

INDEPENDENT EXAMINATION OF THE CONGLETON NEIGHBOURHOOD PLAN

EXAMINER: Jonathan King BA(Hons) DipTP MRTPI.

David McGifford
Congleton Town Clerk

Tom Evans
Cheshire East Council

Examination Ref: 01/JK/VNP

Via email

19 December 2018

Dear Mr McGifford and Mr Evans

CONGLETON NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Congleton Neighbourhood Plan ('the draft Plan'/'NP') for examination, I would like to clarify several initial procedural matters.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

2. Site Visit

I will undertake a site visit to the neighbourhood plan area (NP area), subject to weather conditions, in the first week of January 2019. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

I have set out in the Annex to this letter some initial questions seeking further clarification from Congleton Town Council and from Cheshire East Council. I would be grateful if written responses

can be provided by 14th January 2019. It is possible that I may have further questions, following my site visit.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, as I have raised some questions, and may have others following my site visit, I must provide the opportunity to reply. Consequently, the examination timetable will be extended. Please be assured that I will seek to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If the Town Council or Local Planning Authority has any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on both the Town Council and the Cheshire East Council websites?

Thank you in advance for your assistance.

Your sincerely

Jonathan King

Examiner

ANNEX

From my initial reading of the Congleton Neighbourhood Plan and the supporting evidence, I have the following preliminary questions and requests in relation to the Plan. All should be addressed by Congleton Town Council, and those marked with an asterisk also by Cheshire East Council. Where I ask for details of the evidence underlying a policy, please could you provide the full title of the document, together with the relevant page and paragraph / table number.

Policy H1

By way of background, my understanding is that the Objective Assessment of Housing Need (OAHN) for the whole of Cheshire East is at least 36,000 homes over the Plan period, within which Congleton is expected to accommodate in the order of 4,150. This is the figure included in Policy PG 7 of the Cheshire East Local Plan Strategy (CELPS). However, the Neighbourhood Plan area does not extend over the whole of Congleton. In particular it does not extend over the whole of the Strategic Sites identified in Policies LPS 26 – LPS 32 of the CELPS, which together are intended to provide around 2,925 new homes: some are entirely outside the Plan boundary and some are bisected by it.

The Congleton Housing Needs Assessment (July 2015) (CHNA) takes the figure of 4,150 as the starting point, but acknowledges that much of this intended growth will be delivered in parishes adjoining the Civil Parish of Congleton - which is the area of the NP - and that a number of the strategic sites identified in the CELPS straddle the boundaries. Consequently, it also concedes that it is difficult to determine how much of the growth is proposed in each of the parishes affected. However, it states that *“known sites within the Parish of Congleton have the potential to deliver 1,342 dwellings, with the potential for additional sites to come forward over the Plan period”*. On this basis, the CHNA considers that *“in excess of 2,000 homes may be delivered in the adjoining Parishes, probably around the 2,500 mark, leaving 1,650 to be delivered within the Civil Parish of Congleton, with 1,342 already in the pipeline. Sites for an additional 300 homes would therefore be required”*. However, the CHNA also gives other figures: 2,526 new homes to be provided in adjoining parishes, with 1,624 to be provided for within the NP area, of which 1,053 already had planning permission and 289 coming forward on the CELPS strategic sites. Those figures result in an outstanding requirement for an additional 282 homes in the NP area.

In that context, Policy H1 of the NP is prefaced by a general objective for housing, amongst which is *“to meet the objectively assessed housing needs (OAHN) of Congleton”*; and the policy itself uses the phrase *“to meet the the housing needs identified in the NP’s evidence base”*. The Justification for the policy states that *“the housing policies contained in the NP derive from evidence that was unavailable to the local planning authority when preparing the CEC Local Plan”*. However, neither the objective, the Policy nor the Justification provide any specific figures.

*1. Other than the CELPS and the CHNA (2015), what other evidence of numerical housing need for the NP area is available?

*2. What, numerically, are the housing needs which this policy intends should be met within the NP area? Do those figure(s) represent the OAHN for the area, or something different?

*3. How many homes are intended to be provided on (a) the CELPS strategic sites within the NP area; (b) other sites with planning permission; and (c) on windfall sites.

