

Bollington Neighbourhood Plan (Modification): Regulation 14 Consultation

Cheshire East Council Response



OFFICIAL



Introduction

Cheshire East Council (CEC) would like to commend the steering group for progressing your Neighbourhood Plan (NP) to its first draft consultation of the modified plan.

The following response is a formal reply to the Regulation 14 draft plan consultation.

Please do not hesitate to contact the Neighbourhood Planning Team with any issues or queries regarding your plan or the process.

Telephone – 0300 123 5014 (please ask for Strategic Planning)

Email – neighbourhoods@cheshireeast.gov.uk

Purpose of Comments

The Development Plan is a family of plans that apply within Cheshire East comprising of the [Local Plan Strategy \(LPS\)](#), the [Site Allocations and Development Policies Document \(SADPD\)](#), saved policies from the [Cheshire Waste Plan](#) and saved policies from the [Cheshire Minerals Plan](#).

The purpose of the development plan is for documents within it to work together providing a policy framework that shapes decision making on planning matters in Cheshire East. Once completed, the modified Bollington Neighbourhood Plan (BNP) will become part of the development plan and should seek to provide clear and specific guidance on important local matters, whilst avoiding duplicating policies contained elsewhere in the development plan. The existing BNP will be revoked.

At paragraph 16 the National Planning Policy Framework (NPPF) sets out a series of requirements for development plans, including that they should ***‘serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).’*** Similarly, the National Planning Practice Guidance states that planning policy should not be duplicated.

Whilst there are many policies that do serve a clear purpose in the draft BNP, there are examples where local plan policies are either repeated or recreated in a way similar to the approach already set out in the LPS or SADPD. **Therefore, the core recommendation here is to thoroughly review the BNP against the existing development plan and identify where duplication may have occurred.**

We do of course understand that your community may wish to address important local issues that are also covered by the local plan so where relevant, BNP policies have been mapped to similar policies already held in the LPS or SADPD to show that read across and help you demonstrate that the topic is covered. It is important for the steering group to consider to

what extent duplication is necessary and whether those policies that do duplicate could be made more locally specific.

General Comments

The plan is organised using suitable headings and chapters, though the plan could benefit from an interactive contents page (that allows the user to click on a heading and be taken to that location in the document). This will contribute to making it easy to read for the user.

It is also suggested that the policy titles could be simplified, for example “Housing Policy HO.P1 - New dwellings” could just read “Policy H1 – New Dwellings”. “Infrastructure Policy IN.P2 – To provide improvements to the infrastructure for the visitor economy in Bollington, in accordance with Policy TAL.P1” is particularly lengthy, this could read “Policy I2 – Infrastructure for the Visitor Economy”

It is also advised that paragraph numbering be used within the document.

Comments on the Vision and Objectives

The vision and objectives should form the pre-face and starting point for the topics and issues later addressed by policy. There should be a strong and natural link from the initial vision to the objectives and finally the policies.

The plan’s vision is appropriate, and the objectives directly relate to the policy topics covered.

Policy Comments

The plan includes policies that range across several important and relevant topics.

Multiple policies within the NP are substantially like existing policies held in the Development Plan. Guidance on neighbourhood plans clearly sets out that duplication shouldn’t occur, and an examiner will identify such duplication and either suggest an amendment or delete the relevant policy (because it is covered elsewhere in the development plan).

We do recognise that many of the issues that will be raised by the community during the preparation of the plan will inevitably be addressed by existing policy and therefore have included reference to those local policies that most closely correspond to the NDP policy. We advise to highlight this issue in the plan itself (in the supporting text) letting your community know that whilst important locally, the issue is addressed elsewhere.

Accompanying our specific comments on the policies within the BNP are bullet point lists detailing the relevant existing Local Plan policy from the LPS (2017) and the SADPD (2022).

It is recommended that when reviewing your NDP policies, that you do so in conjunction with the existing local plan policy listed alongside our comments, as well as the NPPF (2021).

