

# **Cuddington Parish Neighbourhood Plan Regulation 16 Consultation**

## **Clarification of points raised by the Examiner 10<sup>th</sup> July 2018**

**1. The suggestion that in order to secure the long-term future of Blakemere, housing and elderly persons' accommodation should be permitted on land outside the existing developed footprint.**

### **Cuddington Parish Council (CPC) Clarification:**

While the PC is sympathetic to the position in which Blakemere finds itself, there are a variety of issues which require to be considered:-

(i) Blakemere is an existing business in the rural area and is located outside the settlement boundary of Cuddington and Sandiway. It is, therefore, within a countryside location. If development was allowed on land outside the existing footprint it would not be in conformity with the Local Plan (Part One) policy STRAT 9.

(ii) Policy STRAT 8 seeks to conserve a settlement's character and setting. The A556 forms a significant barrier and further development to the south of this road would result in severe and irrevocable damage to the landscape/countryside and would not relate well to the existing settlement of Cuddington (appeal decision APP/A0665/A/13/2197189 supports this view).

(iii) The Local Plan (Part One) policy STRAT 8 and Local Plan (Part Two) policy R 1 support communities that promote more development than the Local Plan. However, it is expected that this will be led by the Neighbourhood Plan or Neighbourhood Development Order – and not be developer led. A developer led situation would not comply with policy STRAT 8. (It should be noted that the reasons for the choice of the identified Key Service Centres are given in The Key Service Centre Background paper<sup>1</sup>, which also provides an assessment of the area and identifies the associated levels of housing development.)

(iv) It is acknowledged that the existing Blakemere facilities are popular with the village. The Housing Needs Survey established that ~72% of respondents used them and ~62% considered there are enough (based on 674 responses out of a possible 750). However, the Blakemere comments indicate that this level of support is insufficient to sustain them. Building additional houses to generate the capital to allow the facilities to be upgraded will have a significant impact on the village, its facilities, its character and its environment. No evidence is adduced to suggest that the additional elderly population will increase support to a sustainable level. Should it prove insufficient, Blakemere will need to attract additional visitors with their concomitant impact on the village and its environment.

(v) The proposed site for the additional houses is on the southern periphery of the village. The site is some distance from the village centre which houses the majority of the facilities e.g. shops, schools, library, dentist, etc. It is somewhat closer to the doctors but the train station is at the opposite end of the village entirely. The site is also on the opposite side of the busy main trunk road – the A556 – which has no formal pedestrian crossing. Access for the elderly and for young children to the village centre would be safest by car – with the attendant impact on the traffic levels in the village.

(vi) The village already has 3 care homes for the elderly. The influx of an additional elderly population is likely to apply more pressure to this limited resource.

---

<sup>1</sup> <http://consult.cheshirewestandchester.gov.uk/file/2790375>

(vii) Extensive consultation with the village community, as part of the evidence gathering to support the Neighbourhood Plan, has clearly indicated that such a development would be contrary to the aspirations of the community. (See the Consultation Statement and the Consultation Evidence Section on the village website).

(viii) Should the Neighbourhood Plan accept a development to sustain a business contrary to Local Plan policy and village aspirations, CPC is concerned that this will set a precedent for both the Parish and, possibly, more widely elsewhere.

Considering all these issues, CPC finds it inappropriate to promote a Neighbourhood Plan that would permit such a development.

**2. The suggestion that the Cuddington Parish Character Assessment - which underpins policies such as Policy 1, Policy 3, Policy 4, Policy 5, Policy 7 and Policy 8 – should be given little weight as it is subjective, lacks a clear methodology and the basis of its conclusions are not fully explained.**

**CPC Clarification:**

In setting about preparing the Character Assessment, Cheshire West and Chester Council referred the Cuddington Neighbourhood Plan Steering Group to the Guidance provided by Planning Aid England – “Thinglink” A Guide to Preparing a Neighbourhood Plan- using as a model Higham Ferrers: A Case Study about Local Character and Design.

