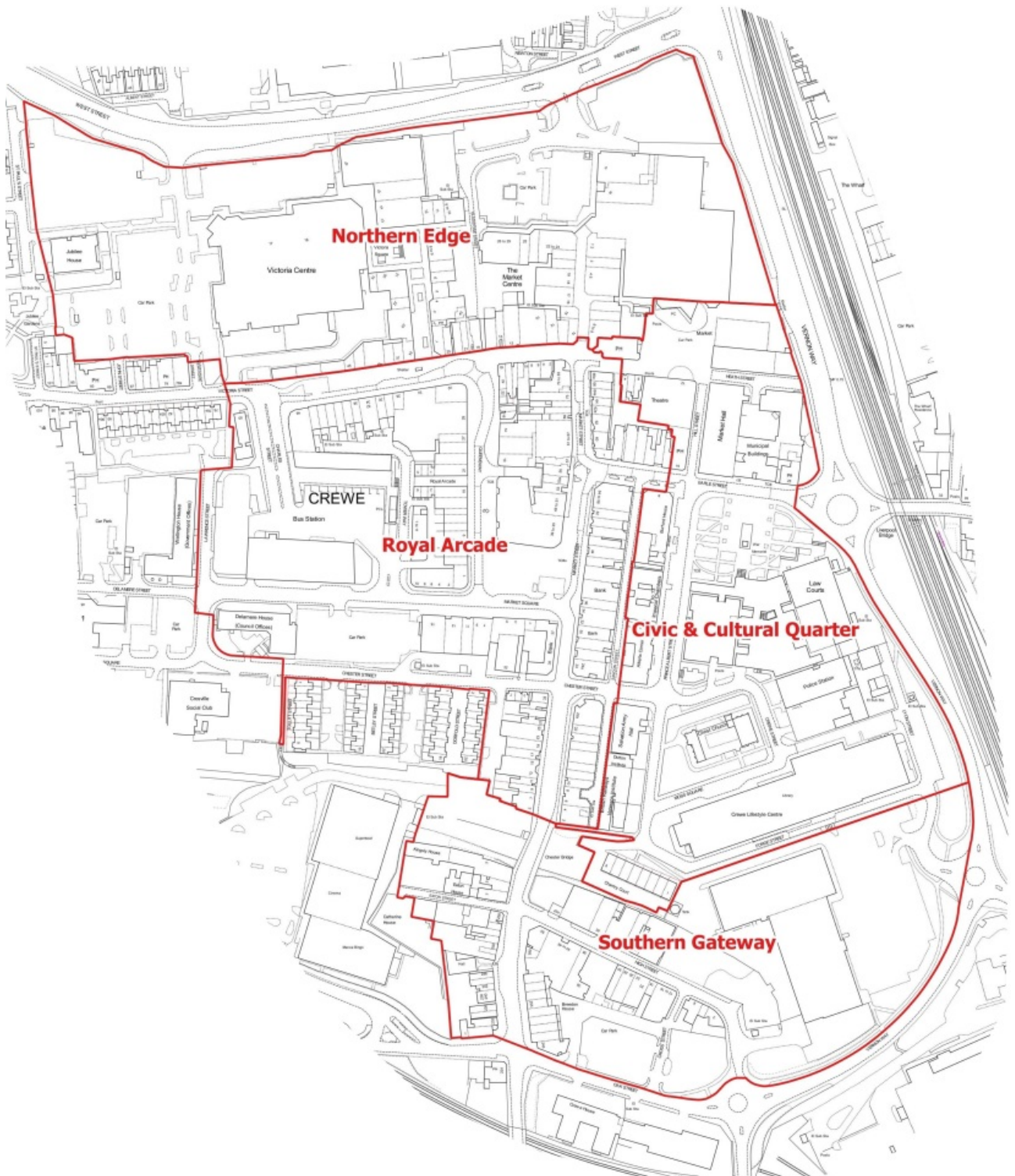
**9.41** A number of complementary strategies have been prepared (or are in preparation) for Crewe, including the Town Centre Regeneration Delivery Framework and the Crewe Hub Area Action Plan. The council will give consideration as to how proposed developments relate to these strategies and contribute towards a strategic approach for public realm improvements across the town centre.

**9.42** The regeneration programme for the town centre, agreed by the council's cabinet in September 2017, established a number of priorities that this planning policy seeks to support, including:

- develop distinct areas of change adding a greater richness of experience and distinctiveness to the town centre - the Royal Arcade, the Civic and Cultural Quarter, the Northern Edge and Southern Gateway;
- the delivery of the Royal Arcade scheme as a new anchor leisure and retail attraction in the heart of the town centre, along with a new high quality bus interchange. This scheme is pivotal to the town centre's regeneration and future success;
- capitalise on the delivery of recent major developments, the UTC and Lifestyle Centre to reinforce shopping circuits and drive footfall;
- enhance the town centre's public realm, in pedestrian areas and at key gateways to the town centre, utilising high quality design and materials, street furniture and public art; and
- diversify and enhance the market offer.



Figure 9.1 Crewe town centre development areas



**9.43** A better-connected arrangement of buildings is promoted in the Northern Edge Development Area, which would provide an enhanced sense of arrival and gateway into the town centre from the north and create better connections between the Victoria Centre, Market Shopping Centre, UTC and Lyceum Square.

**9.44** The Royal Arcade site provides an opportunity for transformational regeneration within the central core of the town centre. Redevelopment of the existing Royal Arcade site would create a new cinema-anchored, leisure-led mixed-use scheme incorporating a new bus interchange, mixed leisure (including food and beverage) and retail uses. It is also expected to incorporate a new multi-storey public car park. This scheme will provide a focal point for visitors to the town centre, generating significant additional footfall and consumer expenditure alongside enhanced public realm and connections to other parts of the town centre.



**9.45** The Civic and Cultural Quarter brings together a range of leisure, cultural and civic functions including the Lifestyle Centre and the Municipal Buildings, in addition to the area around Memorial Square and Christ Church. The vision for the quarter will look to remodel the civic hub, currently comprising the former library, police station, law courts and undercroft car parking. Key projects will bring about the enhanced use of the Crewe Indoor Market, including sympathetic remodelling of the grade II listed building and public realm investment in the existing market sheds and Lyceum Square area.

**9.46** The Southern Gateway forms the entrance to the town centre from Mill Street and Crewe Railway Station. Investment in properties along Oak Street and High Street is encouraged for a mix of uses, consistent with the need to create a high quality connection between the station and town centre. This could include the potential for land assembly of properties in High Street, which are currently fragmented.

**9.46a** The council will work proactively to realise key development opportunities across the town centre and also important walking and cycling linkages within and around the town centre, including linkages with the Grand Junction Retail Park and Crewe Railway Station. This may involve the council assembling land and, where necessary and appropriate, using compulsory purchase powers to do so.

#### **Related documents**

- Crewe Town Centre Regeneration Delivery Framework for Growth (2015, Cushman and Wakefield)
- Cabinet paper: Crewe Town Centre Regeneration Programme: Major Investment Decisions (2017, Cheshire East Council)



## Policy RET 11

### Macclesfield town centre and environs

The council will, in principle, support opportunities for improving and regenerating Macclesfield town centre and environs as defined in Figure 9.2 'Macclesfield town centre and environs character areas'. To achieve this aim, in addition to applying policies relevant to all town centres, the following considerations will also be taken into account in this area:

#### Public realm

1. The council will support enhancements to the public realm, particularly where they improve pedestrian experience and connectivity and reduce the dominance of motor vehicles in the town centre. Development proposals that would detract from this aim will not be permitted.
2. Where proposed new development would generate intensified use of the public realm in the town centre, or where necessary to provide a high quality setting for new development and ensure its positive integration within the urban form, planning obligations may be used to secure the improvement of the town centre public realm.

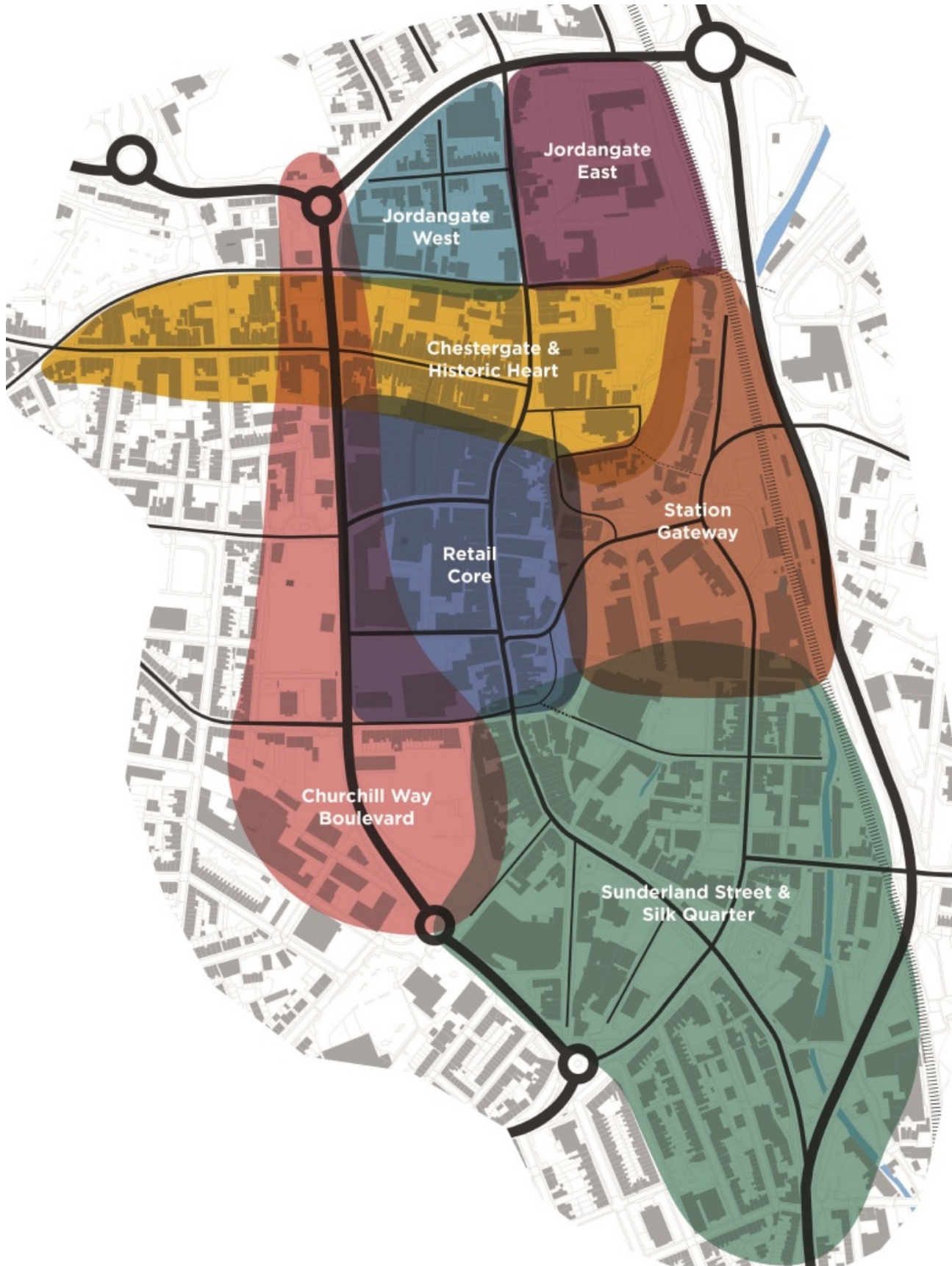
#### Character areas

3. **Chestergate and historic heart:** Along Chestergate and within the historic heart of the town centre, development proposals must reinforce and not dilute the traditional character and unique qualities of these areas characterised by independent and niche businesses, boutique retail outlets, café culture, restaurants, bars and alfresco activity. Development that does not respect the fine grain and historic character of these areas will not be permitted. Advertisements, shop fronts, and shutters should be of traditional style, materials and detailing, so as not to diminish the historic character of these localities.
4. **Retail core:** In the retail core, larger format development for main town centre uses will be permitted subject to meeting other policy requirements.
5. **Station gateway:** In the station gateway, development proposals that improve the appearance and amenities of this important gateway will be supported in principle. Subject to meeting other policy requirements, larger format developments will be permitted in this area, including on existing car parks, provided they are not proposed in a piecemeal fashion that undermines the overall character of the gateway area, and adequate alternative town centre parking is retained/provided.
6. **Sunderland Street and silk quarter:** Opportunities to encourage and develop a quarter with a strong residential element around the Sunderland Street area will be supported in principle, including residential conversions and new build, new uses and facilities complementary to a vibrant mixed use residential quarter, and schemes that enhance the appearance and pedestrian experience of the public realm. Where development adjacent to the River Bollin is proposed, opportunities to open it to public access should be pursued.
7. **Churchill Way Boulevard:** Development on sites fronting onto Churchill Way should seek to repair the existing 'broken' frontage and must have regard to the nearby heritage assets including Christ Church and its conservation area. Developments should seek to take all opportunities for 'greening' this route and providing greater pedestrian priority at key junctions across Churchill Way.
8. **Jordangate West and Jordangate East:** In Jordangate West, infill development that creates new employment floorspace will be encouraged. In Jordangate East, redevelopment proposals for residential development will be supported to take advantage of the central location and rural views to the east.





Figure 9.2 Macclesfield town centre and environs character areas





## Supporting information

### Public realm

**9.47** National policy guidance highlights the importance of planning positively for the achievement of high quality and inclusive design for all development, including individual buildings, and public and private spaces.

**9.48** The design and quality of the public realm is central to creating successful places, in terms of providing the space for movement, interaction and activity, and providing an appropriate setting for buildings. A high quality, well designed public realm can also serve to promote sustainable transport choices, by encouraging walking and cycling, and facilitating access to public transport hubs and services.

**9.49** Given the importance consumers place on the quality of environment when choosing between comparable destinations for retailing and leisure, ensuring a quality public realm in town centres is in the interests of attracting visitors and supporting town centre vitality and viability. This policy should be read alongside the principles set out in Policy RET 9 'Environmental improvements, public realm and design in town centres'.

**9.50** LPS Policy IN 2 'Developer contributions' states that developers contributions will be sought to make sure the necessary physical, social, public realm, economic and green infrastructure is in place to deliver development, and that contributions will be used to mitigate the adverse impacts of development (including cumulative impact).