The LPS and SADPD can be viewed on our [website](#).

The NPPF can be viewed [here](#).

General Policy V1 - Maintenance of Community Attributes.

This policy is listed in the contents page, however, does not have a title within the policy text box.

It is considered that the content of this policy is covered sufficiently through the existing Development Plan, and within the various policies of the BNP.

It is suggested this wording be moved to the supporting text of the BNP vision section.

Existing Local Plan policy

LPS:

- SD 1 Sustainable Development in Cheshire East
- SD 2 Sustainable Development Principles

SADPD:

- GEN 1 Design principles

Housing Policy HO.P1 - New dwellings

The principle of development to bring forward new residential development is addressed within the policies of the existing Development Plan; however, highlighting reference to the Bollington Housing Needs Assessment (2024) (HNA) is a positive inclusion.

Could the policy specify what circumstances would deem a mix of employment and residential uses possible and appropriate?

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- PG 4 Safeguarded Land
- PG 7 Spatial Distribution of Development
- SD 1 Sustainable Development in Cheshire East
- SD 2 Sustainable Development Principles

SADPD:

- PG 9 Settlement boundaries
- PG 11 Green Belt and safeguarded land boundaries

Housing Policy HO.P2 – Housing location

The content within this policy is covered by policies within the existing Development Plan.

If retained, it is suggested that reference to policy PG 3 of the LPS be removed, policy PG 3 will apply to any development proposals that fall within designated Green Belt, therefore, its inclusion within the policy is not required and could be moved to the supporting text. Not all development within the Green Belt is inappropriate, exceptions are listed within policy PG 3, and proposals that are inappropriate will only be permitted in very special circumstances.

It is recommended the policy should seek to focus on providing further detail on what is meant by the criteria a) - e) outlined in point 3., for example, what is intended by '*meeting the needs of Bollington.*'? A reference to the Housing Needs Assessment may be appropriate here.

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- SE 1 Design
- SE 13 Flood Risk and Water Management
- Appendix C Parking Standards

SADPD:

- PG 9 Settlement boundaries
- PG 11 Green Belt and safeguarded land boundaries
- GEN 1 Design principles
- ENV 16 Surface water management and flood risk
- REC 3 Open space implementation

Housing Policy HO.P3 – Type of housing

The objective of this policy is covered within the policies of the existing Development Plan.

It is suggested that the policy draws focus to the aim of supporting housing within the proximity of the identified retail clusters and sharing clarity on how this type of housing is designed, for example, in regard to density, or assistance for the elderly. Reference to the Bollington HNA may be beneficial in this regard.

Existing Local Plan policy

LPS:

- SC 4 Residential Mix
- SC 5 Affordable Homes

- SC 6 Rural Exceptions Housing for Local Needs

SADPD:

- HOU 1 Housing mix
- HOU 2 Specialist housing provision
- HOU 8 Space, accessibility and wheelchair housing standards

Housing Policy HO.P4 – Design of housing

The production of a locally specific design code would add great value to a policy of this nature. The design guidance would provide an important framework based specifically on the settlement of Bollington for development proposals to aspire to.

Most of the content covered within this policy is addressed in the policies of the existing Development Plan, therefore a design code would elevate this policy.

The organisation 'Locality', can provide technical support on the production of a design code document, please see the following link for more information:

<https://neighbourhoodplanning.org/toolkits-and-guidance/neighbourhood-planning-design-coding-guidance/>.

Also, please see the design code produced alongside the modified Weston & Basford neighbourhood plan for a sense of what the document could offer:

<https://www.cheshireeast.gov.uk/planning/neighbourhood-plans/neighbourhood-plans-n-z/weston-and-basford-neighbourhood-plan.aspx>.

The matter of electric vehicle charging is covered within the existing Building Regulations and could be removed from the policy.