Section 1 (Page 1) of the Character Assessment Report describes in overview how the CA was carried out thus:

*“In order to carry out this Character Assessment, the Neighbourhood Area was divided into 15 manageable Character Areas. Volunteers were then sought at the Gala Day and other occasions to assist in the Characterisation of the village. Teams of 4, 5 or 6 people were put together to assess the areas, preferably with at least one person local to that Character Area in the team. In order to ensure consistency of approach for each area a core of people attended each assessment and the 10 Criteria Assessment Points were used (See Section 5 Below). The teams walked their respective areas whilst making appropriate comments against the Criteria; notes and photographs were taken.”*

The Character Areas were mapped out on the basis of consistency and practicality e.g. Green Belt, Open Countryside, Age of Estates etc. Professional Maps were produced showing great detail of each area.

Page 77 of the CA Report shows the twenty plus Contributors to the CA.

Volunteers were assigned to their local areas in order to obtain better information about each area. They were always accompanied by the same core of Neighbourhood Plan Steering Group members plus other members of the Steering Group when appropriate to ensure consistency of approach.

Section 5 (Page 3) of the CA Report describes the Criteria for Character Assessment thus:-

*“1. Topography – Landscape setting/gradient of the local area (flat, sloping, valley, plateau, hilltop etc.).*

*2. Land Uses – Residential, Retail Leisure and Recreation, Commercial, Employment, Community etc.*

*3. Layout – Relationship between buildings, spaces and routes, and how these elements are arranged in relation to each other. Building plots (wide, narrow, long, short etc.).*

*4. Roads, Streets, Routes – Vehicular routes, pedestrian pathways, cycle paths, shared surfaces,*

*rights of way, bridleways, alleyways etc.*

*5. Spaces – parks, playing fields, allotments, cemeteries, village greens, car parks, market squares etc.*

*6. Buildings – building heights, arrangement (detached, semi-detached, terraced or apartments), materials, construction era, roof types, distinct and/or predominant architectural features, window types, condition etc.*

*7. Landmarks – Distinct and instantly recognisable local features (including buildings, statues and monuments, and other locally significant features of the local area, both built and natural).*

*8. Green and Natural Features – Trees, hedgerows, streams, rivers, ponds, lakes, woodland, landscaped areas etc.*

*9. Streetscape – Lamp posts, benches and seating, street surfacing materials, signage, boundary treatments etc.*

*10. Views – Important views in and out of the character area, location of viewpoint and direction and extent of view.*

*In addition a summary of key defining characteristics and other observations should be noted down.”*

The criteria above are a given standard set for preparing Character Assessments which cover all eventualities while the pro formas used provided the basis for making notes on the walks for each area. In addition around 2,000 photographs were taken.

Following the conclusion of each Character Assessment a draft report was produced for each Area taking account of notes, maps, photographs and the List of References shown on Page 77 of the CA Report .

The draft reports were given wide circulation in order to check for factual accuracy, validation and omissions. Following receipt of comments the amended reports were circulated again to check that points raised had been understood. As a final check for accuracy, local history experts who have published histories of the development of Cuddington and Sandiway were involved and have given their feedback with any resultant changes made to the report.

The Parish Population has had the opportunity to see the Character Assessment both on the website and in a published form in the library and in Delamere Park clubhouse during periods of consultation during 2016, 2017 and 2018. No objections were raised; indeed there have been many comments about its value as a source of Parish information.

The CA report has been reviewed by our Professional Advisors, and by Cheshire West and Chester Planning team.

CPC notes that only one consultee has challenged the professionalism of the Character Assessment Report and believes strongly that this Report provides sound evidence to underpin the policies proposed in the Neighbourhood Plan, particularly Policy 1-Landscape Setting, Policy 7–Open Countryside and Policy 8-Vistas and Views. The report also underpins Policies 3, 4 and 5 and provides a great deal of information on the existing design and layout of the Neighbourhood Area.