*4. By reference to what evidence have those figure(s) been calculated? (NB I cannot find the origin of any figures contained in the CHNA (2015) other than the overarching figure of 4,150.)

*5. When were the figure(s) calculated; and what was the age of the evidence used? For example, the CHNA was published some three and a half years ago, and the figures are doubtless older. It is

possible – even likely – that circumstances have changed in the interim by reason of planning permissions granted or altered. Does any more recent evidence exist?

6. Please confirm that despite references to “allocations” in the policy, the NP does not itself allocate any new land for housing: rather it simply adopts the strategic allocations of the CELPS strategic sites and planning permissions already granted.

Policy H2 and Map 2

7. it is unclear whether the NP adopts the 2005 Congleton Local Plan Settlement Boundary or whether it is positively proposing a change to the boundary to reflect the CELPS strategic sites and other planning permissions granted outside the presently defined boundary. Please clarify, including that reference in the Justification to the policy to the map on page 21 should refer to page 24. Please note that Map 2 makes no reference to the strategic sites.

8. Please show and annotate on Plan 2 the area of the CELPS strategic sites and the boundaries of the other sites which have benefitted from planning permission, including recent permissions.

9. What age was the evidence relating to planning permissions in revising the Congleton settlement boundary?

10. What evidence was used to define the Timbersbrook Village Core Boundary? What criteria were used?

11. Map 2 refers to “River Valley Project Areas”. I cannot find any reference in Policy SE4 to such a designation. Please explain what it is and how it is intended to relate to areas and designations referred to in Policy SE4 and Map 10.

Policy H4

12. What is the evidential basis of the requirements set out in Policy H4:

- 20% of units to be bungalows;
- 75% of the bungalows to be 2 bedroom units;
- 25% of the units to meet accessibility etc. criteria;
- the provision of a 30 unit “extra care” scheme;
- 360 units of sheltered and advanced sheltered housing;
- 30 places of C2 accommodation.

13. What age was the evidence relating to these matters; and is there any more recent evidence concerning the actual provision of such types of accommodation?

Policy H6

14. What is the evidential basis for the requirement set out in Policy H5 for 15% of housing units to be 2 bed entry-level homes, in addition to affordable homes?

15. What is the specified proportion of affordable and entry level houses referred to in the policy Justification?

Policy H7

16. What, numerically, are the identified housing need(s) referred to in the policy?

Policy H9

17. What is the evidential basis for the dimensions of a garage given in the Justification to this policy?

Policy TC2 and Map 5

18. What is the evidential basis for the definition of the proposed Growth Zones? What factors were taken into account in defining their location and extent?

Policy SE2

19. Please provide plans showing the extent of the areas (a) – (c) identified as landscape areas and features.

20. What is meant by the expression “special weight” and “safeguarded from development” in the policy?

Policy SE3

21. Is the expression “Green Spaces” in this policy intended to equate to “Local Green Space” in the sense set out in paragraphs 77-78 of the 2012 National Planning Policy Framework (NPPF)? If some or all of the Green Spaces are intended to be “Open Green Spaces”, please provide plans, maps and justifications for each.

22. What is meant by “preserved and protected from development” in the policy?

Policy SE4

23. This policy identifies 5 river valleys, later referred to as Green Wedges or Green Corridors, and shown – though not annotated - on Map 10. The Justification says that these should be identified with a special policy. Is that Policy SE4? If some or all of the Green Wedges / Corridors are intended to be “Open Green Spaces” as described in the NPPF, please provide detailed plans, maps and justifications for each. Does reference to further work being required etc. relate to this policy or just to the Delivery Plan?

24. 5 “Key Green Space Policy Areas” are also identified, some of which appear to overlap with, or duplicate the river valleys / green wedges / green corridors, but they are not identified on a Map, and no policy requirements appear to apply to them. Please explain the intention and their proposed status within the NP. Do they have any relationship to the “River Valley Project Areas” shown on Map 2? If some or all of the “Key Green Space Policy Areas” are intended to be “Open Green Spaces” as described in the NPPF, please provide detailed plans, maps and justifications for each.

25. Please provide a map showing all of the land to which Policies SE2, SE4 and, if possible, SE3 applies.