**9.51** Central Macclesfield is identified in the LPS as Strategic Location LPS 12 'Central Macclesfield', where the council will look to maximise opportunities for improvement and regeneration including through improvements to the public realm.

**9.52** A public realm strategy for Macclesfield town centre was developed in 2007, which identified significant deficiencies in the current town centre public realm. The council wishes to see these addressed in order to boost the attractiveness of the centre to shoppers and other visitors and to support town centre vitality and regeneration ambitions.

**9.53** This policy identifies that the council will negotiate with developers on a case-by-case basis to secure an appropriate scale of financial contribution towards the provision or improvement of public realm in the town centre, in line with LPS Policy IN 2 'Developer contributions', where it is justified, applying the relevant legal tests. In those parts of the town centre that are conservation areas, the council may seek to enter into planning obligations with developers to secure improvements to the public realm to make sure the overall impact of development on the area's character and appearance is positive. In all areas of the town centre, contributions will be sought where proposed development would generate intensified use of the public realm, or where improvement of the public realm is necessary to ensure the development's satisfactory integration with the urban form.

**9.54** In 2017 the council commissioned concept designs for town centre public realm enhancements to identify high level costings for desirable public realm upgrades in the town centre.

**9.55** No standard formula for calculating the scale of any public realm contribution that is required has been developed, given that this would vary on a site-specific basis depending on the scale and location of the development. Developers are encouraged to engage with the council at the pre-application stage, in order to determine whether a public realm contribution will be required, and the appropriate scale of any contribution.

**9.56** Where a contribution towards the provision or improvement of public realm is secured, it will be important that a contribution towards its future maintenance is also obtained in order to make sure that the infrastructure can be managed to a high standard that ensures its longevity.

**9.57** Policy requirements for individual character areas have been developed drawing from the evidence base and recommendations in the Macclesfield Town Centre Strategic Regeneration



Framework 2019. This document also shows plots/opportunity sites and gateways/arrival spaces that are in need of improvement. The council will work proactively to realise key development opportunities across the town centre and also important walking and cycling linkages within and around the town centre. This may involve the council assembling land and, where necessary and appropriate, using compulsory purchase powers to do so.

### **Chestergate and Historic Heart**

**9.58** These quarters contain significant heritage assets and traditional characters derived from their historic usage. Both are in large part designated conservation areas. The integrity of these areas is fragile and can be eroded by even small scale incremental insensitive changes. It is essential that new development makes a positive contribution to local character and distinctiveness. In particular shop fronts, advertisements and building exteriors should utilise traditional materials, designs and detailing and should respect the narrow plot widths and modest building proportions.

### **Station Gateway**

**9.59** Although this area is an important gateway to the town centre and adjacent to a key transport node, it is currently used inefficiently with much land given over to surface car parking. It is desirable to increase the density of land use in this area to encourage as many people as possible to use more sustainable forms of transport. Redevelopment of this area could also significantly enhance perceptions of the town centre. Prospective applicants are encouraged to consider how their proposals will support the guidance and framework set out in the Macclesfield Town Centre Strategic Regeneration Framework.

### **Sunderland Street and Silk Quarter**

**9.60** This area has a traditional character with many historic buildings associated with the town's silk industry. The aspiration for this area is for it to evolve into a vibrant urban mixed use area with converted former industrial buildings providing apartments and workspaces and a mix of uses that breathe life into the locality. It is important that areas of the town centre more peripheral to the retail core adapt to accommodate other appropriate uses such as residential. The area around Sunderland Street is already beginning to develop as a more residential quarter and this policy seeks to encourage and facilitate that incremental change without jeopardising the vibrancy of this locality, which stems from its varied mix of uses.

### **Churchill Way Boulevard**

**9.61** Churchill Way forms a primary route through the town centre but currently acts as a barrier between the heart of the town and residential and business areas to the west. A key aspiration for this area is to transform this key route to create a greener 'boulevard' to enhance first impressions of the town, improve legibility and wayfinding and reduce car dominance.

### **Related documents**

- Macclesfield Public Realm Strategy (2007, LDA Design)
- Concept Designs for Macclesfield Town Centre Public Realm Enhancements (2017, BDP)
- Macclesfield Town Centre Strategic Regeneration Framework (2019, Cheshire East Council)





# 10

## Transport and infrastructure



# 10 Transport and infrastructure

**10.1** The borough covers both highly urbanised and deeply rural areas, with very different transport needs and opportunities. Manchester Airport, which traverses the borough boundary, necessitates a number of specific policy interventions. Elsewhere, there is an emphasis on improving facilities for non-car modes of transport and for protecting land for future transport and utility provision.

## Transport

### Policy INF 1

#### Cycleways, bridleways and footpaths

1. Development proposals that would lead to the loss or degradation of a public right of way (such as a footpath, cycleway or bridleway) or a permissive path (such as a canal towpath) will not be permitted.
2. Development proposals that involve the diversion of cycleways, footpaths or bridleways will only be permitted where the diversions provide clear and demonstrable benefits for the wider community.
3. Development proposals should seek to contribute positively to:
  - i. the Cheshire East Cycling Strategy;
  - ii. the Cheshire East Rights of Way Improvement Plan Strategy and Implementation Plans; and
  - iii. the walking, cycling and public transport objectives of the Cheshire East Local Transport Plan.
4. Development proposals should seek, where feasible, to provide links to national cycle routes, long-distance footpaths, canal towpaths and rights of way networks.
5. Design and access statements must be accompanied by maps showing links to community facilities and existing public rights of way as per the Active Design guide principle in the Cheshire East Borough Design Guide supplementary planning document.

#### Supporting information

**10.2** National planning policy highlights that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It also says that planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks, including national trails. Maximising sustainable transport opportunities supports active lifestyles, well-being and, therefore, good health.

**10.3** The diversion or stopping up of a public footpath, bridleway or other public road in association with a planning application must be considered before the granting of planning permission.

#### Related documents

- Cheshire East Cycling Strategy 2017-2027 (2017, Cheshire East Council)
- Cheshire East Rights of Way Improvement Plan Strategy and Implementation Plans (2011, Cheshire East Council)
- Cheshire East Local Transport Plan 2019-2024 (2019, Cheshire East Council)
- Cheshire East Borough Design Guide supplementary planning document (2017, Cheshire East Council and e\*SCAPE Urbanists)
- Active Design Guide (2015, Sport England and Public Health England)



## Policy INF 2

### Public car parks

Existing public car parks should be retained in use as such. Development proposals involving the loss of public car parking spaces will only be permitted where:

1. the spaces are adequately replaced either on the site or nearby; or
2. it is satisfactorily evidenced through a car parking survey and/or travel plan that the spaces lost are surplus to demand; or
3. their loss can be acceptably offset through improvements to other nearby transport facilities and these improvements are provided or funded by the developer.

### Supporting information

**10.4** Car parks serving town centres, local shopping areas, housing, commercial areas and transport facilities are essential to its residents, workers and visitors and to the proper functioning and attractiveness of these places.

## Policy INF 3

### Highway safety and access

1. Development proposals should:
  - i. comply with the relevant Highway Authority's and other highway design guidance;
  - ii. provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles;
  - iii. make sure that development traffic is satisfactorily assimilated into the operation of the existing highway network and not create unacceptable impacts on road safety that cannot be satisfactorily mitigated;
  - iv. incorporate measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities;
  - v. not generate movements of heavy goods vehicles on unsuitable roads, or on roads without suitable access to the classified highway network; and
  - vi. incorporate appropriate charging infrastructure for electric vehicles in safe, accessible and convenient locations. For major developments, the following standards will apply:
    - a. a chargepoint for every new dwelling (whether new build or change of use) with an associated car parking space, unless this is not feasible because of excessively high grid connection costs; and
    - b. one chargepoint for every five car parking spaces in the case of new, non-residential buildings.
2. In accordance with the council's local validation requirements and LPS Policy CO 4 'Travel plans and transport assessments', all development proposals that generate a significant amount of movement should be supported by a travel plan and either a transport statement or transport assessment, both of which should be submitted alongside the planning application.



## Supporting information

**10.5** This policy complements LPS Policy SE 1 'Design', which seeks development proposals to make a positive contribution to their surroundings, which includes ensuring that places are designed around the needs and comfort of people and not vehicles; LPS Policy CO 1 'Sustainable travel and transport', which seeks to deliver a safe, sustainable, high quality, integrated transport system; and LPS Policy CO 4 'Travel plans and transport assessments', which contains information on when travel plans and transport assessments are required and what they need to address.

**10.5a** Residential chargepoints must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle.

**10.6** It is important to make sure that highway problems are not created as a result of allowing new development. The council will therefore continue to make sure that regard is given to the environmental and road safety implications of traffic generation from proposed developments. In assessing individual proposals, advice will be sought from Highways England and the Highways Authority as appropriate.

## Related documents

- Cheshire East Local Transport Plan 2019-2024 (2019, Cheshire East Council)
- Infrastructure Delivery Plan Update (2016, Cheshire East Council)
- Cheshire East Travel Planning Guidance Notes (Cheshire East Council)
- Manual for Streets (2007, DCLG and DfT)
- Manual for Streets 2: Wider Application of the Principles (2010, Chartered Institute of Highways and Transportation)
- Design Manual for Roads and Bridges (2018, Highways England, Transport Scotland, Welsh Government and Northern Ireland Department for Infrastructure)
- The 6C's Design Guide: Delivering Streets and Places (2017, Cheshire East Council, Derby City Council, Derbyshire County Council, Leicester City Council, Nottingham City Council and Nottinghamshire County Council)

## Manchester Airport

### Policy INF 4

#### Manchester Airport

The Manchester Airport operational area is shown on the adopted policies map. In the operational area, development and uses that are necessary for the operational efficiency and amenity of the airport will usually be permitted. These types of development and uses are likely to include operational facilities and infrastructure; passenger facilities; cargo facilities; airport ancillary infrastructure; landscaping works; and internal highways and transport infrastructure.

## Supporting information

**10.7** The majority of the airport operational area lies in the City of Manchester but part is in Cheshire East including the second runway area, the satellite fire station and land at Moss Lane, Styal.

**10.8** The airfield and runways (in the City of Manchester and in Cheshire East) are in the Green Belt but the main areas of buildings (such as terminal buildings, piers, transport interchange and hotels) are located outside of the Green Belt in the City of Manchester.

**10.9** The National Aviation Policy Framework (2013) recommends that land outside existing airports that may be required for airport development in the future needs to be protected against incompatible





development. The definition of an airport operational area allows development to be concentrated in the most appropriate location. Development within the Green Belt outside of the operational area would not be allowed, except in very special circumstances as set out in LPS Policy PG 3 'Green Belt'.

## Policy INF 5

### Off-airport car parking

1. Outside of the Manchester Airport operational area, proposals for airport car parking will not be permitted, unless it can be clearly demonstrated that:
  - i. the capacity of existing lawful airport car parks (including those located on and off-airport, operated by Manchester Airport and by third parties) is insufficient to meet the needs of the airport and demand regularly exceeds supply (or is forecast to do so in the near future); and
  - ii. the proposal accords with other policies in the development plan.
2. Where proposals accord with criterion (1) above, preference will be given to locations identified for off-airport car parking in the 'Manchester Airport Sustainable Development Plan: economy and surface access', or replacement guidance.
3. In line with LPS Policy PG 3 'Green Belt', proposals for off-airport car parking will be considered to be inappropriate development in the Green Belt unless they can demonstrate a clear requirement for a Green Belt location; there are no other suitable locations outside of the Green Belt; and that the proposals preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
4. Proposals should make maximum use of permeable materials in parking areas and incorporate on-site attenuation to reduce runoff rates and increase infiltration.

### Supporting information

**10.10** LPS Policy CO 1 'Sustainable travel and transport' seeks to deliver a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking. The Manchester Airport Economy and Surface Access Plan forms part of its Sustainable Development Plan (2016). This seeks to guide the development and management of surface access to the airport and sets targets for future surface access capacity to meet projected annual passenger throughputs.

**10.11** Car parking is a fundamental element of the surface access strategy and requires careful management and integration with public transport mode-share targets.

**10.12** Authorised off-airport car parks, including those run by third party operators, are an important part of the overall parking provision for the airport, but have the potential to conflict with the aims of the airport's sustainable development plan, particularly in respect of the targets for increasing the use of public transport.

**10.13** Permeable materials can assist in having a positive effect on water and soil sustainability through reducing runoff rates and increasing filtration, thereby preventing increased flood risk.

### Related documents

- Manchester Airport Sustainable Development Plan: economy and surface access (2016, Manchester Airport)



### Policy INF 6

#### Protection of existing and proposed infrastructure

1. To assist in supporting existing development and securing planned growth, development will only be permitted where it is unlikely to adversely impact on existing infrastructure or the delivery of proposals for new and improved infrastructure in the borough, as identified in the strategies or plans of the council and other statutory infrastructure providers.
2. The land required for the construction of the following highway and public transport schemes as shown on the adopted policies map, is safeguarded:
  - i. Middlewich Eastern Bypass;
  - ii. A500 Barthomley Link Road;
  - iii. North West Crewe Package; and
  - iv. Middlewich Railway Station.
3. Development proposals that would prejudice or undermine the delivery of these schemes will not be permitted.

#### Supporting information

**10.14** This policy complements LPS Policy IN 1 'Infrastructure', which sets out the integrated approach that will be taken towards land use and infrastructure planning and delivery. LPS Policy INF 6 adds further detail to ensure that existing, important infrastructure is suitably protected and that the opportunity to either improve existing or provide new infrastructure that will support sustainable development in the borough is safeguarded.

**10.15** Examples of the strategies and plans where infrastructure is identified include:

- the South East Manchester Multi Modal Study (SEMMMS);
- the council's infrastructure delivery plan;
- the council's local transport plan;
- the council's green infrastructure plan; and
- the investment plans of the council, utility and other infrastructure providers

**10.16** The policy lists a number of important highways and transportation infrastructure schemes that are integral to the successful achievement of planned growth set out in the LPS and seeks to safeguard the land required for their delivery. Each of them features in the Infrastructure Delivery Plan Update (2016) that accompanied the LPS.