CPC believes that, whatever team of people were to perform a Character Assessment, there will always be a degree of subjectivity. However, with the process used by the Cuddington Neighbourhood Steering Group, this subjectivity has been deliberately significantly reduced.

### **3. The suggestion that it is not clear whether the areas listed in Policy 4 Habitats and Wildlife Corridors are indeed wildlife corridors.**

#### **CPC Clarification**

Corridors and spaces have been identified through consideration of various inputs (e g English Nature Research Report No. 60, Defra: Biodiversity 2020 – A Strategy for England’s Wildlife and

Ecosystem Services). CPC believes that the descriptions below are supported by these and other sources of information.

*"A wildlife corridor is a link of wildlife habitat, generally native vegetation, which joins two or more larger areas of similar wildlife habitat. Corridors are critical for the maintenance of ecological processes including allowing for the movement of animals and the continuation of viable populations. By providing landscape connections between larger areas of habitat, corridors enable migration, colonisation and interbreeding of plants and animals. Corridors can consist of a sequence of stepping stones across the landscape (discontinuous areas of habitat such as paddock trees, wetlands and roadside vegetation), continuous lineal strips of vegetation and habitat or they may be parts of a larger habitat area selected for its known or likely importance to local fauna.*

*A wildlife corridor, habitat corridor, or green corridor is an area of habitat connecting wildlife populations separated by human activities or structures (such as roads or development). This allows an exchange of individuals between populations, which may help prevent the negative effects of inbreeding and reduced genetic diversity that often occur within isolated populations. Corridors may also help facilitate the re-establishment of populations that have been reduced or eliminated due to random events.*

*This may potentially moderate some of the worst effects of, habitat fragmentation wherein urbanisation can split up habitat areas, causing animals to lose both their natural habitat and the ability to move between regions to use all of the resources they need to survive. Habitat fragmentation due to human development is an ever-increasing threat to biodiversity, and habitat corridors are a possible mitigation. The main goal of implementing habitat corridors is to increase biodiversity. When areas of land are broken up by human interference, population numbers become unstable and many animal and plant species become endangered. By re-connecting the fragments, the population fluctuations can decrease dramatically. Corridors can contribute to three factors that stabilize a population:*

*Colonisation - animals are able to move and occupy new areas when food sources or other natural resources are lacking in their core habitat.*

*Migration - species that relocate seasonally can do so more safely and effectively when it does not interfere with human development barriers.*

*Interbreeding—animals can find new mates in neighbouring regions so that genetic diversity can increase and thus have a positive impact on the overall population.*

*Why are corridors important? - Habitat loss and fragmentation are the two main contributors to continuing biodiversity decline across the landscape. A holistic approach is required across both public and private lands to protect and manage natural ecosystems and ensure connectivity between remaining habitats. When native vegetation is cleared, fragmented patches or islands are created. These patches may become increasingly cut-off from other areas of habitat resulting in many plant and animal species becoming isolated, especially when land between the patches is permanently altered for human activities. As these vegetation patches are reduced in size and become increasingly isolated, the on-going viability of ecosystems and individual populations of species within them is severely affected. This ultimately leads to a break down in ecological processes such as species migration, dispersal, recycling of nutrients, pollination of plants and other natural functions required for ecosystem health. The likely result is severe biodiversity decline and local extinction of sensitive species. Corridors play an extremely important role in the maintenance of biodiversity, but they can only partly compensate for the overall habitat loss produced by the fragmentation of the natural landscape. It is important, therefore, that vegetation remnants and vegetated corridors are maintained and enhanced as a network across all lands both private and public. In this way private landscapes can contribute to wider landscape conservation efforts by enhancing and linking existing reserves and conservation networks."*

The corridors and spaces identified in Policy 4 (Habitats and Wildlife Corridors) do provide landscape connections between areas of wildlife habitat. They meet the spirit and intention of wild life corridors

as identified in the above definition and subsequent explanation. They are examples in the Parish and, as the Policy states, are not the limit of these.

