

Brereton Neighbourhood Plan Review

Update on Progress

Urban Imprint Ltd



Who are we?

- Small independent consultancy
- Planners and urban designers
- Areas of work:
 - Planning applications
 - Supporting those proposing development
 - Commercial, residential, third sector
 - Contract work for Planning Authorities
 - Community work
 - Neighbourhood planning
 - Community Engagement
 - Teaching and training
 - RTPI masterclasses and regional training
 - University of Manchester
 - Urban design
 - Design review
 - Design policy (guides and codes)
 - Masterplanning



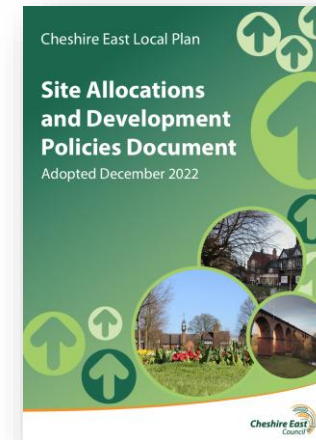
The Brereton Neighbourhood Plan

- The Brereton NP was adopted or 'made' on the 29 March 2016 containing policies relating to:
 - Housing Development
 - Community Facilities
 - Business and Economic Activity
 - Protect the Rural Environment
 - Transport and Infrastructure
- Extensive public consultation conducted which helped to inform and shape policy contents
- Has since been used by the Parish Council and planning officers to assess development which is proposed within the NP area



The challenge

- The Neighbourhood Plan officially has effect between the period 2010 and 2030 – so can still be used
- Despite this, a lot has changed since the plan was adopted (2016):
 - Cheshire East CELPS (Part One of the Local Plan) adopted July 2017
 - Cheshire East SADPD (Part Two of the Local Plan) adopted December 2022
 - Several iterations of the National Planning Policy Framework
- **The age of the plan, combined with newer policies and guidance, means that less ‘weight’ and/or attention is being paid to the NP**



The brief

- We are commissioned to assist the Parish Council with the preparation of a revised Neighbourhood Plan
- Primary objective: **Bring the plan up-to-date with more recently adopted local policy and make it more effective in delivering the original objectives of the NP**
- As part of the review we have also considered what opportunities exist to take certain elements of the plan further – as discussed with the NP group – but have primarily sought to ensure that the existing policies of the plan are appropriate and remain useable for planning officers

What have we done?

1. Initial Review

- Review of the current plan against the wider development plan – including all CEC policy and the NPPF
- Some policies which once filled an important policy gap now duplicate more recent policy which has been adopted, so can be removed
- Identified some opportunities to update or review the evidence base underpinning the plan which were discussed with the NP group during a workshop covering:
 - Infill Boundaries – *check that what currently exists is still appropriate*
 - Design – *Defining the local character of Brereton more explicitly, and requiring development to respond to it*
 - Heritage – *Understanding whether there are any additional assets which warrant protection*
 - Ecology – *Integrating the CWT work*