Existing Local Plan policy

LPS:

- SD 2 Sustainable Development Principles
- SE 1 Design
- SE 4 The Landscape
- SE 8 Renewable and Low Carbon Energy
- SE 9 Energy Efficient Development
- CO 1 Sustainable Travel and Transport

SADPD:

- PG 9 Settlement boundaries

- GEN 1 Design principles
- ENV 3 Landscape character
- ENV 5 Landscaping
- ENV 7 Climate change
- ENV 14 Light pollution
- HOU 14 Housing density
- INF 3 Highway safety and access

Housing Policy HO.P5 – Parking provision for new dwellings

Reference to appendix C of the LPS could be removed from the policy, as the standards will apply to all development proposals where relevant.

This policy could seek to concentrate on underground parking provision, and how this matter could be approached positively within development proposals. A design code document could also add further clarity on this topic.

Amendments to the policy should reflect issues such as viability with regards to underground parking, however, support for under-croft parking may be more explicit, though recognising that in development scenarios that would incorporate such a design, more leniencies could be awarded to the proposed buildings to allow for the parking to be possible.

Outside of underground/under-croft parking, the policy could seek to illustrate how parking provision could achieve better design, for example, by integrating landscaping and the efficient use of space improving biodiversity, and drainage.

Existing Local Plan policy

LPS:

- Appendix C Parking Standards

Employment and Business Policy EB.P1 – Regeneration of existing employment land

Policy EG 3 of the LPS addresses the matters raised in points 3. and 4., their duplication should be avoided if possible.

Regarding point 2., it is recommended that reference to a base date should be removed, a net loss should be calculated against existing uses on site. Also, it would be beneficial to clarify whether the net loss signified applies to one of jobs or employment land.

Existing Local Plan policy

LPS:

- EG 1 Economic Prosperity

- EG 3 Existing and Allocated Employment Sites

SADPD:

- ENV 15 New development and existing uses
- RUR 10 Employment development in the open countryside

Employment and Business Policy EB.P2 – Establish Bollington as a centre for business in high-value specialisms

This policy and policy EB.P1 seek to mostly achieve the same goal, so we suggest they could be consolidated to one policy. In terms of tipping a planning judgement to support high-value industry, what would you be willing to compromise on? Would a loss of overall employment land for high value industries be acceptable? For example, change of use from a land hungry enterprise (storage for example) to a land use with high jobs density, may free up land for another use.

Existing Local Plan policy

LPS:

- EG 1 Economic Prosperity
- EG 2 Rural Economy
- EG 3 Existing and Allocated Employment Sites

SADPD:

- RUR 10 Employment development in the open countryside

Employment and Business Policy EB.P3 – Encourage the growth of home-based businesses

Is there a specific case or locally specific need or reason within Bollington that justifies the inclusion of this policy within the plan? Much office-based home working is addressed by permitted development rights (outbuildings, extensions etc) however more client based/manufacturing-based homeworking may benefit from this type of policy – a personal trainer running a gym in an outbuilding for example, where parking may become a planning matter for consideration.

Existing Local Plan policy

LPS:

- CO 1 Sustainable Travel and Transport

SADPD:

- HOU 1 Housing mix
- HOU 12 Amenity

Retail Policy R.P1 – Retain and develop retail offerings

Bollington does have a local retail centre boundary and neighbourhood parade under the SADPD; therefore, the relevant policies apply of the local plan apply to these areas. Identifying additional retail areas is helpful. Permitted development has changed since the original plan was made making change of use to retail etc far more permissive (under class 'E'). Therefore, the requirement for marketing exercises would largely be seen as onerous and unnecessary. A design guide/code could explore what good shop frontage looks like in Bollington and assist with part of the policy and the policy could also talk about ancillary types of development that would support retail – opportunities for street furniture, community facilities etc.

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- EG 4 Tourism
- EG 5 Promoting a Town Centre First Approach to Retail and Commerce

SADPD:

- RET 3 Sequential and impact tests
- RET 4 Shop fronts and security
- RET 7 Supporting the vitality of town and retail centres

Open Space Policy EOS.PI – Designation of Open Spaces

This policy replicates the existing SADPD policy REC 1, and duplication of planning policy should be avoided where possible. Therefore, it is recommended this policy be removed from the plan.