The linear features we have identified have not been subject to an ecological survey and confirmed as corridors for wildlife. Self-evidently however, they do have the potential to be wildlife corridors and, if they are impacted by development, ecological surveys should be conducted by the developer to confirm this one way or the other.

#### **4. The question of whether the 12.9 hectares area of land at Kennel Wood identified Policy 6 Local Green Spaces is an extensive tract of land in the sense that that term is used in paragraph 77 of the Framework.**

##### **CPC Clarification**

The Steering Group, with input from CPC, carried out a Local Green Spaces Assessment based on the Government guidelines “Open space, sports and recreation facilities, public rights of way and local green space” with particular reference to the NPPF paragraph 77. Kennel Wood is one of 16 areas proposed as Green Spaces in the Neighbourhood Plan (see Local Green Space Analysis in the Consultation –Evidence Section of the village website.)

Kennel Wood comprises 12.9 Ha of wooded land bounded on the north side by the A556, to the east by Kennel Lane, to the west by Blakemere Farm and Craft Centre and to the south by Cheshire Kennels. It has been in private ownership for over 200 years and was originally part of Barry’s Wood. Kennel Wood was put up for sale in 2010 and eventually sold off via Woodland Investment Management in packages to 11 private owners, Woodland IM retained access routes through to each separate plot of land.

The largest of these private plots of land is approximately 2.6 Ha. The owners of the land have covenanted not to allow clay or rough shooting, pest control activities, racing or speed trials or commercial camping in the woods. The woods have been covered by an extensive TPO since 1957.

Kennel Wood is adjacent to the Key Service Centre, is criss-crossed by several PROWs and large areas also have many informal footpaths providing easy and extensive access for residents and other visitors. The wood is used by dog-walkers; for charitable fun runs; and for some commercial recreational activities linked to the businesses in Blakemere.

It is arguably the most highly valued and most heavily frequented of all the open spaces around the settled area. It is listed in the Natural England Priority Habitat Inventory. The owners have all been consulted and invited specifically to comment on the proposal to nominate the woods as a Green Space.

It is a clearly defined area, with multiple ownership, close to the settled area in the Parish, with easy access for all residents. It is a significant asset to the community and CPC believe that it should be preserved for its current use and be afforded the status of a green space.

#### **5. The suggestion that the Plan, which does not allocate any housing sites, will not be effective in delivering sufficient housing to meet the minimum housing needs of the Plan area. The reason for this, it is suggested, is that there are not enough small sites within the settlement boundary or brownfield sites in the Plan area to meet the need identified in the Cuddington Neighbourhood Plan Housing Needs Survey Report (2016).**

### **CPC Clarification**

The 2018 CWaC Local Plan Housing and Monitoring Report<sup>2</sup> has just been completed. The Local Plan Part 1 set a requirement for the Cuddington and Sandiway Key Service Centre of 200 additional houses from 2010 to 2030. The Monitoring report provides the following data for the Key service Centre as of 1 April 2018:

Completions (2010 – 2018) = 176

Commitments (as at April 2018) = 23

Following the monitoring period, a further 2 permissions have been granted post April 1 2018. It is clear that the requirement has already been met; the above totals 201. Development proposals are coming forward all the time on small sites within the settlement boundary and are expected to continue to do so during the period to 2030. Policy 14 of the Neighbourhood Plan also supports the conversion or subdivision of larger dwellings to provide smaller units which meet identified needs.

Since the Local Plan Part 1 requirement has already been met it is CPC's view that there is no requirement to allocate any further housing sites.

