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VIA EMAIL: clerk@houghandchorlton.co.uk

26636/A5/SG
18th March 2019

Dear Sir/Madam

**RE: WYBUNBURY COMBINED PARISHES NEIGHBOURHOOD PLAN
REPRESENTATIONS ON BEHALF OF GLADE DEVELOPMENTS LTD**

We write on behalf of our Client, Glade Developments Ltd ("Client"), in response to the current consultation on the Wybunbury Combined Parishes Neighbourhood Plan ("WNP"). This representation provides the comments of our Client in relation to this draft document and has been prepared having regard to their specific land interests within the WNP designated area, namely Land off Newcastle Road in Hough.

We have assessed the draft WNP against the basic conditions set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 ("the basic conditions" and "Schedule 4B"), and the Planning Practice Guidance Neighbourhood Planning and related PPG Chapters.

Basic Conditions

Before being put to referendum, a Neighbourhood Plan must be found by an independent examiner as having met a set of Basic Conditions. The Basic Conditions are set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The Basic Conditions relevant to Neighbourhood Plans are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State;
- The making of the order (or neighbourhood plan) contribute to the achievement of sustainable development;
- (e) The making of the order (or neighbourhood plan) is in general conformity with the strategy policies contained in the development plan for the area of the authority (or any part of that area);
- (f) The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with EU obligations; and
- (g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or Neighbourhood Plan).



Effectiveness of Policies

Whilst there is no specific requirement for this, our Client considers that it is equally important for the Examiner to consider how policies outlined within the WNP may be implemented through submitted planning applications, and how these might be interpreted and applied through decision making. Regard should also be had as to whether policies outlined within the WNP will be effective in achieving the vision, objectives and aspirations of the community. The failure of the WNP to be effective through its implementation should see the Examiner suggest modifications or deletions from the WNP.

Cheshire East Local Plan Strategy

The publication of the WNP follows the adoption of the Cheshire East Local Plan Strategy (LPS) in July 2018, which sets out the strategic policy framework and strategy for development in the Borough. Since the LPS was adopted, Cheshire East Council has since consulted on its Site Allocations and Development Policies Document DPD (SADPD), the first draft consultation of which took place in September and October 2018.

Within the LPS (page 73, Table 8.3), Hough is identified as sitting with the "Other Settlements and Rural Areas" (OSRA) tier of the settlement hierarchy. In the first draft consultation of the SADPD, Policy PG10 addresses how development is to be accommodated within the OSRA of the settlement hierarchy, having regard to the strategic context provided by Policies PG2 and PG7 of the LPS. Policy PG2 seeks "*proportionate development*" within the OSRA tier of the settlement hierarchy to help maintain and support the growth of existing services. Policy PG7 sets the need for 2,950 dwellings and 69ha of employment land within the OSRA tier of the settlement hierarchy during the Plan period up to 2030.

Policy PG10 of the SADPD lists 35 infill villages within the rural area which could be considered to be the more sustainable and appropriate locations for proportionate development over the Plan period. On review of the SADPD and evidence base, it was noted by our Client (as part of their representations to the SADPD) that no housing allocations were proposed anywhere across the OSRA tier of the settlement hierarchy within the SADPD; this is despite Cheshire East Council accepting that there is a residual need for a further more homes at this tier of the settlement hierarchy (as referenced at paragraph 3.4 of the *Other Settlements and Rural Areas Report* evidence base document).

The supporting text to Policy PG2 of the LPS also states that site allocations in the OSRA will be provided for through the SADPD and/or Neighbourhood Plans where these are brought forward. The reality is that the Council is relying solely on Neighbourhood Plans to deliver any future housing growth at the OSRA tier of the settlement hierarchy based on the context of its SADPD.

This context is essential when now moving forward to consider the content of the WNP, and its proposed approach to housing delivery and its ability to address local needs.

Combined Parishes

It is noted that the designated area of the WNP extends to 11 parishes.

Of these, Wybunbury and Hough are explicitly identified within the OSRA tier of the LPS settlement hierarchy. As such, they are the most sustainable settlements within the designated area in which to accommodate housing growth. This position is effectively confirmed by Cheshire East Council's LPS and the first draft SADPD. Accordingly, these should be the focus for growth within the designated area.