- **Middlewich Eastern Bypass:** A priority scheme in the Cheshire East Infrastructure Delivery Plan Update and proposed to unlock the planned growth at Middlewich in the LPS including the Midpoint 18 (Ma6nitude) strategic employment site as well as addressing traffic congestion and removing heavy through-traffic from the narrow streets of Middlewich town centre. The anticipated scheme cost is £58 million of which £46.8m will be funded through the Department for Transport's Large Local Scheme programme. The balance is to be met from the council's capital budget and developer contributions. Planning permission was granted for the scheme by Cheshire East Council in July 2019 and by Cheshire West and Chester Council in September 2019. Main works are expected to start in 2021 with an estimated 30 month construction period.
- **A500 Barthomley Link Road:** A priority scheme in the Cheshire East Infrastructure Delivery Plan Update, comprising an upgrade of the section of the A500 between Meremoor Moss roundabout and M6 junction 16 to dual carriageway standard. The scheme is aimed at addressing existing congestion issues at peak times, increasing resilience and improving safety, as well as



supporting economic growth in and around Crewe. It will also assist the construction and operation of HS2. The estimated cost of the scheme is £68.7m which is anticipated to be met through a requested £55.1m grant from the Department for Transport and a local contribution (developer contributions and from the council's capital budget) of £13.6m. Planning permission was granted for the scheme in April 2019. In May 2020 the council's Cabinet resolved to take further steps to acquire the land necessary for the scheme including through the making of a compulsory purchase order. Subject to DfT final funding approval, the main works are expected start in 2021, with an estimated construction period of 27 months.

- **North West Crewe Package:** A priority scheme in the Cheshire East Infrastructure Delivery Plan Update, which includes a new spine road and junction improvements to unlock key sites for business, jobs and housing in north-west Crewe; particularly the strategic sites LPS 4 'Leighton West' and LPS 5 'Leighton'. A further key feature of the scheme is the delivery of improved access to Leighton Hospital for emergency vehicles, staff and visitors. The council has been awarded £5m of the National Productivity Fund (Local Roads element) and secured a £10m Housing Infrastructure Fund grant towards the estimated scheme cost of £36.5m. The remainder of the cost (£21.5m) will be met through developer contributions and the council's capital budget. Planning permission was granted for the scheme in July 2019. In May 2020 the council's Cabinet resolved to take further steps to acquire the land necessary for the scheme including through the making of a compulsory purchase order. Main works are expected to start in early 2021, with an estimated 24-month construction period.
- **Middlewich railway station:** A priority scheme in the Cheshire East Infrastructure Delivery Plan Update. The safeguarding of land for the provision of a new railway station at Middlewich builds upon and adds detail to the LPS promotion of this scheme. LPS Figure 15.49 identifies a broad area in which a future railway station will be sited. Policies for the strategic allocations to either side of the rail line in this area, LPS 43 'Brooks Lane' and LPS 44 'Midpoint 18', seek the provision of land for a new station. There is strong support locally to re-open the Sandbach-Middlewich-Northwich rail line for passenger services, which would also involve the construction of new rail stations in Middlewich and Gadbrook Park in Northwich. A Strategic Outline Business Case (SOBC) has been requested by the Department for Transport with a view to identifying government funding to progress the project. As a precursor to the SOBC, the Cheshire and Warrington Local Enterprise Partnership commissioned consultants WSP to carry out a feasibility study into the re-opening of the line for passenger services and the provision of the two new stations. The report was published in 2019 and the more detailed area now safeguarded on the adopted policies map linked with this policy is drawn from that work.

**10.16a** The Authority Monitoring Report summarises progress made on the priority infrastructure needed to deliver the policies and proposals of the LPS. The council is also preparing an Infrastructure Funding Statement, which will identify infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the council has made about how these contributions will be used.

#### Related documents

- Infrastructure Delivery Plan Update (2016, Cheshire East Council)
- Cheshire East Local Transport Plan 2019-2024 (2020, Cheshire East Council)
- Mid Cheshire and Middlewich Rail Study Strategic Case Report (2019, WSP for Cheshire and Warrington LEP)



## Policy INF 7

### Hazardous installations

1. Proposals that would create a new hazardous installation or extend an existing hazardous installation will only be permitted if they do not:
  - i. introduce unacceptable hazards or risks to people in the surrounding area; or
  - ii. impose significant development restrictions upon surrounding land that could frustrate the sustainable development or regeneration of the area.
2. Where development is proposed in the vicinity of a hazardous installation, planning permission will only be granted where it would not give rise to an unacceptable safety risk to the occupiers of the proposed development and not result in additional land uses that would potentially curtail the normal operation of the facility/equipment.

### Supporting information

**10.17** Hazardous substances consent is required for the presence of certain quantities of hazardous substances, in accordance with the Planning (Hazardous Substances) Regulations 2015. Cheshire East is the Hazardous Substances Authority (HSA) and responsible for determining applications for Hazardous Substance Consents, in consultation with the Health and Safety Executive (HSE). The HSE will consider the hazards and risks that the hazardous substance may present to people in the surrounding area, and take account of existing and potential developments, in advising the HSA on whether or not consent should be granted. Planning permission may also be required for new development associated with the presence of hazardous materials.

**10.18** HSE sets a consultation distance around major hazard sites and major accident hazard pipelines after assessing the risks and likely effects of major accidents at the major hazard. Major hazards comprise a wide range of chemical process sites, fuel and chemical storage sites, and pipelines. Cheshire East Council has a statutory duty to consult HSE on certain proposed developments in these consultation zones and take into account the HSE's recommendation when deciding planning applications.

### Related documents

- HSE's Land Use Planning Methodology (Health and Safety Executive)
- The Planning (Hazardous Substances) Regulations 2015



## Policy INF 8

### Telecommunications infrastructure

1. Development for new or upgraded telecommunications infrastructure will be permitted where:
  - i. it has been demonstrated that the installation(s) have been kept to a minimum, consistent with the efficient operation of the network;
  - ii. it has been demonstrated that all feasible alternatives have been explored, including opportunities for the sharing or clustering of facilities and siting equipment on existing buildings;
  - iii. there will be no significant adverse impact on visual and residential amenity, or on the character of any building or the wider area; and
  - iv. there will be no detrimental impact on air traffic safety.
2. All new properties (residential and non-residential) should be developed with fibre to the premises enabling them to have a superfast broadband network connection.

### Supporting information

**10.19** This policy supplements LPS Policy CO 3 'Digital connections'. It recognises the need to support the development of telecommunications infrastructure whilst ensuring any adverse impacts are acceptably reduced.

**10.20** Our lives are more digitally connected every day. Access to fibre-optic, superfast broadband is becoming increasingly vital for residents and businesses. It is key to growing a sustainable local economy. Occupiers of new residential or commercial premises expect a high quality broadband connection as a utility similar to the provision of electricity or gas.

## Policy INF 9

### Utilities

1. All development proposals should demonstrate that the infrastructure capacity for surface water disposal, water supply, wastewater treatment, gas and electricity will be sufficient to meet forecast demands arising from them and that appropriate connections can be made. For major schemes this will require a site wide utilities master plan to establish principles during the construction process and early liaison with infrastructure providers.
2. The utility network should be protected and development proposals that would unacceptably encroach on or compromise existing utilities infrastructure will be refused. Opportunities should be sought to safeguard the provision of utilities.

### Supporting information

**10.21** Utility networks consist of water, waste, electricity, gas, and telecommunication systems. These are also covered in other related SADPD polices:

- Policy ENV 16 'Surface water management and flood risk';



- Policy INF 8 'Telecommunications infrastructure'; and
- Policy ENV 8 'District heating network priority areas'.

**10.22** This policy supplements LPS Policy IN 1 'Infrastructure'. The provision of adequate utilities infrastructure is essential to deliver the planned sustainable growth set out in the LPS.

**10.23** Utilities provision and connections on large sites, which will take several years to build out, should be planned in a comprehensive way between phases and developers. For example, developers should have a comprehensive and joined up approach towards foul and surface water drainage on both early and later phases across a larger site, and aim to avoid a proliferation of pumping stations.

## Policy INF 10

### Canals and mooring facilities

1. Development proposals affecting the borough's canals must:
  - i. seek to provide an active frontage and positive connection with the waterway;
  - ii. be designed to make a positive contribution to the visual appearance of the canal corridor through high standards of design, materials, external appearance, layout, boundary treatments and landscaping;
  - iii. safeguard or enhance the canal's role as a biodiversity, heritage, recreational and tourism asset, and landscape feature;
  - iv. not harm the structural and operational integrity of the canal or its related infrastructure assets;
  - v. safeguard and, where possible, enhance public access to, and the recreational use of, the canal corridor;
  - vi. integrate the waterway, towpath and canal environment into the public realm in terms of design and management of the development; and
  - vii. optimise views to and from the waterway and generate natural surveillance of water space through the siting, configuration and orientation of buildings, recognising that appropriate boundary treatments and access issues may differ between the towpath and the offside of the canal.
2. Proposals for new moorings will be permitted where they:
  - i. do not have an unacceptable impact on recreational users and other waterway users;
  - ii. do not have an unacceptable impact on water resources and navigational safety; and
  - iii. the built development is of an appropriate scale and ancillary to the mooring facilities.
3. New moorings for permanent residential use will only be permitted within settlement boundaries and infill boundaries.
4. Development proposals must be consistent with LPS Policy PG 3 'Green Belt', where relevant.

### Supporting information

**10.24** The borough has over 115 km of canals running through it: the Macclesfield, Peak Forest, Shropshire Union (including the Llangollen and Middlewich branches), and Trent and Mersey canals. They support recreation, health and well-being and the visitor economy. The patchwork of built development and green space along the canal is important, for amenity and well-being and also ecology. It will be important that new development along the route of the canal is sympathetic to its character, recognising these sensitive locations and maximising opportunities to provide a positive



interrelationship with the canal and the waterside setting it provides. Such relationships should secure the use of positive layout and design of new development, which seek to maintain and re-instate the characteristics and distinctiveness of local canal architecture and waterscape.

**10.25** New development should investigate opportunities to preserve and enhance the distinctive industrial heritage of the canal and the wide range of historical assets that are associated, including bridges, tunnels, locks, wharfs, lock keepers cottages and mile markers, all of which contribute to the unique character of the waterway.

**10.26** New waterside developments place extra liabilities and burdens on waterway infrastructure and also provide opportunities for new infrastructure to be provided, in particular improvements to canal towpaths as sustainable routes for cyclists and pedestrians. When considering proposals for new development alongside the canal the council will work with the Canal & River Trust to make sure that any necessary improvements to the canal infrastructure arising directly from needs generated from new development are met by developer contributions. Such contributions, where necessary and viable, could comprise improvements to the canal towpath, including surface improvements for wheelchair and pushchair users; access to the canal; signage; or improvements to adjacent areas. LPS Policy SE 6 'Green infrastructure' encourages the improvement and protection of the canal as crucial green infrastructure.

**10.27** In line with Policy ENV 7 'Climate change', proposals should also consider whether there are opportunities to reduce carbon emissions and building resilience, in particular investigating the potential for using the canal in relation to heating and cooling within new development.

**10.28** The policy seeks to make sure that development adjacent to canals is of a high standard, does not undermine its important attributes and, where possible, seeks to enhance them. The canals in the borough have a wide variety of permanent mooring facilities available and demand may result in pressure for further development of new linear or lay-by mooring facilities, new marina developments, or extensions to existing facilities. The policy allows for the development of these, providing the impacts on users, the waterway and the local environment is acceptable. Any marina development would need the Canal & River Trust's separate agreement to connect and gain access to the waterway network. In order to gain the Trust's agreement, proposers must complete its off-line mooring and marina developments application process.

**10.29** Additional controls will apply to new built development in the Green Belt, in line with national policy and LPS Policy PG 3 'Green Belt'.

**10.31** Proposals for tourist accommodation will also be subject to Policy RUR 8 'Visitor accommodation outside of settlement boundaries'.

### **Related documents**

- Code of Practice for Works Affecting the Canal and River Trust (2018, Canal and River Trust)
- Off-line mooring and marina developments application process (2018, Canal & River Trust)
- HS2 Design Principles for Waterway Crossings (2015, Canal & River Trust)







# 11

## Recreation and community facilities



# 11 Recreation and community facilities

**11.1** Good green space and other public amenities are central to creating strong and thriving communities. The plan seeks to maintain and enhance open space and recreational provision, ensuring a high level of accessibility for those living and working locally. The plan also provides policies on the provision of vital community facilities, including places for the care and nurturing of younger children.

## Policy REC 1

### Green/open space protection

1. Development will not be permitted that would result in the loss of green/open space (which includes all playing fields), which has recreational or amenity value; this includes:
  - i. existing areas of green/open space including (but not limited to) those shown on the adopted policies map;
  - ii. incidental open spaces/amenity areas too small to be shown on the adopted policies map; and
  - iii. new green/open spaces provided through new development yet to be shown on the adopted policies map.
2. Development proposals that involve the loss of green/open space will not be permitted unless:
  - i. an assessment has been undertaken that has clearly shown the green/open space is surplus to requirements; or
  - ii. it would be replaced by equivalent or better green/open space in terms of quantity and quality and it is in a suitable location; or
  - iii. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss.

### Supporting information

**11.2** The adopted policies map identifies the majority of areas of green/open space that should be protected from other forms of development. Some incidental open space is too small to show on the adopted policies map. The council maintains a GIS layer of green/open space and a database, which covers a number of categories ranging from formal town parks and playing fields to play areas, allotments and amenity open space. As development takes place across the borough, further green/open spaces will be created and added to this GIS layer and the database. Local green spaces can also be designated in neighbourhood plans.

**11.3** Made neighbourhood plans are part of the development plan and can show areas of valuable green/open space plus local green spaces. There is no need for the council to repeat this information in the local plan but, to ensure consistency across the rural areas, strategic areas of green/open space such as playing fields and play areas, and large amenity areas such as village greens, will be shown on the adopted policies map. Strategic/important areas of green/open space will therefore be reflected for all parishes, regardless of whether they have a neighbourhood plan in place.

**11.4** The policy reflects paragraph 97 of the NPPF, which sets out the criteria to be satisfied should development of a green/open space be considered.



**11.5** The policy links with LPS Policy SE 6 'Green infrastructure', which deals with the protection and enhancement of green infrastructure assets. Criterion (4.i) of that policy states: “Protect and enhance existing open spaces and sport and recreation facilities”.

**Related documents**

- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Playing Pitch Strategy and Action Plan (2019, Knight, Kavanagh & Page) [ED 19]
- Playing Pitch Strategy Assessment Report Update (2019, Knight, Kavanagh & Page) [ED 19a]
- Cheshire East Indoor Built Facilities Strategy (2017, Knight, Kavanagh & Page) [ED 20]
- Indoor Built Facilities Strategy Progress and Evidence Review (2019, Cheshire East Council) [ED 20a]

**Policy REC 2**

**Indoor sport and recreation implementation**

1. LPS Policy SC 2 'Indoor and outdoor sports facilities' requires all major housing developments to contribute towards indoor sport and recreation facilities. Developer contributions should be provided where new development will increase the demand for such facilities on the basis set out in the table below and taking account of the council's Indoor Built Facilities Strategy.