**6. The suggestion that Policy 15 Affordable Housing does not have regard to national policy (Planning Practice Guidance ID:23b-031-20161116), and that an affordable housing contribution should not be sought from developments of 10 units or less and which have a maximum combined gross floor area of no more than 1,000sqm.**

### **CPC Clarification**

This Neighbourhood Plan policy was written in the knowledge of national policy and its requirement but in recognition that the 2030 requirement for the KSC had nearly been achieved – and in fact has now been achieved. Only very small developments are likely to come forward within the settlement boundary up to 2030. The implication of following national policy is that no new affordable homes will be built in the plan period. Since the affordable homes being provided, in the new estates within and adjacent to the village, are already being filled, those needing affordable accommodation within the village in the next 12 years will be unable to obtain it. Adoption of the criteria suggested in Policy 15 would provide some alleviation for this situation. The Local Plan (Part Two) Submission confirms that the evidence of local affordable need in the borough<sup>3</sup>, which is a particular issue in the rural area, justifies retention of the local thresholds set out in the Local Plan (Part One) policy SOC 1.

**7. The suggestion that Policy 15 Affordable Housing is not in general conformity with Policy SOC2 of the Cheshire West and Chester Local Plan (Part One) Strategic Policies in that it does not allow for the development of rural exception sites.**

### **CPC Clarification**

The legislation requires a Neighbourhood Plan to be consistent and compatible with policies developed by the planning authorities – in this case the Local Plan Parts 1 & 2 and planning guidance. This Neighbourhood Plan is believed to be in compliance with this requirement. As an example - in the explanatory for Policy 16 Location of Buildings, the issue raised is explicitly addressed.

---

<sup>2</sup> <http://consult.cheshirewestandchester.gov.uk/file/4995632>

<sup>3</sup> <http://consult.cheshirewestandchester.gov.uk/file/2804614>

Section 6.3.9 (v) states:

‘Since the area surrounding the Key Service Centre is Green Belt to the north, west and east and countryside to the south, development is constrained. However, although not favoured, it is recognised that (in compliance with Local Plan policy) small scale reuse of rural buildings that are no longer suitable for employment and could be converted to dwellings can be permitted provided any development outside of the Key Service Centre complies with the Local Plan parts 1 & 2-STRAT 9. ‘

The Local Plan (Part One) policy SOC 2 and the Local Plan (Part Two) policy DM 24 are concerned with rural exception sites. The neighbourhood plan does not need to repeat these policies and the neighbourhood plan does not contradict the policies in the Local Plan.

The CPC does not, therefore, accept this comment.

**8. The suggestion that the requirement in Policy 20 Parking Standards - that where appropriate new development should also include adequate provision for parking over and above that in the Cheshire West and Chester Parking Standards SPD - will encourage rather than reduce additional trips by car.**

**CPC Clarification**

Reference should be made to Section 6.4.3 of the Submission Draft Neighbourhood Plan which details the Evidence Base and Consultation Responses with respect to Parking Standards particularly paragraphs vii to xi.

The areas of existing housing within the Key Service Centre have problems with parking on verges, footpaths and roads. These result from increased car ownership and no, or insufficient, parking spaces within the curtilage of dwellings. Where garages are provided some are used for the storage of personal goods or the garages are too small to accommodate larger cars such as SUVs now being used by many families. This leads to the loss of parking spaces provided and the increased use of the road for parking and visitor parking. This also applies to recent developments.

With respect to new housing developments the Chester West and Chester Council Parking Standards SPD should cater for the majority of parking needs other than, we believe, visitor parking with the exception of those at flats.

Policy 20 does not propose a specific number of visitor parking spaces or state that they should be within the private curtilage of the dwellings. Visitor parking on the roads will be acceptable provided the widths of the roads are such that emergency and refuse vehicles can pass the parked vehicles safely.

It is inevitable that the majority of dwellings will at times have visitors who will arrive by car, or van in the case of tradesmen. These visitors will arrive regardless of the parking provision and any visitor parking will not encourage additional visitors to come or result in increased trips. It is in fact the new development itself that will increase the trips.

The requirements of Policy 15 Affordable Housing should also be noted with respect to parking provision, as recent developments have chosen to reduce parking provision below the standards for these types of dwellings. This has led to insufficient parking spaces being available for residents and visitors.

24<sup>th</sup> July 2018