Vision and Objectives

Our Client notes that the Vision seeks to maintain and preserve the rural setting of the 11 parishes. Whilst our Client has no objection to this, it is not that any new development which meets local

needs must be "small in scale" reflecting the rural character of the settlements in the designated area. Our Client objects to the reference to "small in scale."

Firstly, such an approach is effectively pre-determining what the local needs are. Secondly, it is effectively serving to restrict growth. Neither represents positive planning. Instead, the wording in the Vision should be amended to refer to **"Any new development should be commensurate to the settlement in which it is located, should meet identified local needs, and should be well-designed....."**

This amendment would still provide control over new development (alongside development plan policies), but is less restrictive in what can come forward. Small-scale development is defined in the Glossary of the WNP as being 2/3 homes or less; this approach would not meet local needs and would serve to significantly reduce the number of developers who would look to develop within the designated area (i.e. it would be wholly reliant on small / local builders).

Turning to the Objectives by which to secure this Vision, our Client is generally supportive of the approach. However, as above, reference to "small-scale" in bullet point 5 should be deleted from the WNP and replaced with the word **"new."**

Policy H1 – Location of New Houses

This Policy is far too restrictive, and simply allows for infill development, conversions, brownfield redevelopment, and rural exception site as the future sources of supply. The Cheshire East Strategic Housing Land Availability Assessment (SHLAA) published in 2012 identifies no sites within the settlement boundaries of Hough and Wybunbury (as the most sustainable settlements in the designated area) for development; this suggests that land availability is extremely limited within the settlement boundary. Accordingly, if the settlement is to grow, housing will need to be delivered on land outside but adjacent to the settlement boundary.

The justification to this Policy refers to a Housing Needs Advice Report prepared by Cheshire East Council in November 2018. This has identified the need for 236 dwellings the designated area up to 2030, averaging 20 dwelling a year over the next 12 years. The WNP suggests that this need can be met on those sources of supply identified above, without the need to allocate more land.

On review of the Advice Report, it is noted that 47 dwellings were completed across the designated area between April 2010 and March 2018, averaging 6 dwellings a year. There are a further 26 dwellings which are committed. Assuming a 10% slippage to those commitments, which would be reasonable, our Client would consider a best-case scenario being that 70 dwellings should be allowed for. This leaves a residual need for 166 dwellings between 1st April 2018 and 31st March 2020, at an average rate of 14 dwellings per year. The Advice Report is clear that housing delivery at Wychwood Park, which falls within the designated area, cannot be counted towards the needs of the OSRA tier as it is allocated as a Strategic Site within the LPS.

Given the previous slow rates of delivery in the designated area between 2010 and 2018, and the lack of sites identified in the SHLAA in Wybunbury and Hough, this need will simply not be met through those sources of supply (alone) as outlined above. Accordingly, there is a clear need to allocate land in the designated area to meet housing needs, and Hough (along with Wybunbury) are the most sustainable locations for this growth, having regard to other policies in the WNP (i.e. GG1, Green Gap). This will require the allocation of land adjacent to the settlements, namely land currently designated as open countryside in the LPS.

It is incorrect to state there is no need for any large-scale residential development across the designated area to meet local housing needs (i.e. which in the context of the definition of "small-scale" in the WNP Glossary is housing schemes in excess of 3 dwellings). Restricting development to "small-scale" will not meet the housing needs of the combined parishes. Furthermore, the suggestion in the supporting text to Policy H1 that development of 10 or more houses would be *"out of character with the area"* is in no way substantiated by any evidence. Other settlements across Cheshire East at the OSRA tier of the settlement hierarchy have accommodated considerably more growth (i.e. Aston, Winterley) on sites in excess of 10 dwellings, and those schemes have not been out of

character with those settlements. The same can apply to Hough, with new residential development taking account of the existing built form and landscape (having reference to the Cheshire East Local Character Assessment Report).

In respect of the type of housing that is required in the designated area, our Client supports the delivery of older person accommodation (extra-care, retirement, bungalows), affordable housing, and market housing to meet local needs.