If retained however, it is suggested the policy be simplified to solely draw reference to the relevant policies of the existing Development Plan.

Existing Local Plan policy

LPS:

- SD 1 Sustainable Development in Cheshire East
- SD 2 Sustainable Development Principles

- SC 1 Leisure and Recreation
- SC 2 Indoor and Outdoor Sports Facilities
- SC 3 Health and Well-Being
- SE 6 Green Infrastructure

SADPD:

- REC 1 Open space protection
- REC 2 Indoor sport and recreation implementation
- REC 3 Open space implementation

Open Space Policy EOS.P2 – Maintenance of Open Space allocations

The aspiration of this policy is mostly covered by the policies within the existing Development Plan. Duplication of planning policy should be avoided where possible. Therefore, it is recommended this policy be removed from the plan.

If retained however, it is suggested the policy be simplified to solely draw reference to the relevant policies of the existing Development Plan.

Existing Local Plan policy

LPS:

- SD 1 Sustainable Development in Cheshire East
- SD 2 Sustainable Development Principles
- SC 3 Health and Well-Being
- SE 6 Green Infrastructure

SADPD:

- INF 1 Cycleways, bridleways and footpaths
- REC 2 Indoor sport and recreation implementation
- REC 3 Open space implementation

Open Space Policy EOS.P3 – Enhancement of Natural Urban Green Spaces

It would be beneficial to add clarity to this policy on how development could specifically achieve the identified enhancements within Bollington.

A design code document could help identify specific approaches such as landscaping improvements or the use of street furniture.

Open Space Policy EOS.P4 – Local Green Space

It is suggested an updated map be included within the plan to present the Local Green Spaces. We are happy to assist with any GIS mapping requirements for the plan.

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- PG 6 Open Countryside

SADPD:

- REC 1 Open space protection

Green Belt Policy EGB.1 – Development of Green Belt in Principle

The National Planning Policy Framework and the existing Cheshire East Development Plan establish the relevant considerations for development proposals within the Green Belt. NP policies must align to strategic and national Green Belt policy.

Permission in principle is an alternative consent route for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. Planning policy must focus on the development and use of land and has no scope to influence consent routes.

The proposed policy states that development proposals will not be considered unless specific criteria are met. CEC are required to consider all development proposals and test them against local and national policies. Therefore, introducing a set of criteria to enable assessment to begin, is inappropriate.

The identified concerns, such as conservation areas and access to amenities, are all planning considerations addressed in other parts of the Development Plan and do not directly relate to the Green Belt or its purposes.

Overall, it is suggested that, as this policy appears to focus on the consent route, rather than the use or development of land, it be removed from the plan.

From reviewing the supporting text it appears the underlying purpose of the policy may relate to the landscape character of Bollington and the impact of development on this character. If the policy is retained, it is advised it solely to focus on the final point (7.) and develop this further. A design code may be able to add further clarity to the sensitivities within the

landscape and help to better articulate how the traditional landscape views should be considered within the context of Bollington.

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- PG 4 Safeguarded Land
- PG 6 Open Countryside
- PG 7 Spatial Distribution of Development
- SC 6 Rural Exceptions Housing for Local Needs

SADPD:

- PG 11 Green Belt and safeguarded land boundaries

Green Belt Policy EGB.P2 – Development of Safeguarded Land

The policies within the existing Development Plan designating the safeguarded land for future housing development, outlines the requirements for development.

Safeguarded land is land that may be required to meet longer-term development needs beyond the period of the Local Plan. This provides certainty for future development within the Green Belt.

The Development Plan outlines that the safeguarded land sites within Bollington are preserved to meet future housing development needs. Point 2. of the proposed policy seems to contradict this by stating that the safeguarded land does not need to be for housing development. This is contrary to the adopted Local Plan which identifies the land for the purposes of eventual housing delivery. This paragraph should be removed from the plan.