Facility	Calculation
For the provision of new swimming pools and sports halls	The Sport England facility calculator model or its subsequent alternative
Health and fitness including gym stations and studio space or similar appropriate physical activity space	This will be based on a calculation of the level of additional demand generated by the proposed development (each dwelling equating to 1.61 residents), using the Sport England active people survey data for Cheshire East or equivalent assessment tool.

2. Contributions should be directed to the nearest accessible facility to the development. Where there is no leisure centre provision nearby, say in more rural locations, the contribution will be directed to the nearest community facility (for example village hall) that provides recreation activities.

**Supporting information**

**11.6** In order to assist in improving the health and well-being of its residents, the council is looking to make sure that there is a high quality of provision of indoor sport and recreation facilities across Cheshire East. In line with LPS Policy SC 2 'Indoor and outdoor sports facilities', all major housing development that increases the demand for indoor sports facilities will be required to provide a contribution towards them.

**11.7** Where development proposals are of a particularly large scale, or where they would involve the loss of existing indoor sports and recreation facilities, a specific sports needs assessment will be required.

**11.8** The settlement action plan in the council's Indoor Built Facilities Strategy provides demand/supply information and recommendations on what additional facilities are required to meet



demand. Where appropriate, consideration will be given towards the pooling of contributions, provided a specific leisure or community facility project has been identified.

### Related documents

- Cheshire East Indoor Built Facilities Strategy (2017, Knight, Kavanagh & Page) [ED 20]
- Indoor Built Facilities Strategy Progress and Evidence Review (2019, Cheshire East Council) [ED 20a]

## Policy REC 3

### Green space implementation

1. All major employment and other non-residential developments should provide green space as a matter of good design and to support health and well-being. The provision of green space will be sought on a site-by-site basis, taking account of the location, type and scale of the development.
2. The presumption will be that green space provision associated with residential and non-residential development schemes will be provided on site. Off-site provision may be acceptable in limited instances, where this meets the needs of the development and achieves a better outcome in terms of green space delivery. This would involve the payment of a commuted sum to the council.
3. Applicants will need to demonstrate how the management and maintenance of additional green space provision will be provided for in perpetuity. All areas of green space that are of strategic significance, for example because they will form part of a wider, connected network of green space, should be conveyed to the council along with a commuted sum for a minimum period of 20 years maintenance.
4. The provision of, or contribution to, outdoor playing pitch sports facilities will be informed by the Playing Pitch Strategy and Sport England Sport Pitch Calculator. Other outdoor sports provision not covered by the Playing Pitch Strategy will be sought on a site by site basis using 10 sq.m per family home as a benchmark figure.

### Supporting information

**11.9** Housing development proposals should provide for green space in accordance with LPS Policy SE 6 'Green infrastructure' and associated Table 13.1.

**11.10** As well as housing developments, all major employment and non-residential development should include open space facilities as a matter of good design and to support the health and wellbeing of the people who occupy the buildings by enabling outdoor exercise and lunchtime breaks.

**11.11** The policy builds upon LPS Policy SE 6. Table 13.1 associated with that policy sets out specific open space standards that development proposals should provide, with the exception of outdoor sports facilities against which it says that a developer contribution will be sought. Through the SADPD, this requirement is now clarified. The council's Green Space Strategy sets a benchmark figure for outdoor sport of 1.6 hectares per 1,000 population or 40 sq.m per family dwelling. This figure is also in line with 'Guidance for outdoor sport and play' (2015, Fields in Trust) and their benchmark standards for outdoor sport: 1.6 ha per 1,000 population for all outdoor sports and 1.2 ha per 1,000 population for playing pitch sports. The outdoor sports provision needs to be split into two parts. The playing pitch sports provision is informed by the needs and issues set out in the Playing Pitch Strategy and through the use of the Sport England Sport Pitch Calculator. The balance of 0.4 ha per 1,000 population, which relates to other outdoor sports, such as bowls, tennis, athletics and other outdoor sports areas such as trim trails and jogging tracks, can be quantified with a benchmark figure of 10 sq.m per family home. The council may seek provision on-site in the case of larger



schemes, or through developer contributions where this will achieve a better outcome in terms of outdoor sports provision, whilst still meeting the needs of the development. In the case of smaller schemes, the council will normally seek a developer contribution towards off-site provision.

**11.12** The future maintenance of green space is very important, to make sure that it is able to fulfil its function and continue to have a positive impact on the locality. Consideration of the most appropriate option for longer-term maintenance will be made on a site-by-site basis. Control and management arrangements will need to be established to safeguard the green space for the community and its users. Areas of green space that are of strategic significance, for example new green space that will form part of a strategic green network, green space with important nature conservation value or the provision of playing fields, will normally be expected to be transferred to the council with a minimum of a 20-year commuted sum. In deciding which areas are strategic for the purposes of clause 3 of the policy, the council will have regard to the Cheshire East Green Infrastructure Plan. The council will generally seek 20 years maintenance; however there will be some instances where a maintenance period in excess of 20 years may be sought specifically for securing the creation of new habitats, which may take longer to achieve their target condition.

### Related documents

- Green Space Strategy (2013, Cheshire East Council)
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Playing Pitch Strategy and Action Plan (2019, Knight, Kavanagh & Page) [ED 19]
- Playing Pitch Strategy Assessment Report Update (2019, Knight, Kavanagh & Page) [ED 19a]
- Cheshire East Indoor Built Facilities Strategy (2017, Knight, Kavanagh & Page) [ED 20]
- Indoor Built Facilities Strategy Progress and Evidence Review (2019, Cheshire East Council) [ED 20a]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- Green Infrastructure Assessment of Cheshire East (2018, The Mersey Forest) [ED 55]

## Policy REC 4

### Day nurseries

Proposals for the development of new, or the extension or intensification of use of existing day nurseries and play groups should meet all of the following criteria:

1. the development provides for an adequately sized and well screened garden for outdoor play;
2. the proposals are of a scale appropriate to the locality and will not unacceptably harm the amenity of local residents by virtue of noise, loss of privacy and traffic generation;
3. adequate car parking is provided in accordance with the car parking standards set out in LPS Appendix C 'Parking standards'; and
4. there are satisfactory vehicular arrangements for the dropping off and collection of children without causing a highway danger.

### Supporting information

**11.13** The policy supports the provision of day nurseries and play groups in the borough whilst seeking to make sure that they are well planned, maintain the amenity of surrounding residents and do not undermine highway safety.



## Policy REC 5

### Community facilities

1. Development proposals should seek to retain, enhance and maintain community facilities that make a positive contribution to the social or cultural life of a community. The particular benefits of any proposal that secures the long-term retention of a community facility will be given positive weight in determining planning applications.
2. Any community facility that makes a positive contribution to the social or cultural life of a community should be retained unless suitable alternative provision is made.
3. Proposals for new community facilities will be supported where they are in accordance with policies in the development plan.

### Supporting information

**11.14** LPS Policy SD 1 'Sustainable development in Cheshire East' requires development to, wherever possible, provide appropriate infrastructure to meet the needs of the local community, including community facilities. LPS Policy EG 2 'Rural economy' seeks to support the rural economy and promotes the retention and delivery of community services such as shops, public houses and village halls.

**11.15** Facilities such as public houses; places of worship; village halls and other meeting places; schools; and local shops are important to the communities that they serve and they improve the sustainability of towns, villages and rural areas.

**11.16** Proposals should avoid the loss of such facilities and in deciding planning applications, positive weight will be given to the benefit of securing the long-term future of community facilities through a development proposal.

**11.17** The Localism Act 2011 also allows community groups to assemble bids for assets considered to be of community value and included in the 'list of assets of community value' held by the council. This policy applies to all community facilities that make a positive contribution to the social or cultural life of a community and not just those on the list.

### Related documents

- List of Assets of Community Value in Cheshire East (Cheshire East Council)



# 12

## Site allocations



## 12 Site allocations

**12.1** The LPS identifies a number of strategic sites and strategic locations. Together with development that has already been completed and schemes with planning permission (commitments), these sites will accommodate the majority of new development requirements during the plan period 2010 to 2030.

**12.2** The LPS focuses on identifying sites in and around the principal towns and key service centres, leaving the consideration of sites in and around the local service centres to the SADPD. However, the overall level of housing development for the local service centres, as identified in LPS Policy PG 7 'Spatial distribution of development', can now largely be met from developments already completed during the plan period as well as proposed developments with planning permission. As a result, the SADPD does not allocate any sites for housing development in the local service centres. There remains a small requirement for employment land in the local service centres, which is addressed through a further site allocation at Holmes Chapel.

**12.4** Through the SADPD, further sites are allocated in some of the key service centres. This is so that the overall level of development in each centre over the plan period is in accordance with LPS Policy PG 7 'Spatial distribution of development'. The key service centres with further site allocations in the SADPD are Congleton, Middlewich and Poynton.

**12.5** Two further employment sites are also identified in Crewe. Whilst these are not strictly required to meet the employment land requirements for Crewe, they are well-related to the urban area and are needed to support the continued economic growth of the town by providing land for some of the town's key employers.

**12.5a** In addition, the SADPD identifies a number of employment sites brought forwards from employment allocations in previous local plans. These sites are identified in Policy EMP 2 'Employment allocations'.

**12.6** Finally, the SADPD identifies sites for Gypsies, Travellers and Travelling Showpeople, so that the requirements for pitches/plots identified in Policy HOU 5a 'Gypsy and Traveller site provision' and Policy HOU 5b 'Travelling Showperson site provision' can be met.

### Development proposals

**12.7** Allocation of a site in the plan establishes the principle of a particular land use, but it does not grant planning permission for development on that site.

**12.8** Planning applications for development on allocated sites will be determined in accordance with the policy for that site, as well as all other policies in the development plan and any other material considerations. The site-specific policies in this section do not repeat LPS policies or SADPD policies but these policies apply to all sites including those allocated in the plan.

**12.9** Each allocated site is shown on the adopted policies map.

### Safeguarded land

**12.10** Safeguarded land is identified in Green Belt areas and may be required to meet longer-term development needs. In line with LPS Policy PG 4 'Safeguarded land', it is not allocated for development at the present time and policies related to development in the open countryside will apply.

**12.11** The LPS identifies safeguarded land around the principal towns and key service centres, leaving the identification of safeguarded land around local service centres to the SADPD.

**12.12** The SADPD identifies safeguarded land around Alderley Edge, Bollington, Chelford, Disley and Prestbury. Sites identified as safeguarded land are listed in Policy PG 12 'Green Belt and safeguarded land boundaries'.





## Related documents

- Draft adopted policies map (2020, Cheshire East Council) [ED 02]
- The Provision of Housing and Employment Land and the Approach to Spatial Distribution (2020, Cheshire East Council) [ED 05]
- Site Selection Methodology Report (2020, Cheshire East Council) [ED 07]
- Employment Allocations Review (2020, Cheshire East Council) [ED 12]
- Gypsy, Traveller and Travelling Showpeople Site Selection Report (2020, Cheshire East Council) [ED 14]
- Settlement reports (2020, Cheshire East Council) [ED 21] to [ED 44]
- Local Service Centres Safeguarded Land Distribution Report (2020, Cheshire East Council) [ED 53]

## Crewe

### Site CRE 1

#### Land at Bentley Motors

Land at Bentley Motors, Pym's Lane is allocated for employment purposes to support further investment by Bentley Motors in design, research and development, engineering and production facilities. Development proposals for the site should:

1. retain the existing sports facility, playing field and associated area of existing open space unless they are proven to be surplus to need, or suitable improved provision is created having regard to the requirements of LPS Policy SC 2 'Indoor and outdoor sports facilities';
2. as part of a travel plan, improve walking and cycling routes through the site and seek to maximise connections for pedestrians and cyclists to and from the site including, for cyclists, the Connect2 Crewe to Nantwich Greenway;
3. be sensitively designed to make sure that the amenity of residents in the vicinity of the site is not unacceptably affected; and
4. have regard to heritage assets and their setting in accordance with LPS Policy SE 7 'The historic environment' and Policy HER 7 'Non-designated heritage assets'.

## Supporting information

**12.13** Bentley Motors is an iconic and internationally recognised British brand that has been based at its headquarters in Crewe for more than 70 years. Bentley's headquarters is an advanced manufacturing site that is home to Bentley's lifecycle of operations, including design, research and development, engineering and production. The Crewe site employs more than 4,000 people and is Crewe's largest single employer. Moreover, as a leader in UK luxury car manufacturing, it is a site of much wider, strategic significance to the North West. The allocation of the site recognises the need for Bentley to have the certainty and flexibility to develop its Crewe site and thereby maintain a global competitive edge, realising Bentley's vision to design and build new model lines and meet the needs of a modern integrated advanced manufacturing business.

**12.14** The allocated site is covered by the existing approved Bentley Motors Development Framework and Masterplan (BDFM). The BDFM extends beyond the allocated site to land within the southern part of Site LPS 4 'Leighton West'. The BDFM sets out the vision for Bentley Motors Ltd, to create a 'campus' in Crewe to safeguard and support its future growth. The BDFM provides additional, detailed guidance over and above this site allocation policy and is a material planning consideration in the determination of applications. In particular, the BDFM sets out more detailed design and development principles.



**12.15** Planning permission was granted for additional production and manufacturing facilities and an engine test bed facility, amongst other things, at the Bentley site in January 2019.

**12.16** The allocated site includes the 'Legends' leisure facility, playing field and associated open space. These facilities should be retained unless it can be demonstrated that they are surplus to need or improved alternative provision is made in a location that is well related to the functional requirements of the relocated use and its existing and future users. Proposals that involve the loss of the existing leisure facility, playing field and associated open space will be assessed having full regard to LPS Policy SC 2 'Indoor and outdoor sports facilities'.

**12.17** Development proposals should make provision for improved pedestrian and cycling routes and consider opportunities to connect to Site LPS 4 'Leighton West' to the north and also to the Connect2 Crewe to Nantwich Greenway.

**12.18** Residential uses are located to the south and east of the site and any employment proposals should be designed to make sure that the amenity of existing residents within the vicinity of the site are not unacceptably affected.