Notwithstanding this, as drafted our Client objects to Policy H1.

Policy H2 – Housing Mix

It is noted that the preference is for smaller dwellings, suitable for first time buyers and those wishing to downsize (bungalows, terraced or semi-detached 2-3 bedroom houses). Our Client has no objection to this. However, the Policy is considered somewhat restrictive again; it is unclear why some new-build detached houses would not be required; at the same time, support for housing for the ageing population would assist in freeing up some family homes in the area. However, that cannot be guaranteed, and as such the door should not be closed on the delivery of new detached family homes across the designated area.

Policy H3 – Affordable Housing on Rural Exception Sites

Our Client objects to this Policy. It does not accord with Policy SC6 of the LPS which allows for rural exceptions schemes of up to 10 dwellings where there is an evidenced need. Accordingly, this Policy fails basic condition (e) and should be amended to accord with Policy SC6.

Policy H4 – Design

Our Client supports the requirement for good quality design, and which is reflective of local character.

Whilst our Client has no specific objections to the policy requirements, given that Cheshire East Council has an adopted Residential Design Guide SPD, it is important that the requirements set out under this Policy are consistent with this in accordance with basic condition (e). Design is a highly subjective matter, and therefore what qualifies as "good design" and "poor design" will vary from person to person. Accordingly, the Residential Design Guide SPD seeks to provide clearer guidance on this matter and should be followed.

Policy H6 – Settlement Boundaries

As outlined above in our response to Policy H1, our Client has concerns with the intended approach to focus new development to sites within the settlement boundaries. These sites alone cannot meet future housing needs; there is a need to allocate land outside of the settlement boundary of Hough to meet the needs of the village / designated area. To this end, it is considered that our Client's land interests south of Newcastle Road should be allocated within the Neighbourhood Plan, the approach to which would be consistent with Policy PG2 of the LPS.

As drafted, our Client objects to this Policy as it fails basic condition (e).

Policy E2 (Wildlife Corridors), Policy E3 (Biodiversity)

In relation to Policy E2, our Client has concerns in relation to the wording of the final paragraph. Reference is made to the need to demonstrate "*substantial mitigation and avoidance measures to lessen any impact on wildlife...*"; this suggests that all sites will have an impact on the wildlife corridor network or other notable habitats. This may not be the case; accordingly, the wording needs amending to state "***where development proposals are identified to have an impact on the wildlife corridor network or other notable habitats, mitigation and avoidance measures to lessen.....***"

The same applies to Policy E3. Mitigation should only be sought where there is an identified impact. Our Client supports the principle of securing a net gain in biodiversity.

Policy GG1 – Green Gap

It is noted that the identification of this Local Green Gap is additional to the Strategic Green Gaps identified within the LPS. Whilst our Client has no objection in principle to this approach, it does serve to restrict development opportunities within Hough and Wybunbury.

Accordingly, it adds weight to case to allocate housing land in the WNP adjacent to the settlement boundaries, and outside the Green Gap, in order to provide certainty over housing delivery. At present, this Policy and Policy H1 impose significant restrictions on housing growth across the designated area such that the residual housing needs of the combined parishes simply won't be met during the Plan period.

Policy TI3 – Traffic Generation

Reference is made within this Statement to a "*mitigation statement.*" As per our response to Policy E2 and E3, this wording is effectively pre-determining that mitigation is needed on the assumption that there will be an adverse impact. This isn't always the case. Instead, reference need to be made to the requirement for a Transport Statement or Transport Assessment to be submitted as part of a planning application, having regard to Cheshire East Council's validation requirements.

In respect of financial contributions, these can only be sought where they are consistent with the Community Infrastructure Levy Regulations 2010, and the tests set out in paragraph 56 of the National Planning Policy Framework (February 2019).

Policy TI6(a) – HS2 (a)

It is our Client's understanding that HS2 will be a consultee on any planning applications within the designated area which could impact on any works which are proposed as part of the route (including associated works). Accordingly, there will be a requirement for all development proposals to have regard to all works proposed as part of HS2 prior to progressing a planning application. This will serve to avoid abortive time and resources on all sides.