In deciding whether to release safeguarded land for development, via the next version of the Local Plan, the availability of development sites nearby could be a relevant factor to be considered through the Local Plan process, however the availability of other sites does not prevent the release of safeguarded land for development. Multiple factors will be considered in the local plan process, including housing requirements of the borough, local housing need, the availability of sites to meet the need and the suitability of sites (tested on a range of metrics) for development. Therefore, the availability of sites is not the only relevant test in regard to this issue. The limitations presented in the modification are therefore unlikely to succeed. If the policy is retained, reference to 'seeking to meet any localised housing needs identified though the latest HNA' could add value to the policy.

Since the allocations are for the delivery of housing, the establishment of a nature reserve here is unlikely, however, the impacts on the natural environment will need to be mitigated and it would therefore be appropriate to require that environmental mitigation is met on site wherever possible, in accordance with BNG requirements.

Therefore, it is suggested that the qualifying body carefully consider whether this policy is needed. If the policy is retained, it should be reviewed to ensure no conflict arises between the policy and other national and local policies in regard to this matter.

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- PG 4 Safeguarded Land

SADPD:

- PG 9 Settlement boundaries
- PG 11 Green Belt and safeguarded land boundaries
- PG 13 Local green gaps

Natural Environment Policy ENE.P1 – Natural Environment Policy

An updated review of the Cheshire Wildlife Trust survey may be beneficial.

As written the policy does raise some slight conflict with policy SE 3 of the LPS, which doesn't support development in areas of high value habitat, therefore, it may be useful to review this policy's approach.

The requirements around applications in or near to high value habitat is set out in policy ENV 2 of the SADPD and it may be that the NP policy can simply identify the land where Local Plan policies should apply, rather than setting out new/different approaches.

Existing Local Plan policy

LPS:

- SE 3 Biodiversity and Geodiversity

SADPD:

- ENV 1 Ecological network
- ENV 2 Ecological implementation

Natural Environment Policy ENE.P2 – Maintenance of views

The NPPF makes no allowance for protection of 'views'. It is a term that describes a field of vision across an undefined distance, potentially incorporating many objects, buildings and features of the landscape and given the unbounded nature of the term, it is deliberately ambiguous requiring qualification to be made meaningful. It is therefore difficult to articulate the value of an entire view without such qualification that would make the policy specific, and following from this difficulty, identifying where harm may arise to that view.

However, the proposed policy is based in a recognition that the local landscape is of special significance and valued locally and therefore the policy may benefit from seeking to protect the valued features and characteristics of the local landscape which are more specifically identifiable (the 'receptors'), rather than a more ambiguous and wide-ranging concept of a 'view'. The following words could be used to inform a review of the policy:

'Development proposals must not significantly harm, individually or cumulatively, characteristic features or important landscape receptors, within the local landscape. The characteristic features within the landscape include but are not limited to....'

If a design code were to be produced evidence could be provided to justify their status with reference to the Design Code Document.

Existing Local Plan policy

LPS:

- SE 4 The Landscape

SADPD:

- ENV 3 Landscape character

Natural Environment Policy ENE.P3 – Provision of Landscape Plan

Landscaping matters are sufficiently covered within the existing Development Plan, therefore, this policy could be removed from the plan.

Existing Local Plan policy

LPS:

- SE 4 The Landscape
- SE 5 Trees, Hedgerows and Woodland

SADPD:

- ENV 5 Landscaping
- ENV 6 Trees, hedgerows and woodland implementation

Heritage and Conservation Policy BE.P1 – Historic Town

The content of this policy is mostly raised by the existing Development Plan.

This policy may wish to introduce the identification of non-designated heritage assets.