**12.19** The main office/showroom is a non-designated heritage asset. Any future development proposals should avoid any direct or indirect harm to the heritage asset including its setting, having regard to LPS Policy SE 7 'The historic environment' and SADPD Policy HER 7 'Non-designated heritage assets'.

**12.20** There is a high potential for contamination (landfill, depot, works). A phase 1 and 2 contaminated land assessment will therefore be required in support of any application.

**12.21** Development proposals will need to take account of, as relevant, existing utilities infrastructure crossing the site including the two existing 132kV double circuit overhead lines and water/ wastewater pipelines.

## Site CRE 2

### Land off Gresty Road

Land off Gresty Road is allocated for employment development (use classes E(g) and B8) on 5.69 ha of land. Development proposals for the site must:

1. not result in an unacceptable rise in noise and disturbance for any residents living around or in close proximity to the site;
2. include measures to conserve, restore and enhance any priority habitat identified on the site;
3. maintain the area of existing woodland, unless it can be demonstrated that there are clear overriding reasons for any loss and the provision is made for net environmental gain by appropriate mitigation, compensation or offsetting in line with LPS Policy SE 5 'Trees, hedgerows and woodland';
4. provide a landscape buffer to separate and screen new development from existing residential properties along Crewe Road and Gresty Green Road;
5. have regard to the setting of Yew Tree Farm, a non-designated heritage asset, providing an open undeveloped buffer zone to the north of this dwelling;
6. provide unobstructed access to Gresty Brook and an undeveloped 8 metre buffer zone for maintenance and emergency purposes;
7. provide satisfactory details of proposed foul and surface water drainage; and
8. include measures to improve walking and cycling routes to the site, including along Crewe Road and Gresty Road.



## Supporting information

**12.22** The site is an agricultural field located to the south of Crewe and presents the opportunity for an established and important local company, Morning Foods, to invest in and expand their business.

**12.23** The site is bounded by railway lines, industrial and residential development. Crewe Road (B5071) runs along the eastern boundary of the site, beyond which is the allocated Site LPS 3 'Basford West'. Residential properties lie to the south. Gresty Green Road runs along the western boundary, beyond which is residential development and a storage depot.

**12.24** Because the site is adjacent to residential properties to the southern, eastern and western boundary, any development proposal should make sure that there will be no adverse impact on the amenity of nearby residents. A detailed BS4142 noise assessment should be submitted to support any application. A landscaped buffer should also be provided to screen new development from existing residential properties on Crewe Road and Gresty Green Road.

**12.25** A traditional orchard is located to the south of the site and is a priority habitat listed under Section 41 the Natural and Rural Communities (NERC) Act 2006. Any priority habitat that occurs on site should be conserved, retained and enhanced.

**12.26** Proposals should also seek to maintain the area of existing woodland on the site, unless it can be demonstrated that there are clear overriding reasons for any loss. If it can be demonstrated that there are overriding reasons for any loss, appropriate mitigation, compensation or offsetting will be required in line with LPS Policy SE 5 'Trees, hedgerows and woodland'.

**12.27** To the southeastern corner of the site is Yew Tree Farm. Yew Tree Farm and its barn are non-designated heritage assets (locally listed buildings). It is important that the proposals consider the impact of development on the significance of the asset and its agricultural setting. An open buffer to Yew Tree Farm is required in order to protect the setting of this heritage asset.

**12.28** The site is greenfield and Gresty Brook runs along its northern boundary. The majority of the site is in flood zone 1, although there is a small area of the site in the northeast corner that is in flood zone 2. Any proposed development should have regard to this area of flood risk. An undeveloped buffer of 8 metres should be maintained along Gresty Brook for access and maintenance purposes but also to make sure that disturbance to the brook and its environs is minimised for ecological reasons.

**12.29** Development proposals will need to take account of (as relevant) existing utilities infrastructure crossing the site, including any water/wastewater pipelines, together with provision for foul and surface water drainage.

**12.30** Access to the site from Gresty Road may require the relocation/alteration of the existing bus stop facility. Measures to improve walking and cycling routes to the site should be provided, including along Gresty Road and Crewe Road.

**12.31** As the site is adjacent to a railway boundary and freight lease site, proposals for development should also be discussed with Network Rail's Asset Protection Team prior to the submission of an application. Proposals should not impact upon the safe operation of the railway and should consider the impacts on any level crossings in the area.



### Site CNG 1

#### Land off Alexandria Way

Land off Alexandria Way is allocated for employment development for 0.95 ha of employment land. Development proposals for the site must:

1. retain and enhance areas of landscape quality, connectivity and achieve high quality design in line with the principles of the North Congleton Masterplan; and
2. undertake a Mineral Resource Assessment for sand and gravel, including silica sand.

#### Supporting information

**12.32** This site forms a prominent location into Site LPS 27 'Congleton Business Park Extension'. Development should follow the site specific principles of development of site LPS 27, particularly 'the need for high quality design reflecting the prominent landscape location and creating a vibrant destination and attractive public realm.'

**12.33** Reference should also be made to the North Congleton Masterplan. The masterplan and policy wording for Site LPS 27 sets out the importance of:

- connectivity and highway linkages, particularly cycling and walking;
- the retention and enhancement of areas of landscape quality including hedgerows; and
- the achievement of high quality design at key nodes.

**12.34** A botanical survey will be needed to consider the ecological value of grassland present on the site. This should be prepared in accordance with LPS Policy SE 3 'Biodiversity and geodiversity'.

**12.34a** The council is aware from BGS mineral resource mapping that the site is likely to contain sand and gravel, and silica sand resources, as well as being part of a wider adjoining sand resource. As sand is a finite resource essential to support economic growth, it is considered to be of local and national importance in planning policy terms. In line with LPS Policy SE 10 'Sustainable provision of minerals' and national guidance on mineral safeguarding, the council will require the applicant to submit a Mineral Resource Assessment as part of any application to provide information on the feasibility of prior extraction of the mineral resource before the proposed development proceeds and the sterilisation potential that the proposed development will have on any future extraction of the wider resource. The Mineral Resource Assessment should be of a standard acceptable to the council, as the Minerals Planning Authority, and undertaken by a suitably competent person with appropriate qualifications or professional background, such as a minerals surveyor. The findings of the Mineral Resource Assessment will be an important planning consideration in the determination of any planning application for the development of this site.

**12.34b** Further information on Mineral Resource Assessments can be found in the Minerals Safeguarding Practice Guidance v1.4 (2019, The Mineral Products Association & The Planning Officers Society).



## Site MID 2

### East and west of Croxton Lane

Land east and west of Croxton Lane is allocated for residential development for around 50 new homes. Development proposals for the site must:

1. safeguard and protect, through an undeveloped and open landscaped buffer zone, the existing Trent and Mersey Canal Conservation Area;
2. provide an offset from the existing recycling centre and achieve an acceptable level of residential amenity for prospective residents including in terms of noise and disturbance;
3. retain existing mature hedgerows around the boundaries of the site as far as possible; and
4. provide for improvements to the surface of canal towpath to encourage its use as a traffic-free route for pedestrians and cyclists between the site and town centre.

### Supporting information

**12.43** This 2.91ha site lies on the northern edge of Middlewich. The site is split into two halves sitting either side of Croxton Lane (A530).

**12.44** The part of the site located to the west of Croxton Lane has residential development to the south and a recycling centre to the northwest. Any development would need to make sure that prospective occupiers would enjoy an acceptable level of residential amenity, including in terms of noise and odour. It is expected that noise mitigation measures will be required. Any application for this part of the site and its access proposals would need to take account of the existence of the layby to its eastern side on Croxton Lane and make sure that appropriate visibility splays can be achieved.

**12.45** The Trent and Mersey Canal runs along the northern and eastern boundary of the site. Any development would need to preserve and enhance the Trent and Mersey Canal Conservation Area by retaining undeveloped and open landscaped buffer zones adjacent to it.

**12.46** There is a high potential for contamination issues. The western boundary of the site is formed by a landfill and sewage disposal works. A phase 1 and 2 contaminated land assessment will therefore be required in support of any application.

**12.47** A gravity sewer runs through the central part of the western site and this should be taken into account in the detailed design of any development proposals.



### Site MID 3

#### Centurion Way

Land at Centurion Way is allocated for residential development of around 75 new homes. Development proposals must:

1. seek to retain as much of the existing boundary hedges as possible as part of a comprehensive landscaping scheme, which should be designed to mitigate any impact of the development upon the wider landscape;
2. include a strategy for the provision and long term management of off-site habitat for ground nesting farmland birds;
3. make a contribution towards the delivery of the Middlewich Eastern Bypass; and
4. undertake a Mineral Resource Assessment for sand and gravel.

#### Supporting information

**12.48** This 2.49 ha greenfield site is located to the northeast of Middlewich between Centurion Way to the west, Holmes Chapel Road to the south and Byley Lane to the north. Surrounding land uses include residential, a public house and open countryside. The site has been identified to deliver around 75 new homes and presents an opportunity to deliver a sustainable residential development, whilst supporting the delivery of key infrastructure through financial contributions to the Middlewich Eastern Bypass.

**12.49** Development proposals should seek to retain as much of the existing boundary hedges as possible and include a comprehensive landscaping scheme, in order to integrate the site into the wider landscape.

**12.50** Priority bird species have been identified on the site, including Skylark and Wagtails. An ecological assessment should be submitted with any planning application and mitigation, in the form of an offsite habitat creation scheme to address any potential impact, should be provided.

**12.51** The site lies just beyond Middlewich's Area of Archaeological Potential. There have been Roman finds within the site and an archaeological assessment should be submitted with any planning application.

**12.51a** The council is aware from BGS mineral resource mapping that the site is likely to contain sand and gravel resources as well as being part of a wider adjoining sand resource. As sand is a finite resource essential to support economic growth, it is considered to be of local and national importance in planning policy terms. In line with LPS Policy SE 10 'Sustainable provision of minerals' and national guidance on mineral safeguarding, the council will require the applicant to submit a Mineral Resource Assessment as part of any application to provide information on the feasibility of prior extraction of the mineral resource before the proposed development proceeds and the sterilisation potential that the proposed development will have on any future extraction of the wider resource. The Mineral Resource Assessment should be of a standard acceptable to the council, as the Minerals Planning Authority, and undertaken by a suitably competent person with appropriate qualifications or professional background, such as a minerals surveyor. The findings of the Mineral Resource Assessment will be an important planning consideration in the determination of any planning application for the development of this site.

**12.51b** Further information on Mineral Resource Assessments can be found in the Minerals Safeguarding Practice Guidance v1.4 (2019, The Mineral Products Association & The Planning Officers Society).



## Site PYT 1

### Poynton Sports Club

The Poynton Sports Club site is allocated for residential development for around 80 new homes. Development proposals for the site must:

1. retain and protect the woodland to the north/east of the site, through a buffer of no less than 10 metres at any point;
2. safeguard and protect the ordinary watercourse, through a buffer of no less than 8 metres at any point;
3. demonstrate how the sports facilities will be replaced locally, and that it is an enhanced facility in line with the recommendations made in the Cheshire East Indoor Built Facilities Strategy and the Cheshire East Playing Pitch Strategy and Action Plan, and that the relocated facility is fully brought into use in advance of the loss of any existing facilities to ensure continuity of provision;
4. satisfactorily address surface water risk/overland flow and out of bank flow from the ordinary watercourse; and
5. demonstrate through a noise impact assessment that prospective residents on the site would not be unacceptably affected by transportation noise.

### Supporting information

**12.52** The Poynton Sports Club site presents the opportunity for a sustainably located, high quality residential scheme, facilitating the relocation of the sports club and enabling the provision of improved quality sporting facilities in a suitable location. The site abuts the town centre boundary to the southeast, whilst surrounding land uses include residential.

**12.53** A suitable site has been identified for the relocation of Poynton Sports Club at Site PYT 2 'Land north of Glastonbury Drive'.

**12.54** The deciduous woodland is a priority habitat listed under Section 41 of the NERC Act 2006 and hence of national importance.

**12.55** The applicant will need to work closely with the Lead Local Flood Authority with regards to addressing risks arising from the ordinary watercourse and surface water risk/overland flow.



## Site PYT 2

### Land north of Glastonbury Drive

The land north of Glastonbury Drive site is allocated for sports and leisure development (for 10 ha). Development will only be permitted subject to a planning obligation governing the relocation and redevelopment of existing facilities at the Poynton Sports Club site to make sure that there is continuity of sports and recreation provision. Development proposals for the site must:

1. retain and protect, through an undeveloped 15 metres wide buffer to either side of the bank tops, Poynton Brook and its associated wet ditches, and woodland;
2. retain and protect, through an appropriate buffer and/or mitigation, any protected species;
3. demonstrate through a noise impact assessment that existing residential areas would not be unacceptably affected by noise from the sport and leisure use;
4. make sure that any building is an appropriate facility for outdoor sport and/or recreation and is located and designed utilising the landform of the site in order to acceptably minimise its visual impact and its impact on the Green Belt;
5. seek to avoid the discharging of surface water to the gravity sewer crossing the site;
6. include details of any proposed external lighting (for example of pitches), which should be designed in a way so as not to cause unacceptable nuisance to residents living around the site, give rise to unacceptable highway safety, ecological or landscape impacts, or result in excessive sky glow;
7. make sure that the layout and design of development, including all boundary treatments and related infrastructure preserves the openness of the Green Belt; and
8. undertake a Mineral Resource Assessment for sand and gravel.

### Supporting information

**12.56** The site is a field located to the north of the town and presents the opportunity for the development of good quality sports facilities through the relocation of Poynton Sports Club. Surrounding land uses include residential and open countryside.

**12.57** For the avoidance of doubt, this site remains in the Green Belt.

**12.58** The allocation of the site and the relocation of the sports club will enable the redevelopment of the sports club's existing site for residential redevelopment; a separate allocation in the plan (Site PYT 1 'Poynton Sports Club'). The two allocations are therefore linked and a planning obligation will be required to govern the mutual development of each site, specifically to make sure that the new sports and recreation facilities on the Glastonbury Drive site are constructed and fully open and operational before the sport and recreational use of the current Poynton Sports Club site is ceased and the redevelopment of it is commenced.

**12.59** The allocation of the site allows for a new building to be constructed on the site, which will support its outdoor sport use. The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds, and allotments is appropriate development in the Green Belt as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The design, scale and massing of the clubhouse therefore needs careful consideration to make sure it remains appropriate and proportionate to its Green Belt location.