1. Initial Review

Policy List	Policy Summary	Notable changes since adoption:	Review against Cheshire East Policy (2017; 2023)	Review against NPPF (2023)	UI General Comments	Recommendations	Questions for the Group
HOU1 – Settlement Boundary	<p>This policy identifies two settlement boundaries for the areas of Breerton Green and Breerton Heath and proposes that they are used for the purposes of decision-making with regards to the emerging Cheshire East Local Plan as it was at the time of adoption.</p> <p>We understand that these two settlement boundaries are legacies from the Congleton Borough Local Plan, although were updated as part of the plan to ensure that the boundary was relevant to its context and was an accurate reflection of what was understood to be a part of that village.</p>	<p>Adoption of the CELPS AND SADPD (local policy) in 2017 and 2023</p> <p>Revised NPPF (2023)</p>	<p>Settlement boundaries for principal towns, key service centres and local centres are set out within the Cheshire East Site Allocations Development Policies Document and enforced by policy PG 9 – Settlement Boundaries. This policy also enables neighbourhood plans to propose boundaries for new settlements in a very similar way to that which the plan originally did.</p> <p>Policy PG 10 of the Cheshire East Site Allocations Development Policies Document separately identifies a number of infill villages where appropriate development which can be considered 'infill' could be considered acceptable. Breerton Green is INCLUDED as an infill village within this policy and has a boundary consistent with that originally proposed within this plan.</p> <p>Breerton Heath is NOT included within policy PG 10.</p>	<p>This policy remains in overall compliance with the NPPF as it seeks to facilitate development within sustainable locations where there is already a small agglomeration of small shops, services as well as dwellings.</p>	<p>In principle, continuing to designate new settlement areas within the neighbourhood plan is entirely appropriate and indicates a forward thinking approach to new development within the parish.</p> <p>Despite this, given that the boundary for Breerton Green as an 'infill' village is now contained within local plan policy, there is no need for HOU1 to refer to it or include it within policy UNLESS the group feels that the boundary needs amending. Otherwise, this would simply be duplicating something which already exists.</p> <p>Breerton Heath is not included in any way within the Cheshire East local plan and therefore designating this within the plan remains appropriate, although the Council might prefer that this wasn't done in order to maintain the primacy of the local plan.</p>	<p>Change policy title to 'Breerton Heath infill settlement' and redraft policy to propose this as a new infill settlement only, assuming that the group are happy with Breerton Green's inclusion within the local plan and see that its boundary does not need changing.</p> <p>Amend paragraph 2 of the policy to confirm that proposals for new housing development will be permitted within this boundary where the proposal is in accordance with the requirements of policy PG 10 of the Cheshire East SADPD as well as the other policies contained within the neighbourhood plan, cheshire east local plan strategy and cheshire east site allocations development policies document.</p> <p>Remaining elements of the policy can remain as worded</p>	N/A
HOU2 – Exceptions to new housing development	<p>This policy outlines the four instances where new housing developments outside of the settlement boundaries established under HOU1 could be acceptable. These instances include the redevelopment of previously developed land, the conversion of existing buildings, affordable housing schemes for local needs (which meet the criteria for LP exception sites) as well as self build schemes.</p>	<p>Adoption of the CELPS AND SADPD (local policy) in 2017 and 2023</p> <p>Revised NPPF (2023)</p> <p>Self-build and Custom Housebuilding Act 2015 enacted (revised by the Housing and Planning Act 2016).</p>	<p>The four criteria expressed within this policy have relevance to the development plan as follows:</p> <ol style="list-style-type: none"> 1. Allowing the redevelopment of previously developed land is more generous than local policy – policy PG 6 of the plan is more constraining on development than this. 2. Conversion of existing buildings is already included within policy PG 6 3. Affordable housing schemes for local needs is contained within the updated local plan, namely through policy SC 6 of the CELPS. 4. Self-build schemes as an exception scheme provided that they meet a local connection criteria is also more generous than local policy. 	<p>The proposed exceptions to development within the open countryside are broadly consistent with the forms of development which the NPPF embraces within such locations.</p>	<p>A couple of elements of this policy (criteria B and C) are already contained within local policy and therefore do not need to be specifically mentioned, although doing so in this instance makes for a clearer policy overall.</p> <p>In a couple of other instances (redeveloping previously developed land and self build) the current policy is more liberal than Cheshire East policy and therefore may cause them to ask that the policy is changed. Please bear in mind that this does not mean that you must change the policy.</p>	<p>In its existing form this policy could be retained and progressed on the basis that it promotes the redevelopment of previously developed land, as well as self build development, as exceptions to new housing development beyond Breerton Heath and Green settlement boundaries. In this case we would just propose that criteria b is amended to state 'subject to accordance with criteria ii of policy PG 6 – Open Countryside of the Cheshire East Local Plan Strategy and policy RUR 14 of the Cheshire East SADPD', and criteria c amended to state 'Affordable housing schemes for local needs which meet the criteria for rural exception sites as detailed within policy SC 6 of the Cheshire East Local Plan Strategy'.</p> <p>Alternatively, if members were looking to tighten controls on new development, the best course of action would be to remove this policy. All cases of development beyond the boundaries of Breerton Heath and Green would then be considered against Cheshire East policy, which does not consider redevelopment of previously developed land as an exception to development within the open countryside as acceptable, likewise with self-build development.</p>	N/A
HOU3 – Replacement of existing dwellings	<p>This is a criteria based policy which promotes the rebuild or replacement of existing dwellings on the basis that they meet five specific criteria.</p>	<p>Adoption of the CELPS AND SADPD (local policy)</p> <p>Revised NPPF (2023)</p>	<p>Policy for the replacement of existing dwellings within the neighbourhood plan area is now broadly contained across local plan policy. Policy RUR 13 of the SADPD provides a detailed, criteria based policy for the replacement of buildings outside of settlement boundaries, with policy RUR 14 providing a similarly detailed policy for the conversion of rural buildings. Other policy relating to overall design approach and the presence of the Cheshire East Design Guide contains a range of design principles which also overlap with this policy.</p>	<p>Enabling the replacement of existing dwellings as a means to replenish the existing housing stock is generally accepted within national policy as being appropriate.</p>	<p>This is one particular aspect of the plan whereby local plan policy has almost entirely superseded neighbourhood plan policy.</p>	<p>This policy provides general guidance on the replacement of existing dwellings which is now covered throughout the CELPS and SADPD. As a result, it is recommended that this policy is removed from the plan.</p>	N/A
HOU4 – Self-Build Schemes	<p>This policy makes provision for schemes which propose self build dwellings within the Breerton Parish according to a strict set of criteria linked to the location and occupation of the scheme which may be proposed.</p>	<p>Adoption of the CELPS AND SADPD (local policy) in 2017 and 2023</p> <p>Revised NPPF (2023)</p> <p>Self-build and Custom Housebuilding Act 2015 enacted (revised by the Housing and Planning Act 2016).</p>	<p>This policy was the subject of particular scrutiny from the appointed planning inspector who examined the initial neighbourhood plan, particularly as at the time the policy was seeking to enable a wider set of circumstances under which self build schemes could be brought forward within the plan area. The inspector found this policy to be in compliance with the basic conditions for a neighbourhood plan and Urban Inprint is of the view that this is still the case. Whilst a specific self-build policy has since been introduced through the SADPD under policy HOU3 – it doesn't support self build to the same extent as within the Breerton NP. As this specific local plan policy is not a strategic policy, it seems reasonable to go beyond this as the existing neighbourhood plan policy does, assuming that this can still</p>	<p>Paragraph 63 of the NPPF states that the size, type and tenure of housing needed for different groups within a community should be assessed and reflected in planning policy. These groups include those who wish to construct their own homes as self or custom build.</p>	<p>This is an ambitious policy which the group have done very well to adopt. We would have two questions for the group, particularly with regard to whether A, they consider it has been effective and B, whether the group wish to continue supporting self-build in the same way as previous.</p>	<p>This policy is forward-looking and is one of various examples whereby the plan is genuinely trying to achieve something. We would recommend that this policy is retained but updated to reference current policy as follows:</p> <p>Definition of self and custom build within policy justification to be the same as that found within the Self-Build and Custom Housebuilding Register</p> <p>Add to end of policy 'Any other development which may be of sufficient size should also ensure that it is in compliance with policy HOU3 of the Cheshire East SADPD.'</p>	<p>Does the group still want to promote self-build beyond existing local and national policy?</p> <p>Has there been any identifiable impact on development as a result of this policy across the plan period?</p>



