



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

Cheshire East Local Plan Strategy Submission Version (March 2014)

Representations of Stockport Metropolitan Borough Council

25/04/2014

1 Introduction / Background

- 1.1 These representations are made by Stockport Metropolitan Borough Council (SMBC) in response to the publication of the Cheshire East Local Plan Strategy Submission Version (hereafter referred to as 'the Strategy').
- 1.2 It is understood that at a special meeting on 28th February 2014 Cheshire East Council (CEC) resolved to approve the Strategy for publication and submission to the Secretary of State. The Strategy has subsequently been published (on 14th March 2014) for a six week period during which representations may be made on its 'soundness' and legal compliance.
- 1.3 SMBC's principal concerns as to the 'soundness' and legal compliance of the Strategy essentially relate to the following matters:
 - Green Belt (see section 3); and
 - Infrastructure (see section 4).
- 1.4 Representations concerning these matters are set out in sections 3 and 4 of this document.
- 1.5 SMBC also has concerns relating to consultation and engagement in the development of the strategy that are set out in detail in Section 2.

2 Consultation and Engagement, and the Duty to Co-operate

- 2.1 In order to illustrate the process over the Duty to Co-operate it is necessary to set out a factual account of the consultation and engagement which has taken place between the two authorities.
- 2.2 The Memorandum of Understanding between CEC and SMBC (set out as Appendix D to the published *Duty to Co-operate Statement of Compliance*) sets out that “*Each authority has historically formally consulted the other at every preparatory stage of Plan preparation*”. Historically this may have been the case but with the exception of one meeting that took place in November 2011 and which focused on exchange of headline information (see page 46 of the published *Duty to Co-operate Statement of Compliance*), SMBC were not involved until summer 2012 (noting that plan preparation began before November 2010 and that Cheshire East consulted on the various initial stage documents thereafter).
- 2.3 At the meeting of November 2011 SMBC had been led to understand that any significant development (and therefore impacts) were likely to be focused on Crewe and Macclesfield, in particular with any Green Belt release being to the south of Macclesfield. Therefore, SMBC did not consider that there was a requirement for extensive engagement at this time.
- 2.4 As a result, SMBC did not have extensive involvement in the identification of issues, the proposed vision or development options for achieving that vision and critically, the identification and agreement of the strategic priorities for the Strategy during the very early stages of the Plan preparation prior to the introduction of the Duty to Co-operate in the National Planning Policy Framework in March 2012.
- 2.5 SMBC began extensive engagement with the Cheshire East Plan preparation in the summer of 2012, which at first was two-fold:
1. The (then) Strategic Director (Places and Organisational Capacity) of CEC contacted the Chief Executive of SMBC seeking a view on the need they had identified to undertake “*selective re-adjustment of the green belt boundary*”, with one idea currently being explored being “*the creation of a sustainable urban extension east of the A34 and South of the A555 at Handforth*”. In response to this the Chief Executive of SMBC replied that the scale of release of Green Belt land envisaged could only be delivered following a full strategic review and that SMBC would be very happy to work with CEC on such a review.¹
 2. Town Strategy Phase 3 Consultations (September 2012) (Crewe, Handforth, Knutsford, Macclesfield, Nantwich and Poynton). Amongst these the most notable, from a Stockport perspective at least, were those for Handforth and Poynton. We note that these strategies were not intended to have formal status as part of the statutory development plan but were intended to provide a ‘bottom-up’ steer to the Core Strategy and wider Local Plan (and, indeed, their content and the work behind them have informed elements of the Strategy) to complement the other ‘top down’ steer from other early consultations. From SMBC’s point of view, the most striking element contained in any of these strategies was the proposal alluded to in the previous correspondence to create a new settlement to the east of the A34 / south of the A555 at Handforth. A response was sent setting out a number of concerns that it was considered needed to

¹ See *Local Plan Strategy Duty to Co-operate Statement of Compliance* page 101-102.

be overcome, especially if any of the information and options contained within the town strategies was taken forward into the Local Plan. A copy of that response is attached as Appendix 1 to this representation. Principal amongst the concerns set out in the response were:

- (a) that the correct approach to infrastructure must be taken, e.g. that the infrastructure to be delivered ought to be that required to enable the proposed level of development to be delivered sustainably, rather than a wish-list of pre-existing infrastructure desires; and
- (b) that the conclusion that it is necessary to release Green Belt had not been justified as a full review of Green Belt land had not at that time been undertaken, indeed, the approach to Green Belt release appeared not to follow case law which suggests:
 - the first step should be to identify (with clear evidence) what the essential objective is (for example, the need to meet district-wide and more locally defined development needs);
 - the second step should be to consider how those needs might be met outside of the Green Belt or as 'appropriate' development within the Green Belt as defined in NPPF paragraph 89; and
 - finally (and only if the essential objective cannot be met through the second step above) establishing which is the most suitable land that might be released from the Green Belt.