**12.60** Bringing forward development on the two sites in the way proposed enables Poynton's housing needs to be addressed without the need to remove further land from the Green Belt. At the same time it enables a significant investment to be made in local sports facilities. If these two sites did not come forward in the way proposed, there would be pressure for the release of additional Green Belt land around the town for housing development.





**12.61** Any replacement and/or new sports provision should take account of the Cheshire East Playing Pitch Strategy and Action Plan [ED 19], the Cheshire East Indoor Built Facilities Strategy [ED 20] and LPS Policy SC 2 'Indoor and outdoor sports facilities'. Sport England should also be engaged in developing the sports/leisure proposals for the site.

**12.62** Planning applicants will need to demonstrate, through a noise impact assessment, that the development of the site will not give rise to unacceptable disturbance for surrounding residents. There are various noise mitigation measures that could be applied, if needed, for example restricting the hours of certain activities close to residential areas, or the provision of a buffer zone.

**12.63** Details of external lighting must also be included with any planning application for the development of the site. These details will be very carefully assessed and must demonstrate how unacceptable impacts will be avoided in terms of residential amenity, highway safety, ecology and landscape and also sky glow.

**12.64** Poynton Sports Club would need to be fully operational from this site prior to the commencement of development on Site PYT 1 'Poynton Sports Club'.

**12.65** A gravity sewer runs through the site from the southwest corner to the northwest of the site; the discharging of surface water to the sewer should be avoided given the availability of Poynton Brook to the north.

**12.66** The site lies within the Green Belt in an important open gap between Poynton and adjacent areas of Greater Manchester. This area has already been affected by the building of the A6 - Manchester Airport Relief Road and so is vulnerable to further erosion of its open character. Careful design is required to minimise and mitigate the impact of development – including important views into the site from the A532 road and other vantage points, as well as the wider character of the countryside in the sensitive gap between Poynton and Bramhall/Hazel Grove.

**12.66a** The council is aware from BGS mineral resource mapping that the site is likely to contain sand and gravel resources, as well as being part of a wider adjoining sand resource. As sand is a finite resource essential to support economic growth, it is considered to be of local and national importance in planning policy terms. In line with LPS Policy SE 10 'Sustainable provision of minerals' and national guidance on mineral safeguarding, the council will require the applicant to submit a Mineral Resource Assessment as part of any application to provide information on the feasibility of prior extraction of the mineral resource before the proposed development proceeds and the sterilisation potential that the proposed development will have on any future extraction of the wider resource. The Mineral Resource Assessment should be of a standard acceptable to the council, as the Minerals Planning Authority, and undertaken by a suitably competent person with appropriate qualifications or professional background, such as a minerals surveyor. The findings of the Mineral Resource Assessment will be an important planning consideration in the determination of any planning application for the development of this site.

**12.66b** Further information on Mineral Resource Assessments can be found in the Minerals Safeguarding Practice Guidance v1.4 (2019, The Mineral Products Association & The Planning Officers Society).



## Site PYT 3

### Land at Poynton High School

Land at Poynton High School is allocated for residential development for around 20 new homes. Development proposals for the site must:

1. replace the lost playing field to an equivalent or better quality, in a suitable location;
2. provide an 80m buffer zone to protect the proposed dwellings from the risk of ball strike from the adjacent playing field. If this cannot be accommodated, a full ball strike risk assessment should be carried out and any required mitigation provided;
3. demonstrate that the sports facility is an enhanced facility in line with recommendations made in the Cheshire East Indoor Built Facilities Strategy and the Cheshire East Playing Pitch Strategy and Action Plan;
4. make sure that any proposed housing layout does not have a direct impact that would result in an adverse effect on the functionality or capacity of the playing field; and
5. not erect or plant any obstructions within 8m of the edge of the culverted watercourse.

### Supporting information

**12.67** The site (0.76ha) lies off Dickens Lane to the east of Poynton and includes an area of playing field belonging to Poynton High School, which runs between residential properties along Dickens Lane. Surrounding land uses include residential.

**12.68** The intention would be to mitigate the loss of the playing field with the provision of a new 3G pitch at Poynton High School, adjacent to the existing leisure centre on land that is not classed as an existing playing field. The Cheshire East Local Football Facility Plan (December 2018) highlights a new floodlit 11v11 3G football turf pitch at Poynton High School as a priority project for potential investment.

**12.69** Replacement sports facilities should be provided in accordance with LPS Policy SC 2 'Indoor and outdoor sports facilities' and take account of the most up to date playing pitch strategy. Proposals put forward to replace the playing field should be agreed with Sport England. In line with the Cheshire East Playing Pitch Strategy and Action Plan [ED 19], if the replacement playing field includes a 3G pitch, a sinking fund would need to be in place for the long-term sustainability of the 3G pitch, and Football Association testing should be administered so that it can host competitive matches.

**12.70** If there are not adequate safety margins then the proposed development is at risk of ball strike, therefore a full ball strike risk assessment should be carried out. Satisfactory mitigation measures could include ball stop fencing or netting and reconfiguration of the cricket pitch.

**12.71** A water main easement is located on the south-western boundary of the site and a large gravity sewer runs through the south-eastern part of the site.

**12.71a** There is a section of culverted watercourse crossing through the eastern area of the site. The culvert should be located and a condition survey carried out in order to assess its current condition/location and any maintenance/upgrading that may be needed. Development proposals should be carried out in line with the requirements of the Cheshire East Land Drainage Byelaws<sup>(23)</sup> and in consultation with the Lead Local Flood Authority.

**12.71b** The council is aware from BGS mineral resource mapping that the site is likely to contain shallow coal resources as well as being part of a wider adjoining coal resource. The Coal Authority should be consulted on any planning application for the development of this site.



## Site PYT 4

### Former Vernon Infants School

The former Vernon Infants School site is allocated for residential development for around 50 new homes. Development proposals for the site must:

1. enhance the retained playing field and provide changing rooms, drainage and parking facilities;
2. provide an 80m buffer zone to protect the proposed dwellings from the risk of ball strike from the adjacent playing field. If this cannot be accommodated, a full ball strike risk assessment should be carried out and any required mitigation provided;
3. make sure that any proposed housing layout does not have a direct impact that would result in an adverse effect on the functionality or capacity of the playing field;
4. retain the vegetation to the existing building's frontage; and
5. provide a bat survey in support of any planning application.

### Supporting information

**12.72** The former Vernon Infants School site (0.56ha) presents the opportunity for a sustainably located, high quality residential scheme, and is particularly suitable for retirement homes. It is situated very close to the town centre, with surrounding land uses including residential.

**12.74** The intention would be to reconfigure and improve drainage of the playing field and provide a changing room.

**12.75** If there aren't adequate safety margins then the proposed development is at risk of ball strike, therefore a full ball strike risk assessment should be carried out. Satisfactory mitigation measures could include ball stop fencing or netting.

## Holmes Chapel

### Site HCH 1

#### Land east of London Road

Land east of London Road (6 ha) is allocated for employment development. Development proposals for the site must:

1. retain the River Croco and provide an undeveloped 15 metres wide buffer zone to either side of the bank tops;
2. provide an undeveloped landscape buffer on the northern section of the site, and appropriate buffers to the eastern and southern boundaries;
3. retain and protect any mature trees;
4. not prejudice the council's objectives to deliver a cycling route on the A50, which could link the site to the village centre;
5. demonstrate through a noise impact assessment that residents in the vicinity of the site would not be unacceptably affected by noise from the proposed use; and
6. undertake a Mineral Resource Assessment for sand and gravel, including silica sand.



## Supporting information

**12.117** This site, located to the southeast of Holmes Chapel, presents the opportunity for the delivery of a high quality employment site, with an emphasis on the manufacturing of pharmaceuticals, and could include the expansion of the adjacent Recipharm pharmaceutical business enterprise.

**12.118** There is potential for commonly encountered protected species to be present.

**12.119** The site extends over the River Croco, providing additional connectivity between the proposed and existing site; an appropriate landscape buffer should be provided around this area as the boundary does not follow any identifiable features on the ground. Appropriate buffers should also be provided to the eastern and southern boundaries to help filter views of the site.

**12.120** The cycling route could be a cycle lane or a shared use footway/cycleway.

**12.120a** The council is aware from BGS mineral resource mapping that the site is likely to contain sand and gravel, and silica sand resources, as well as being part of a wider adjoining sand resource. As sand is a finite resource essential to support economic growth, it is considered to be of local and national importance in planning policy terms. In line with LPS Policy SE 10 'Sustainable provision of minerals' and national guidance on mineral safeguarding, the council will require the applicant to submit a Mineral Resource Assessment as part of any application to provide information on the feasibility of prior extraction of the mineral resource before the proposed development proceeds and the sterilisation potential that the proposed development will have on any future extraction of the wider resource. The Mineral Resource Assessment should be of a standard acceptable to the council, as the Minerals Planning Authority, and undertaken by a suitably competent person with appropriate qualifications or professional background, such as a minerals surveyor. The findings of the Mineral Resource Assessment will be an important planning consideration in the determination of any planning application for the development of this site.

**12.120b** Further information on Mineral Resource Assessments can be found in the Minerals Safeguarding Practice Guidance v1.4 (2019, The Mineral Products Association & The Planning Officers Society).

## Gypsy, Traveller and Travelling Showpersons sites

### Site G&T 1

#### Land east of Railway Cottages, Nantwich (Baddington Park)

The land east of Railway Cottages (Baddington Park) is allocated for two additional permanent Gypsy and Traveller pitches. Development proposals for the site must:

1. retain hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. use permeable materials as hardstanding and provide a drainage strategy to prevent surface run-off from the site into the adjacent pond; and
3. provide for and maintain an appropriate visibility splay and access arrangements from Baddington Lane (A530).

## Supporting information

**12.138a** The site has planning permission for six permanent Gypsy and Traveller Pitches (reference 19/5261N). This allocation would support the intensification of use on the site through the provision of two additional permanent pitches.



**12.138b** A contaminated land phase 1 preliminary risk assessment, phase 2 ground investigation and risk assessment report has been requested, by condition, for planning application 19/5261N. This should be completed, alongside a remediation strategy, if determined through an update to the phase 1 and 2 assessments that a remediation strategy is required.

**12.139** The site is allocated to address the identified need for pitches for Gypsies and Travellers. Conditions will be imposed to permanently govern the occupation of the site.

**12.140** For the purposes of the policy, a pitch includes one chalet/mobile home and one touring caravan and is generally home to one household. There is an expectation of a minimum spacing of 6 metres between caravans and adequate on-site essential services and utilities provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.

**12.140a** In line with Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles', the site should ensure and maintain an appropriate water supply, sewer connection and disposal of surface water in a sustainable way. This should include engagement, where appropriate, with the relevant water undertaker.

**12.141** There is potential for protected species to be present. Conditions attached to the planning permission on the site for six pitches (ref 19/5261N) requests that a method statement of Great Crested Newt reasonable avoidance measures is completed. This should be updated to reflect any additional pitches on the site.

## Site G&T 2

### Land at Coppenhall Moss, Crewe

Land at Coppenhall Moss is allocated for seven permanent Gypsy and Traveller pitches. Development proposals for the site must:

1. retain hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. provide for an appropriate visibility splay and access arrangements from Parkers Road/Kent's Lane;
3. demonstrate through a noise impact assessment that external and internal noise impacts can be acceptably minimised through appropriate mitigation; and
4. undertake a phase 1 and 2 contaminated land assessment.

### Supporting information

**12.142** The site is allocated to address the identified need for pitches for Gypsies and Travellers. Conditions will be imposed to permanently govern the occupation of the site.

**12.143** For the purposes of the policy, a pitch includes one chalet/mobile home and one touring caravan and is generally home to one household. There is an expectation of a minimum spacing of 6 metres between caravans and adequate on-site essential services and utilities provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.

**12.144** There is potential for contamination and noise impacts in relation to an adjacent garage, which will need to be carefully assessed to inform future mitigation measures, where necessary.

**12.145** There is potential for protected species to be present. A habitats survey will be required to support any future planning application and inform mitigation measures where necessary.



**12.146** A botanical survey will be needed to consider the ecological value of grassland present of the site. This should be prepared in accordance with LPS Policy SE 3 'Biodiversity and geodiversity'.

### Site G&T 3

#### **New Start Park, Wettenhall Road, Nantwich**

Land at New Start Park is allocated for eight permanent Gypsy and Traveller pitches. Development proposals for this site must:

1. retain hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. use permeable materials as hardstanding and provide a drainage strategy to prevent surface run-off from the site; and
3. provide for and maintain appropriate access arrangements from Wettenhall Road.

### Supporting information

**12.147** The site is allocated to address the identified need for pitches for Gypsies and Travellers. Conditions will be imposed to permanently govern the occupation of the site.

**12.148** For the purposes of the policy, a pitch includes one chalet/mobile home and one touring caravan and is generally home to one household. There is an expectation of a minimum spacing of 6 metres between caravans and adequate on-site essential services and utilities provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.

**12.149** Further assessment, in line with LPS Policy SE 3 'Biodiversity and geodiversity', would be required to consider the long term management of habitat creation measures on the site.

**12.150** In line with Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles', the site should ensure and maintain an appropriate water supply, sewer connection and disposal of surface water in a sustainable way. This should include engagement, where appropriate, with the relevant water undertaker.

### Site G&T 4

#### **Three Oakes Site, Booth Lane, Middlewich**

Land at Three Oakes, Booth Lane is allocated for 24 permanent Gypsy and Traveller Pitches. Development proposals for this site must:

1. retain hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments in accordance with the recommendations of the Heritage Impact Assessment (CEC 2019) prepared for the site;
2. provide for an appropriate visibility splay and access arrangements from Booth Lane; and
3. use permeable materials as hardstanding and provide a drainage strategy to prevent surface run-off from the site.



## Supporting information

**12.151** The site is allocated to address the identified need for pitches for Gypsies and Travellers and would be an extension to an existing caravan park on Booth Lane, Middlewich. Conditions will be imposed to permanently govern the occupation of the site.

**12.152** The Trent and Mersey Canal Conservation Area is close to the site. Development should retain existing and provide for additional landscaping, with the planting of indigenous species of trees and shrubs to preserve and enhance the conservation area, particularly along the eastern boundary in line with the recommendations from the Heritage Impact Assessment prepared for the site.

**12.153** The site is located close to Sandbach Flashes SSSI, which is notified for its physiographical and biological importance. It consists of a series of pools and has triggered the impact risk zone for development. An application should be supported with appropriate evidence regarding any impacts on Sandbach Flashes SSSI, in line with LPS Policy SE 3 'Biodiversity and geodiversity' along with appropriate mitigation measures, where required.