2. Revising the NP structure

Section	List of original plan policies and their status	Status
Housing development	HOU1 - Settlement Boundary	Revised - <i>although revised and renamed</i> and content likely to change
	HOU2 - Exceptions to new housing development	Retained
	HOU3 - Replacement of existing dwellings	Removed
	HOU4 - Self-Build Schemes	Retained - <i>with minor renaming</i>
	HOU05 - Provision of Open Space in New Housing Development	Retained
	HOU06 - Preservation of existing open spaces	Retained
	HOU07 - Provision of building line in new housing development	Removed - integrated into new design policy
	HOU08 - Housing Mix	Retained
	HOU09 - Housing for Local People	Retained
	HOU10 - The Layout and Design of New Homes	Retained - integrated into new design policy
Community Facilities	DEFINITION OF LOCAL HOUSING CONNECTIONS	Retained
	COM01 - New Community Hub Site Planning	Combined with COM02 to make COMMUN 01
	COM02 - New Community Hub Possible Uses	Combined with COM01 to make COMMUN 01
	COM03 - Existing Community Facilities	Retained
	COM04 - Provision of New Community Facilities	Retained
Business and Economic Activity	COM05 - Provision of allotments and additional car parking	Retained
	Policy BUS01 - Rural Economy	Retained
Protect the Rural Environment	Policy ENV01 - The landscape vision and development	Combined with ENV02 to make ENVIR 01
	Policy ENV02 - Open Landscape Views	Combined with ENV01 to make ENVIR 01
	Policy ENV03 - Nature Conservation	Retained
	Policy ENV04 - Biodiversity and Geodiversity	Retained
	Policy ENV05 - Development and Landscape	Retained
	Policy ENV06 - Recreational Facilities	Removed - <i>Paragraphs 2 and 3 to be integrated into policy HOUS 05</i>
	Policy ENV07 - Listed Building Improvements and Enhancements	Combined into ENVIR 05
	Policy ENV08 - Listed Buildings Change of Use	Combined into ENVIR 05
	Policy ENV09 - Heritage Assets and Their Setting	Combined into ENVIR 05
	Policy ENV10 - Conservation and Sustainable Management of Soils	Retained
Transport and Infrastructure	Policy TRA01 - Transport Implications of New Development	Combined into TRANS 01
	Policy TRA02 - Improvements to local sustainable forms of transport	Combined into TRANS 01
	Policy TRA03 - Community Infrastructure	Retained



