

## Eaton Neighbourhood Plan: CEC Regulation 14 Comments

The Eaton neighbourhood plan has been carefully prepared to address a number of especially local matters and demonstrates a lot of hard work on behalf of the Parish Council, steering group and local residents.

The plan includes some bespoke policies that will add value to the development plan for the area and the focus on design and local landscape matters in particular ensures the plan has real potential to help shape sustainable development in Eaton over the coming years ahead.

The purpose of this representation by the Borough Council is to comment on the Regulation 14 Pre-Submission consultation on the Eaton Neighbourhood Plan and provide constructive advice to refine policies and identify any issues that may be problematic to the neighbourhood plans successful progress through an examination.

The Council is always happy to engage in more detailed discussion on representations it makes to neighbourhood plans and the advice provided is done so in the spirit of collaboration to achieve a positive outcome for our communities and minimise any conflict with the Development Plan for Cheshire East. On that basis, the Councils officers would welcome an opportunity to meet and discuss the plan in more detail, prior to its submission.

Neighbourhood plan policies must apply to the development and use of land and be in general conformity with the strategic policies of the adopted local plan; they should be clear and unambiguous and be supported by robust, yet proportional evidence; they should demonstrate that proposals are deliverable, are shaped by effective engagement; and they should not duplicate policies that are already being applied in the local area.

All development plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development;***
- b) be prepared positively, in a way that is aspirational but deliverable;***
- c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;***
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;***
- e) be accessible through the use of digital tools to assist public involvement and policy presentation; and***
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).***

(paragraph 16, NPPF 2018)

Comments here specifically to consider the policy approach taken by the Parish Council with these factors in mind, provide guidance on proposed policies and whether conflict is likely to arise between the neighbourhood plan and the Cheshire East Local Plan Strategy. More general comments are also included for consideration.

### **General Recommendations:**

Generally, the structure of the Plan is very clear following a logical progression and is very well presented with strong visual elements and following clear.

It should be noted that the purpose of text supporting the policy statements is to add clarity to the application of the policy in development management terms. This may extend to include the circumstances why the policy was developed and references to the key evidence underpinning it. However, this text should be kept succinct and a review of this element of the plan may offer opportunities to reduce the volume of text within the plan.

The vision and objectives of the plan are clear and provide a natural link between the overall objectives of the plan and the policies chosen. Including the objectives ahead of the policies is helpful to demonstrate that link.

Bullet point 1 of the objectives is unnecessarily restrictive and does not recognise that the strategic approach in the borough is that the housing requirement should be considered as a minimum but is not a target as such. The housing numbers continued in the HNAR cannot constitute a target for the parish to achieve or a definitive figure that should not be exceeded. Rather the role of the HNAR is to form part of the evidence base informing a policy approach which could include the allocation of development sites. Where a local need for development is identified within evidence such as a HNAR, one option within the plan making process is to further investigate the feasibility of allocating development sites to fulfil this need. Whilst this is not a requirement of any neighbourhood plan, the role of the HNAR is to help inform an approach on such matters.

It should be noted that the Borough Council has recently consulted on its publication version of the Site Allocations and Development Policies Document (part two of the local plan) which does cover some similar detailed issues addressed by the Eaton Neighbourhood Plan. The full SADPD document [can be accessed here](#) and to ensure policies are not unnecessarily duplicated, it is advised to review the approach in the Council's plan ahead of the final submission of the neighbourhood plan.

### **Detailed Policy Comments:**

Comments below are intended to assist the Parish Council and Neighbourhood Plan Steering Group in finalising its preferred plan prior to submission to the Local Authority. It should be noted that should the neighbourhood plan substantially and materially change in response to these and other representations, then it may be necessary to hold a second Regulation 14 consultation.

Eaton Neighbourhood Plan Policy	Comment
BNE1	<p>The SADPD is not yet adopted, and remains to be subject to examination by the Secretary of State. The neighbourhood plan need not defer its policy status to the SADPD and to ensure neighbourhood plan policy is fully enforceable, regardless of the status of the SADPD an alteration is recommended to replace the first paragraph of the policy with the following and cite the CEC 'Settlement and Infill Boundaries Review (2019)' in the supporting text.</p> <p>The Infill Boundary for Eaton is defined at figure 5.12. Within this boundary limited infilling will be supported. Limited infilling is defined as the development of a relatively small gap between existing buildings. Limited infilling will only be permitted where it is:</p> <ol style="list-style-type: none"> <li>1. In keeping with the scale, character and appearance of its surroundings and the local area;</li> <li>2. Does not give rise to unacceptable impacts; and</li> <li>3. Does not involve the loss of undeveloped land that makes a positive contribution to the character of the area</li> </ol> <p>Reference to 'openness' is normally a test associated with the green belt and would be unnecessarily restrictive within the open countryside. It is recommended that the following words are used as a replacement:</p> <p>'...and not have a significantly adverse impact on characteristic features of the landscape.'</p>
BNE2	<p>The policy could be expanded to add further clarity on how development should be treated within the defined green gaps. Drawing on draft text in the publication version of the SADPD, the following is recommended:</p> <p><i>Within the Green Gap identified at Figure D, PG '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></p> <ol style="list-style-type: none"> <li>1. <i>Result in the erosion of a physical gap between Eaton and Congleton</i></li> <li>2. <i>Adversely affect the visual character of the landscape; or</i></li> <li>3. <i>Significantly affect the undeveloped character of the local green gap, or lead to coalescence between or Eaton and Congleton</i></li> </ol> <p>In addition the policy could include any exceptions to the policy identifying the circumstances under which new development could be supported.</p>
BNE3	<p>To improve the clarity of the policy and aid its application in development management considerations a number of alternative form of word are recommended:</p> <ol style="list-style-type: none"> <li>b) Boundary treatments in new development should be formed of soft landscaping including trees and hedges</li> <li>c) New development should ensure a positive transition between the countryside and built form</li> <li>h) there may be instances where three storey development is not harmful,</li> </ol>

	<p>for example if a building is set within a hillside – the following is recommended: ‘Development should not normally be higher than two storeys’</p> <p>j) It is not explicitly clear why the green wedges identified should justify a more restrictive planning designation than that of open countryside. If they perform a function related to the character of the village, then policy should be revised to reflect this. The following is recommended: <i>The Green Wedges contribute to the rural character of the village. Within the Green Wedges, policy PG6 Open Countryside applies and only development that does not harm the character of the village will be supported.</i></p>
Figure E	<p>The term settlement boundary has a specific meaning within the development plan. Development within a settlement boundary is permitted and not subject to the same restriction as in locations with an infill boundary. If the boundary is renamed to become ‘infill’ boundary, it is recommended that this boundary reflects the infill boundary referenced in BNE1. Alternatively the boundary could be renamed to clarify that it has no planning status but rather, is descriptive only (village edge for example).</p>
BNE5	<p>The national planning policy framework makes no allowance to protect ‘views’ or ‘vistas’ however the policy is based in a recognition that the local landscape is of special significance. The terms ‘views’ and ‘vista’s are too imprecise to meaningfully apply in development management and therefore the first two sentences of the policy are recommended to be deleted and replaced with the following:</p> <p><i>New development should respond positively to opportunities to connect to the wider landscape by incorporating layout and design that:</i></p>
Fig.l	<p>For simplicity, the features that hold policy status and held within the various figures map within the plan should be consolidated into a single policies map. The Council can assist with this exercise.</p>