**12.154** For the purposes of the policy, a pitch includes one chalet/mobile home and one touring caravan and is generally home to one household. There is an expectation of a minimum spacing of 6 metres between caravans and adequate on-site essential services and utilities provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.

**12.154a** In line with Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles', the site should ensure and maintain an appropriate water supply, sewer connection and disposal of surface water in a sustainable way. This should include engagement, where appropriate, with the relevant water undertaker.

### Site G&T 5

#### **Cledford Hall, Cledford Lane, Middlewich**

Land at Cledford Hall, Cledford Lane is allocated for 10 Gypsy and Traveller transit pitches. Development proposals for this site must:

1. retain hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. provide for an appropriate visibility splay and access arrangements from Cledford Lane;
3. demonstrate through a noise impact assessment that external and internal noise impacts can be acceptably minimised through appropriate mitigation including a noise management plan; and
4. use permeable materials as hardstanding and provide a drainage strategy to prevent surface run-off from the site.

## Supporting information

**12.155** The site is allocated to address the identified need for transit pitches for Gypsies and Travellers. Occupation of any development will be restricted to persons complying with the definition of Gypsies and Travellers, and conditions will be imposed to secure the transit nature and govern the occupation of the site. This will include governing the maximum duration of a single stay on the site to make sure that the site continues to provide for transit accommodation for Gypsies and Travellers in perpetuity.



**12.156** For the purposes of the policy, there shall be no more than 10 pitches on the site and on each of the 10 pitches, no more than two caravans. There is an expectation of a minimum spacing of 6 metres between caravans and adequate on-site essential services and utilities provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.

**12.157** It is expected that all internal roads and parking facilities are provided for prior to first occupation.

**12.157a** The Middlewich Eastern Bypass, now with planning permission, will provide for highway improvements along Cledford Lane including improvements to footpath and cycle provision and an alternative access to junction 18 of the M6. Any visual, noise and pollution assessment of development should be undertaken with the assumption that the Middlewich Eastern Bypass is in situ and suitable screening/mitigation provided accordingly.

**12.158** The gateposts at the site entrance should be retained as a physical record of the previous heritage assets on the site.

**12.159** There is potential for protected species to be present. A habitats survey will be required to support any future planning application and inform mitigation measures, where necessary.

### Site G&T 8

#### The Oakes, Mill Lane, Smallwood

Land at The Oakes, Mill Lane is allocated for four additional permanent Gypsy and Traveller pitches. Development proposals for this site must:

1. retain hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. provide for and maintain an appropriate visibility splay and access arrangements from Mill Lane; and
3. use permeable materials as hardstanding and provide a drainage strategy to prevent surface run-off from the site.

#### Supporting information

**12.165a** Part of the site has planning permission for four permanent Gypsy and Traveller Pitches (reference 14/2590C). This allocation would extend the footprint and support the provision of four additional permanent pitches on a wider allocated site.

**12.165b** There is potential for protected species to be present. A habitats survey will be required to support any future planning application and inform mitigation measures, where necessary. A botanical survey will be needed to consider the ecological value of semi-natural habitat and grassland on the site. This should be prepared in accordance with LPS Policy SE 3 'Biodiversity and geodiversity'.

**12.165c** The site is allocated to address the identified need for pitches for Gypsies and Travellers. Conditions will be imposed to permanently govern the occupation of the site.

**12.165d** For the purposes of the policy, a pitch includes one chalet/mobile home and one touring caravan and is generally home to one household. There is an expectation of a minimum spacing of 6 metres between caravans and adequate on-site essential services and utilities provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.





**12.165e** In line with Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles', the site should ensure and maintain an appropriate water supply, sewer connection and disposal of surface water in a sustainable way. This should include engagement, where appropriate, with the relevant water undertaker.

### Site TS 1

#### Lorry park, off Mobberley Road, Knutsford

The lorry park, off Mobberley Road, is allocated for three Travelling Showperson plots. Development proposals for the site must:

1. retain the existing hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. demonstrate through a noise impact assessment that external and internal noise impacts can be acceptably minimised through appropriate mitigation;
3. undertake a phase 1 and 2 contaminated land assessment;
4. provide a buffer from the existing recycling centre to achieve an acceptable level of residential amenity for prospective residents, including in terms of noise and disturbance; and
5. use permeable materials as replacement hardstanding, where required, and provide a drainage strategy to manage surface run-off from the site.

### Supporting information

**12.166** The site is allocated to meet the accommodation needs of Travelling Showpeople. Occupation of any development will be restricted to persons complying with the definition of Travelling Showpeople, and conditions will be imposed to permanently govern the occupation of the site.

**12.168** A noise impact assessment should be prepared to consider the impact from aircraft noise and the adjacent waste recycling centre. A phase 1 and 2 contaminated land assessment is required due to its proximity to Shaw Heath Landfill site.

**12.169** The site should provide appropriate contributions to local health facilities, where identified as necessary by the local clinical commissioning group.

**12.170** No commercial activities shall take place on the land, including the storage and sorting of materials, other than as necessary for the use as a Travelling Showpersons site. Travelling Showperson plots should avoid conflict between vehicles and residents through an appropriate layout of the site.

**12.171** Any development would need to make sure that prospective occupiers would enjoy an acceptable level of residential amenity, including in terms of noise and odour. Amenity issues in respect of the maintenance of equipment and other matters should be suitably addressed through planning conditions.

**12.171a** There is an expectation of adequate on-site essential services and utilities being provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.



## Site TS 2

### Land at Fir Farm, Brereton

Land at Fir Farm is allocated for 10 Travelling Showperson plots. Development proposals for this site must:

1. retain the existing hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments in accordance with the recommendations of the Heritage Impact Assessment (CEC 2019) prepared for the site;
2. secure and maintain appropriate visibility splays and access arrangements onto the A50, including the implementation of a new vehicular access into the site from the A50; and
3. avoid any obstructions to the surface water flow path that runs along the western boundary of the site. Any proposed alternations or obstructions to the flow path should be modelled and managed appropriately.

### Supporting information

**12.172** The site is allocated to meet the accommodation needs of Travelling Showpeople. Occupation of any development will be restricted to persons complying with the definition of Travelling Showpeople, and conditions will be imposed to permanently govern the occupation of the site.

**12.173** Any landscaping scheme should consider the retention and provision of native hedgerows and trees. Urbanising features such as walls, gates and the design of ancillary outbuildings should maintain the rural setting of listed buildings at Tudor Cottage and Holly Cottage in line with the recommendations from the Heritage Impact Assessment prepared for the site.

**12.174** There is potential for protected species to be present. A habitats survey will be required to support any future planning application and inform the mitigation measures. Development proposals on grassland habitats should be supported by a botanical survey.

**12.175** A new highways access would be required into the site. Planning approval was granted, on 09 November 2018 (ref 18/2961C) for a new vehicular access from the A50 to serve land to the rear of Firs Farm and this should be implemented prior to the delivery of the allocation.

**12.176** The site is within 50 metres of a landfill site at Arclid. There is potential for issues for permanent structures that would require additional assessment and/or mitigation including a phase 1 contaminated land assessment.

**12.177** No commercial activities shall take place on the allocated land, including the storage and sorting of materials, other than as necessary for the use as a Travelling Showpersons site. Travelling Showperson plots should avoid conflict between vehicles and residents through an appropriate layout of the site.

**12.178** Amenity issues in respect of the maintenance of equipment and other matters should be suitably addressed through planning conditions.

**12.179** There is an expectation of adequate on-site essential services and utilities being provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.



### Site TS 3

#### Land at former brickworks, A50 Newcastle Road

Land at the former brickworks, A50 Newcastle Road allocated for two additional Travelling Showperson plots. Development proposals for this site must:

1. retain the existing hedgerows and incorporate a comprehensive landscaping scheme that provides for appropriate boundary treatments;
2. secure and maintain appropriate visibility splays and access arrangements onto the A50;
3. demonstrate through a noise impact assessment that external and internal noise impacts can be acceptably minimised through appropriate mitigation;
4. use permeable materials as hardstanding and provide a drainage strategy to prevent surface run-off from the site; and
5. undertake a phase 1 and 2 contaminated land assessment.

#### Supporting information

**12.180** The intensification of use is supported on this site to meet the accommodation needs of Travelling Showpeople. Occupation of any development will be restricted to persons complying with the definition of Travelling Showpeople, and conditions will be imposed to permanently govern the occupation of the site.

**12.181** A noise impact assessment should be prepared to consider the impact from the A50. No commercial activities shall take place on the land, including the storage and sorting of materials, other than as necessary for the use as a Travelling Showpersons site. Travelling Showperson plots should avoid conflict between vehicles and residents through an appropriate layout of the site.

**12.182** There is an expectation of adequate on-site essential services and utilities being provided, in line with the principles set out in SADPD Policy HOU 5c 'Gypsy and Traveller and Travelling Showperson site principles' and LPS Policy SC 7 'Gypsies and Travellers and Travelling Showpeople'.





# 13

## Monitoring and implementation



## 13 Monitoring and implementation

**13.1** To enable the council to take a flexible approach to the monitoring of the Local Plan, a separate Local Plan Monitoring Framework (LPMF) has been published, which replaces the monitoring framework contained in Table 16.1 of the LPS. This will allow the council to update and/or amend the LPMF as local plan documents are adopted or revised, as well as respond to changes in availability of information sources, whilst continuing to effectively monitor the implementation of the local plan.

**13.2** The LPMF should be read alongside the local plan documents. It explains how achievement of the strategic priorities and policies in the local plan will be measured, by assessing performance against a wide range of monitoring indicators. The results of this assessment will be presented in a yearly authority monitoring report, produced and published by the council. This process will enable the council to assess whether the local plan is being implemented effectively, and will highlight any issues that could prompt revision of the local plan.

### Related documents

- Local Plan Monitoring Framework (2020, Cheshire East Council) [ED 54]



# 14

## Glossary



## 14 Glossary

**Affordable housing** Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a. **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the government’s rent policy for social rent or affordable rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a build to rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For build to rent schemes, affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as affordable private rent).
- b. **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- c. **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d. **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to government or the relevant authority specified in the funding agreement.

**Amenity** A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the interrelationship between them, or less tangible factors such as tranquillity.

**Backland and tandem development** Backland development is the development of a site behind existing buildings with no (or very limited) street frontage, usually surrounded by existing development curtilages. Tandem development is usually the placing of one dwelling behind another within a single plot.

**Best and most versatile agricultural land** Land in grades 1, 2 and 3a of the Agricultural Land Classification.

**Blue infrastructure** A network of water that supports native species, maintains natural ecological processes, prevents flooding, sustains air and water resources and contributes to the health and quality of life of local communities.





<b>Brownfield land</b>	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
<b>Built-up frontage</b>	A built-up frontage is considered to be a substantial line of buildings fronting a road with a fairly dense and uniform pattern of development. Loose groupings of buildings in substantial grounds or with other spaces between them are not considered to be built-up frontages.
<b>Community Infrastructure Levy</b>	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
<b>Conservation</b>	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
<b>Conservation area</b>	Areas of special architectural or historic interest.
<b>Designated heritage asset</b>	A world heritage site, scheduled monument, listed building, protected wreck site, registered park and garden, registered battlefield or conservation area designated under the relevant legislation.
<b>Development plan</b>	Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.
<b>Edge of centre</b>	For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.
<b>Employment land</b>	Land identified for development for: offices to carry out any operational or administrative functions; the research and development of products or processes; any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit; general industrial; and storage and distribution uses as defined by use classes E(g)(i), E(g)(ii), E(g)(iii), B2 and B8. It does not include land for retail development.
<b>Geodiversity</b>	The range of rocks, minerals, fossils, soils and landforms.
<b>Green Belt</b>	A designation for land around certain cities and large built-up areas, which aims to keep this land permanently open or largely undeveloped. The purposes of the Green Belt are to: check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns from merging into one another; safeguard the countryside from encroachment; preserve the setting and special character of historic towns; and assist urban regeneration by encouraging the recycling of derelict and other urban land. Green Belts are defined in a local planning authority's development plan.



<b>Greenfield</b>	Land, or a defined site, usually farmland, that has not previously been developed.
<b>Green infrastructure</b>	A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.
<b>Heritage asset</b>	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).
<b>Historic environment</b>	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
<b>Infrastructure</b>	Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education, sport/recreation and health facilities.
<b>Infrastructure delivery plan</b>	National planning policy formally requires local authorities to demonstrate sufficient infrastructure exists, or will be provided, to support their strategies for new development as set out in their local plan documents.
<b>Infill development</b>	Infill development is generally the development of a relatively small gap between existing buildings. The scale of infill development will depend upon the location of the site. Several local plan policies refer to infill development and set out what scale is appropriate. These policies include LPS Policy PG 3 'Green Belt'; LPS Policy PG 6 'Open countryside'; and SADPD Policy PG 10 'Infill villages'.
<b>Infill village</b>	Infill villages are settlements within the 'other settlements and rural areas' tier of the settlement hierarchy. They do not have a settlement boundary and are within the open countryside, but they do have a defined infill boundary, in which limited infilling can be allowed.
<b>Key service centre (KSC)</b>	Towns with a range of employment, retail and education opportunities and services, with good public transport. The KSCs are Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow.
<b>Listed building</b>	A building or structure of special architectural or historic interest. Listed buildings are graded I, II* or II, with grade I being the highest. Listing includes the interior as well as the exterior of the building, and includes any buildings or permanent structures in its curtilage that have formed part of the land since before 01 July 1948. Historic England is responsible for designating buildings for listing in England.
<b>Local green gap</b>	An area of land designated to maintain and enhance the character and separate identities of the borough's towns and villages. The purpose of local green gaps is to provide long-term protection against coalescence, protecting the setting and separation of settlements and retaining the existing settlement pattern by maintaining the openness of land. Local green gaps are designated through neighbourhood plans.
<b>Local landscape designations</b>	Non-statutory and locally designated areas outside the national landscape designations, which are considered by the local planning authority to be of particular landscape value to the local area.
<b>Local plan</b>	A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described



as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

<b>Local Plan Strategy (LPS)</b>	A development plan document and the first part of the council's local plan, the LPS was adopted in July 2017. It sets out the overall planning framework for the area. It includes strategic policies and allocations to achieve sustainable development.
<b>Local planning authority</b>	The local authority or council that is empowered by law to exercise planning functions. Often the local borough or district council. National park authorities and the Broads Authority are also considered to be local planning authorities.
<b>Local service centre (LSC)</b>	The third tier of settlements in the local plan's settlement hierarchy after principal towns and key service centres. They are planned to accommodate a lower level of development generally reflective of the range of services and facilities that they offer. The LSCs are Alderley Edge, Audlem, Bollington, Bunbury, Chelford, Disley, Goostrey, Haslington, Holmes Chapel, Mobberley, Prestbury, Shavington and Wrenbury.
<b>Local urban centre</b>	Defined area comprising of a range of shops and services that generally function to meet local, day-to-day shopping needs, sometimes including small supermarkets. Local urban centres do not fall within the definition of town centres.
<b>Local wildlife sites/site of biological importance</b>	Locally important sites of nature conservation adopted by local authorities for planning purposes.
<b>Main town centre uses</b>	Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
<b>Masterplan</b>	A means of expressing a vision for how a development opportunity site could be designed. Often these are illustrative rather than detailed.
<b>National Planning Policy Framework (NPPF)</b>	Sets out the government's planning policies for England and how these are expected to be applied.
<b>Neighbourhood parade of shops</b>	Defined area comprising a small group of shops and other facilities serving the day to day needs of residents generally within a very localised catchment. Neighbourhood parades of shops do not fall within the definition of town centres.
<b>Neighbourhood plan</b>	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.
<b>Non-designated heritage asset</b>	Locally important heritage assets identified by the local planning authority, where there is often a strong local affinity or association: <ul style="list-style-type: none"><li>• Areas of local archaeological interest (including the areas of archaeological potential and sites of archaeological importance identified in local plans)</li><li>• Buildings of local architectural or historic interest (local list)</li><li>• Locally important built assets not on the local list</li></ul>