3. Re-drafting of the plan

Policy HOUS 02 – Exceptions to New Housing Development

- Minor amendments made in order to tie the policy into more recently adopted local planning policy.
 1. Beyond the settlement and infill boundaries ~~identified in this Plan~~ which exist within the plan area, the following types of housing development may also be considered acceptable as exceptions to Policy HOUS 01:
 - A. The redevelopment of previously developed land and buildings (subject to appropriate environmental safeguards and mitigation);
 - B. Conversion of existing buildings (subject to accordance with criteria ii. of policy PG 6 - Open Countryside of the Cheshire East Local Plan Strategy and policy RUR 14 of the Cheshire East SADPD~~the preservation of the surrounding countryside~~);
 - C. Affordable housing schemes for local needs which meet the criteria for ~~Local Plan~~ rural exception sites as detailed within policy SC 6 of the Cheshire East Local Plan Strategy; or
 - D. Self-Build Schemes according to Policy HOUS 04.

3. Re-drafting of the plan

Policy ENVIR 01 – ~~The landscape vision and development~~ Brereton's Landscape Character

- Original policy combined with policy ENV02.

1. The Brereton area affords many views across the Cheshire Plain towards the Peak District lying within Cheshire and Staffordshire Peak ridgeline. Open views across the landscape should be protected and enhanced, particularly including views in an easterly direction towards the Peak District National Park. The impact of development on the openness of any aspect of the countryside will be assessed against the Landscape Character Assessment for Brereton (ref. SD/C16).

~~4.~~ The Dane Valley River Corridor is identified as an ~~One~~ area of High Landscape Value within the Landscape Character Assessment for Brereton, as ~~is~~ defined on Key Map C23. Within this area, development which would damage the open or other landscape character or features so defined will not be permitted. The key attributes of ~~these are~~ this area is set out within in the Landscape Character Assessment for Brereton (ref. SD/C16).

Headline changes

1. Update basic evidence to reflect most recent data, and update all references to local and national policy
2. Revising of policy **wording** and **removal** of policy **contents which duplicate** those adopted by Cheshire East Council within either the Local Plan Strategy (CELPS) or Site Allocations Development Policies Document (SADPD).
3. Expand policy contents on **design** related matters to provide the plan with more 'teeth' to ensure that new development is appropriate to **Brereton's character**
4. Integrate findings of ongoing work with CWT to capitalise on opportunities for future developments to contribute positively towards recommendations
5. Put a new date on the front!

Next steps

- Finalise a draft of the revised plan;
- Consult with CEC to understand whether public consultation is necessary or not – this is subjective – depending on if changes are ‘material’
- If **Yes**, final copy of the draft will be brought for approval by parish council before public consultation undertaken, and then progressed through to submission to CEC
- If **No**, final copy to be approved by parish council and submitted directly to CEC
- In both cases an inspector will then examine the plan and decide:
 - A. Whether the revisions are so significant that they change the nature of the plan (and therefore require referendum); and
 - B. Whether the changes are appropriate, consistent with local and national policy, and meet the ‘basic conditions’
- Targeting Spring 2026 re-adoption – depending on decisions relating to consultation etc

Thanks!

mark@urbanimprint.co.uk