Existing Local Plan policy

LPS:

- SE 1 Design
- SE 7 The Historic Environment

SADPD:

- HER 1 Heritage assets
- HER 2 Heritage at risk
- HER 3 Conservation areas
- HER 4 Listed buildings
- HER 5 Registered parks and gardens
- HER 6 Historic battlefields
- HER 7 Non-designated heritage assets
- HER 8 Archaeology

Heritage and Conservation Policy BE.P2 – Conservation Areas

This policy is covered by existing Local Plan policy, it could be removed from the modification plan.

The production of a design code may be able to provide further design context.

Existing Local Plan policy

LPS:

- PG 3 Green Belt
- SE 4 The Landscape
- SE 7 The Historic Environment

SADPD:

- HER 1 Heritage assets
- HER 3 Conservation areas

Tourism and Leisure Policy TAL.P1 – Support for development of tourism.

Can "modest growth" be clarified? It may be worth reviewing the permitted development rights for the mentioned use classes when modifying this policy.

Existing Local Plan policy

LPS:

- EG 4 Tourism

SADPD:

- RUR 6 Outdoor sport, leisure and recreation outside of settlement boundaries
- RUR 7 Equestrian development outside of settlement boundaries
- RUR 8 Visitor accommodation outside of settlement boundaries
- RUR 9 Caravan and camping sites

Policy MA.P1 – Improve safety and efficiency of moving around

Some of the matters raised in this policy are addressed the existing Development Plan, they could be removed from the policy or moved to the community actions section.

Existing Local Plan policy

LPS:

- CO 1 Sustainable Travel and Transport
- CO 2 Enabling Business Growth Through Transport Infrastructure
- CO 4 Travel Plans and Transport Assessments

SADPD:

- ENV 5 Landscaping
- INF 1 Cycleways, bridleways and footpaths

Moving Around Policy MA.P2 – Parking provision

Whilst this policy is covered by existing Local Plan policy, and could be removed from the modification plan, setting out some local guidance on size of garages and parking standards etc would potentially add value and could be achieved either through the policy or a design guide.

Existing Local Plan policy

LPS:

- SD 1 Sustainable Development in Cheshire East
- SD 2 Sustainable Development Principles

- SC 7 Gypsies and Travellers and Travelling Showpeople
- SE 1 Design
- CO 2 Enabling Business Growth Through Transport Infrastructure
- CO 4 Travel Plans and Transport Assessments
- Appendix C Parking Standards

SADPD:

- GEN 1 Design principles
- RUR 2 Farm diversification
- RUR 6 Outdoor sport, leisure and recreation outside of settlement boundaries
- RUR 7 Equestrian development outside of settlement boundaries
- RUR 8 Visitor accommodation outside of settlement boundaries
- RUR 9 Caravan and camping sites
- RUR 10 Employment development in the open countryside
- RUR 14 Re-use of rural buildings for residential use
- HOU 4 Houses in multiple occupation
- HOU 9 Subdivision of dwellings
- HOU 11 Extensions and alterations
- HOU 12 Amenity
- HOU 13 Residential standards
- INF 2 Public car parks
- REC 4 Day nurseries

Infrastructure Policy IN.P1 – To improve safety for pedestrians and cyclists

Strictly this is not a land use policy and therefore belongs with the 'community actions' section.

Existing Local Plan policy

LPS:

- CO 1 Sustainable Travel and Transport
- CO 4 Travel Plans and Transport Assessments

SADPD:

- INF 1 Cycleways, bridleways and footpaths

Infrastructure Policy IN.P2 – To provide improvements to the infrastructure for the visitor economy in Bollington, in accordance with Policy TAL.P1

Strictly this is not a land use policy and therefore belongs with the 'community actions' section.

Existing Local Plan policy

LPS:

- SE 1 Design
- SE 7 The Historic Environment

SADPD:

- GEN 1 Design principles

Infrastructure IN.P3 To implement National and Cheshire East Council requirements for Biodiversity Net Gain

We consider our response to this additional policy addressed within the above NP policy regarding the safeguarded land in Bollington.