- Locally significant historic parks and gardens
- Other locally important historic landscapes

<b>Open countryside</b>	The area outside of any settlement with a defined settlement boundary (including principal towns, key service centres, local service centres and any other settlements with a settlement boundary identified in a made neighbourhood plan).
<b>Open space</b>	All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
<b>Out of centre</b>	A location which is not in or on the edge of a centre but not necessarily outside the urban area.
<b>Outdoor sports facilities</b>	Sports facilities with natural or artificial surfaces (and either publicly or privately owned) – including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields and other outdoor sports areas – these facilities may have ancillary infrastructure such as changing accommodation or pavilions.
<b>Planning obligation</b>	A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.
<b>Pollution</b>	Anything that affects the quality of land, air, water or soils, which might lead to an adverse impact on human health, the natural environment or general amenity. Pollution can arise from a range of emissions, including smoke, fumes, gases, dust, steam, odour, noise and light.
<b>Previously developed land</b>	See 'Brownfield land'.
<b>Primary shopping area</b>	Defined area where retail development is concentrated.
<b>Principal town</b>	The largest towns with a wide range of employment, retail and education opportunities and services, serving a large catchment area with a high level of accessibility and public transport. The principal towns are Crewe and Macclesfield.
<b>Priority habitats and species</b>	Species and habitats of principal importance included in the England Biodiversity List published by the Secretary of State under Section 41 of the Natural Environment and Rural Communities Act 2006.
<b>Ramsar sites</b>	Wetlands of international importance, designated under the 1971 Ramsar Convention.
<b>Registered battlefield</b>	The Historic England Register of Historic Battlefields identifies 43 important English battlefields. Its purpose is to offer them protection and to promote a better understanding of their significance.
<b>Registered parks and gardens</b>	Historic England compiles a register of historic parks and gardens. Historic parks and gardens are a fragile and finite resource; they can easily be damaged beyond repair or lost forever. From town gardens and public parks to the great country estates, such places are an important, distinctive, and much cherished part of our inheritance.
<b>Renewable and low carbon energy</b>	Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal



	heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).
<b>Safeguarded land</b>	Safeguarded land is land between the urban area and the Green Belt. It aims to protect Green Belt in the longer term by reserving land which may be required to meet longer-term development needs.
<b>Settlement hierarchy</b>	The local plan settlement hierarchy is set out in LPS Policy PG 2. It categorises settlements into four tiers: principal towns, key service centres, local service centres and other settlements and rural areas.
<b>Scheduled monument</b>	A nationally-important site or monument which is given legal protection against disturbance or change.
<b>Self build and custom build housing</b>	Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.
<b>Site of special scientific interest (SSSI)</b>	Sites designated by Natural England under the Wildlife and Countryside Act 1981.
<b>Special areas of conservation (SAC)</b>	Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites.
<b>Special protection areas (SPA)</b>	Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds.
<b>Stepping stones</b>	Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.
<b>Strategic green gap</b>	An area of land designated to maintain and enhance the character and separate identities of the borough's towns and villages. LPS Policy PG 5 designates four strategic green gaps between Crewe and Nantwich and between Crewe and its surrounding villages. The purpose of these strategic green gaps is to provide long-term protection against coalescence, protecting the setting and separation of settlements and retaining the existing settlement pattern by maintaining the openness of land.
<b>Strategic site/location</b>	An important or essential site/area in relation to achieving the vision and strategic priorities of the local plan and which contributes to accommodating the sustainable development planned for over the local plan period.
<b>Supplementary planning documents</b>	Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.
<b>Sustainability appraisal</b>	An appraisal of the economic, environmental and social effects of potential policies and proposals to inform the development of the plan.
<b>Sustainable development</b>	A widely used definition drawn up by the World Commission on Environment and Development in 1987: "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs." The government has set out four aims for sustainable development



in its strategy 'A Better Quality of Life, a Strategy for Sustainable Development in the UK'. The four aims, to be achieved simultaneously are:

- Social progress that recognises the needs of everyone;
- Effective protection of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

**Sylvan**

Wooded, or consisting of or associated with woods.

**Town centres**

Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

**Wildlife corridor**

Areas of habitat connecting wildlife populations.

**World heritage site**

A place that is listed by the United Nations Educational, Scientific and Cultural Organisation as of special cultural or physical significance, which the World Heritage Committee considers as having outstanding universal value.



# Appendices



## Appendix A Related documents and links

**A.1** Documents published to support the publication draft SADPD are all available to download from the SADPD webpage: [www.cheshireeast.gov.uk/planning/spatial\\_planning/cheshire\\_east\\_local\\_plan/site\\_allocations\\_and\\_policies.aspx](http://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/site_allocations_and_policies.aspx)

- Revised Publication Draft Site Allocations and Development Policies Document (version showing tracked changes) (2020, Cheshire East Council) [ED 01a]
- Revised Publication Draft Site Allocations and Development Policies Document ('clean' version) (2020, Cheshire East Council) [ED 01b]
- Schedule of Changes to the Initial Publication Draft SADPD (2020, Cheshire East Council) [ED 01c]
- Initial Publication Draft Site Allocations and Development Policies Document (2019, Cheshire East Council) [ED 01d]
- Draft adopted policies map (2020, Cheshire East Council) [ED 02]
- Revised Publication Draft SADPD Sustainability Appraisal (2020, Cheshire East Council) [ED 03]
- Revised Publication Draft SADPD Sustainability Appraisal Non-technical Summary (2020, Cheshire East Council) [ED 03a]
- SADPD Habitats Regulations Assessment (Revised Publication version) (2020, JBA Consulting) [ED 04]
- The Provision of Housing and Employment Land and the Approach to Spatial Distribution (2020, Cheshire East Council) [ED 05]
- Settlement and Infill Boundaries Review (2020, Cheshire East Council) [ED 06]
- Site Selection Methodology Report (2020, Cheshire East Council) [ED 07]
- Strategic Green Gaps Boundary Definition Review (2020, Cheshire East Council) [ED 08]
- Ecological Network for Cheshire East (2017, Total Environment) [ED 09]
- Cheshire East Landscape Character Assessment (2018, LUC) [ED 10]
- Cheshire East Local Landscape Designation Review (2018, LUC) [ED 11]
- Employment Allocations Review (2020, Cheshire East Council) [ED 12]
- Cheshire East, Cheshire West and Chester, Halton and Warrington Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018, Opinion Research Services) [ED 13]
- Gypsy, Traveller and Travelling Showpeople Site Selection Report (2020, Cheshire East Council) [ED 14]
- Aircraft Noise Policy Background Report (2020, Jacobs) [ED 15]
- Threshold Policy for Main Town Centres Uses Impact Test: Evidence and Justification Report (2018, WYG) [ED 16]
- Cheshire East Retail Study Partial Update (2020, WYG) [ED 17]
- Green Space Strategy Update (2020, Cheshire East Council) [ED 18]
- Cheshire East Playing Pitch Strategy and Action Plan (2019, Knight, Kavanagh & Page) [ED 19]
- Playing Pitch Strategy Assessment Report Update (2019, Knight, Kavanagh & Page) [ED 19a]
- Cheshire East Indoor Built Facilities Strategy (2017, Knight, Kavanagh & Page) [ED 20]
- Indoor Built Facilities Strategy Progress and Evidence Review (2019, Cheshire East Council) [ED 20a]
- Alderley Edge Settlement Report (2020, Cheshire East Council) [ED 21]
- Alsager Settlement Report (2020, Cheshire East Council) [ED 22]
- Audlem Settlement Report (2020, Cheshire East Council) [ED 23]
- Bollington Settlement Report (2020, Cheshire East Council) [ED 24]
- Bunbury Settlement Report (2020, Cheshire East Council) [ED 25]
- Chelford Settlement Report (2020, Cheshire East Council) [ED 26]
- Congleton Settlement Report (2020, Cheshire East Council) [ED 27]
- Crewe Settlement Report (2020, Cheshire East Council) [ED 28]
- Disley Settlement Report (2020, Cheshire East Council) [ED 29]
- Goostrey Settlement Report (2020, Cheshire East Council) [ED 30]
- Handforth Settlement Report (2020, Cheshire East Council) [ED 31]





- Haslington Settlement Report (2020, Cheshire East Council) [ED 32]
- Holmes Chapel Settlement Report (2020, Cheshire East Council) [ED 33]
- Knutsford Settlement Report (2020, Cheshire East Council) [ED 34]
- Macclesfield Settlement Report (2020, Cheshire East Council) [ED 35]
- Middlewich Settlement Report (2020, Cheshire East Council) [ED 36]
- Mobberley Settlement Report (2020, Cheshire East Council) [ED 37]
- Nantwich Settlement Report (2020, Cheshire East Council) [ED 38]
- Poynton Settlement Report (2020, Cheshire East Council) [ED 39]
- Prestbury Settlement Report (2020, Cheshire East Council) [ED 40]
- Sandbach Settlement Report (2020, Cheshire East Council) [ED 41]
- Shavington Settlement Report (2020, Cheshire East Council) [ED 42]
- Wilmslow Settlement Report (2020, Cheshire East Council) [ED 43]
- Wrenbury Settlement Report (2020, Cheshire East Council) [ED 44]
- Call for Sites Report (2020, Cheshire East Council) [ED 45]
- Other Settlements and Rural Areas Report (2020, Cheshire East Council) [ED 46]
- Cheshire East Green Infrastructure Plan (2019, The Environment Partnership) [ED 47]
- Heritage Impact Assessments of Sites in Local Plan Site Selection (2019, Hinchliffe Heritage) [ED 48]
- Cheshire East Residential Mix Assessment (2019, Opinion Research Services) [ED 49]
- Restaurants, Cafés, Pubs and Hot Food Takeaways Background Report (2020, Cheshire East Council) [ED 50]
- SADPD Duty to Co-operate Statement of Common Ground (2019, Cheshire East Council) [ED 51]
- Local Plan Site Allocations and Development Policies Viability Assessment (2020, HDH Planning and Development) [ED 52]
- Local Service Centres Safeguarded Land Distribution Report (2020, Cheshire East Council) [ED 53]
- Local Plan Monitoring Framework (2020, Cheshire East Council) [ED 54]
- Green Infrastructure Assessment of Cheshire East (2018, The Mersey Forest) [ED 55]
- SADPD Consultation Statement (2020, Cheshire East Council) [ED 56]
- Nationally Described Space Standards (2020, Cheshire East Council) [ED 57]
- The Approach to Small Sites (2020, Cheshire East Council) [ED 58]

**A.2** Additional documents from the LPS examination library may also be relevant in support of SADPD policies. These can be viewed via the LPS webpage at [www.cheshireeast.gov.uk/planning/spatial\\_planning/cheshire\\_east\\_local\\_plan/local-plan-strategy](http://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/local-plan-strategy).

### Other related documents

- A Green Future: Our 25 Year Plan to Improve the Environment (2018, HM Government). Available at [www.gov.uk/government/publications/25-year-environment-plan](http://www.gov.uk/government/publications/25-year-environment-plan)
- Acoustics Ventilation and Overheating Residential Design Guide, Version 1.1 (2020, Association of Noise Consultants). Available at <https://www.association-of-noise-consultants.co.uk/avo-guide/>
- Active Design Guide (2015, Sport England and Public Health England). Available at [www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design](http://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design)
- Amenity and Facilities Standards in Houses in Multiple Occupation (2018, Cheshire East Council). Available at [www.cheshireeast.gov.uk/pdf/housing/hmo-amenities-guide-2018-july-2018.pdf](http://www.cheshireeast.gov.uk/pdf/housing/hmo-amenities-guide-2018-july-2018.pdf)
- Ancient Woodland, Ancient Trees and Veteran Trees: Protecting them from Development (2018, Natural England and the Forestry Commission). Available at [www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences](http://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences)
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- BS 5837 Trees in relation to design, demolition and construction - Recommendations (2012, British Standards Institute). Available at <https://shop.bsigroup.com/ProductDetail?pid=000000000030213642>
- BS 8233 Guidance on sound insulation and noise reduction for buildings (2014, British Standards Institute). Available at <https://shop.bsigroup.com/ProductDetail/?pid=000000000030241579>
- BS EN 16798-1 Energy performance of buildings – ventilation for buildings part 1: Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics - Module M1 (2019, British Standards Institute). Available at <https://shop.bsigroup.com/ProductDetail?pid=000000000030297474>
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- Cabinet paper: Crewe Town Centre Regeneration Programme: Major Investment Decisions (2017, Cheshire East Council). Available at <http://moderngov.cheshireeast.gov.uk/ecminutes/documents/s58073/Crewe%20Town%20Centre%20Regeneration%20-%20report%20final.pdf>
- Catchment Flood Management Plans (2009, The Environment Agency). Available at [www.gov.uk/government/collections/catchment-flood-management-plans](http://www.gov.uk/government/collections/catchment-flood-management-plans)
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