With regards to the HS2 proposals themselves, the proposed route to the east of Hough village will serve as a permanent barrier to the village in the future; accordingly, it makes logical sense, having regard to the Green Gap policy outlined above, for future development to be focused to the eastern edge of Hough village moving forward.

Glossary

Reference now needs to be made to the February 2019 NPPF under "Affordable Housing." Similarly, the "National Planning Policy Framework" definition also needs updating.

We have set out earlier in these representations our Client's concerns regarding the definition of "small-scale" and the implications this will have on growth in the designated area.

Land south of Newcastle Road, Hough

In response to the residual housing requirements across the designated area, our Client hereby submits details of their land interests at Newcastle Road, Hough, for consideration as a housing allocation within the WNP. To this end, we enclose a Site Location Plan.

The Site is located adjacent to Hough to the north-east of the village, occupying three adjoining fields to the south of Newcastle Road. The Site is largely flat and extends to approximately 2.91 hectares. The Site is considered suitable open market and affordable housing. As part of that mix, our Client is open to the delivery of housing for first time buyers, as well as the ageing population (Over 65's); the latter may comprise a number of bungalows, and potentially a retirement living

concept/extra-care housing alongside the open market and affordable provision. This effectively creates a community where people can “travel through the site” to different types of housing as their needs change. It also has the added benefit of freeing up existing housing in the village for those people who may wish to downsize into a smaller property, thus providing families with access to existing homes in the village (rather than having to relocate elsewhere in the vicinity or wider Borough). That said, there remains a need to consider the delivery of new family homes in addition.

The Site has the potential to accommodate a broad mix of housing sizes, types and tenures, and can provide for policy compliant affordable housing provision and public open space.

There are no known technical or policy constraints on the Site which would limit its potential and suitability in accommodating development. The scale of the Site and its capacity for development is considered to be suitably proportionate to Hough (consistent with Policy PG2 of the LPS), and its location immediately adjacent to the eastern edge of the settlement hierarchy. Given the constraints on developing elsewhere in the settlement, having regard to Policy GG1 of the WNP (Green Gap), it represents the best and most logical development opportunity in Hough.

Newcastle Road is currently subject to a 40mph speed limit along the frontage of the Site and features a speed camera to enhance road safety. Newcastle Road has good visibility parallel to the Site providing for safe access to and from the Site. An existing footway runs along the northern side of Newcastle Road providing safe pedestrian access to the village. Bus stops for the number 39 service are located close to the Site at Casey Lane, allowing sustainable access to Shavington, Crewe and Nantwich. The Site is therefore considered to be sustainably located and will promote access via sustainable modes of transport. The proposed changes to the alignment of Newcastle Road near to the Site (as a result of HS2) will, in the long-term, result in Newcastle Road being downgraded and thus an even more suitable and safe location for new housing. HS2 has confirmed that some land will be required adjacent to the Site as part of a footpath, but the development of the Site would be able to work around these requirements, and they would not preclude the Site from coming forward for development.

The allocation of our Client’s Site has the potential to play a significant role in meeting the housing needs of Hough and the wider designated area, and the OSRA tier of the LPS settlement hierarchy, whilst at the same time ensuring the continued vitality and vibrancy of its existing services and facilities which would not be supported without further growth. Hough is one of the few settlements in Cheshire East which has yet to accommodate any considerable housing growth over recent years.

Finally, our Client can confirm that there is strong developer interest in the Site, and it would be capable of being delivered in its entirety within five years or less of securing an allocation. The Site is therefore deliverable within the short-term.

Summary

Our Client welcomes the opportunity to submit comments in response to the WNP, and we commend the Steering Group on the work it has undertaken to date to progress the WNP. We look forward to continuing to engage in the plan preparation process.

Our Client would be willing to meet with the WNP Steering Group to discuss the content of this representation, and the proposed allocation of their land within the WNP (including end-uses), should the WNP wish to take our Client up on this offer.

Yours sincerely



STEVEN GRIMSTER
Planning Director

Encls. Land at Newcastle Road, Hough Site Location Plan

Cc: Nick Hill, Glade Developments Ltd