2.6 Following the Town Strategies consultation CEC next formally consulted SMBC in January 2013 on *Local Plan: Development Strategy and Policy Principles*. Notwithstanding SMBC's previous response on Green Belt matters, this consultation document included a proposed new settlement at Handforth East as well as a number of other releases of Green Belt land and formally proposed that they be included within the Local Plan. In response to and following on from this a number of events took place:

1. An email was sent from SMBC to CEC setting out a number of observations². It noted the importance of co-operation between the two authorities and that, given the Duty to Co-operate, the importance of neither side reaching a final or entrenched position at this stage pending further discussions. The concerns in relation to the Development Strategy and Policy Principles were as follows:
 - A potential lack of any co-ordinated consideration as to how the strategy will contribute to the development/growth of the wider region beyond noting that specific sites or infrastructure schemes will be able to take advantage of the economic benefits of being in close proximity to adjacent growth areas such as Greater Manchester (GM). The strategy needed to be demonstrably "joined up" with GM plans and there was no evidence of this;
 - The evidence relating to local housing need appeared to be limited in both scope and geographic relevance and appeared to be out-of-date;
 - The most critical piece of evidence which should be used as a key starting point for determining the most appropriate housing strategy for inclusion in the

² See *Local Plan Strategy Duty to Co-operate Statement of Compliance* email from Paul Lawrence beginning part way down page 105.

development plan (the Strategic Housing Land Availability Assessment, or SHLAA) did not identify the Handforth East site as being available; if it was not available then it was hard to see how it could form part of the strategy – if it was available then the SHLAA was clearly not a robust piece of evidence;

- The Sustainability Appraisal appeared to have been designed to justify a strategy that had already been decided on, rather than to determine what the most sustainable strategy was in environmental, social and economic terms;
- The approach to infrastructure appeared to be the wrong way around. It would seem that a decision had been taken to enable delivery of certain elements of infrastructure (for unstated reasons); the strategy appeared to be essentially one of enabling development to deliver infrastructure rather than enabling infrastructure to deliver development (this was a repeat of one of the principal concerns raised in relation to the Town Strategy Phase 3 Consultations mentioned above);
- The suggested approach of a ‘Green Belt Swap’ was flawed as it was essentially seeking to protect one location at the expense of another, entirely unrelated location (the ‘Green Belt Swap’ approach suggested that release of land from the Green Belt in the north of Cheshire East, including at Handforth, might be acceptable on the basis that new Green Belt was proposed between Crewe and Nantwich in the south of the district);
- The approach to Green Belt appeared to be the wrong way around; it appeared that a decision had been taken to enable development of certain sites and the strategy had then been prepared to deliver those sites, rather than the most appropriate strategy being prepared and the most appropriate sites subsequently being selected (this was a repeat of the second of the principal concerns raised in relation to the Town Strategy Phase 3 Consultations mentioned above);
- Nothing could be found that adequately justified why the Handforth East site was required to be released from the Green Belt – either because having undertaken a robust assessment CEC had concluded that it was the best option (for addressing evidenced exceptional circumstances) or because there was specific evidence to show that it was the only option (such as meeting identified needs that are specific to Handforth and cannot be met in any alternative way) (a furthering of the repeated second principal concern mentioned above).

It was acknowledged that SMBC’s concerns that were set out regarding CEC’s plan may have been due to a misunderstanding of key aspects of their approach and, as such, that it was necessary to meet so as to gauge whether or not they were serious and of substance.

2. A meeting took place in early March 2013 between officers from CEC, SMBC and the Association of Greater Manchester Authorities (AGMA). This meeting was taken as an opportunity to discuss many of the concerns set out above including, in particular, reiterating the points relating to both infrastructure and Green Belt. In advance of and to inform discussion at the meeting CEC provided a response to each of the concerns raised by SMBC³. The minutes of the meeting are contained within the published *Local Plan Strategy Duty to Co-operate Statement of Compliance*, beginning page 47.

³ See *Local Plan Strategy Duty to Co-operate Statement of Compliance* email from Adrian Fisher beginning page 103.

3. Following the March 2013 meeting the ongoing existence of the remaining concerns, along with an identified need for greater liaison / co-ordination in relation to significant schemes including the Handforth East proposal and the SEMMMS road scheme proposals, led to the establishment of a “Cross Boundary Transport & Development Board”. The intention was that this would meet on a quarterly basis to agree matters at a political level, with officer level meetings being held as required to set the agenda and to progress matters between the political meetings.
4. The first member level meeting of the Board took place in early July 2013. The minutes of this meeting appear to have been missed out of the *Duty to Co-operate Statement of Compliance* and so, for reference, they are provided as Appendix 2 to this representation. In terms of development plan issues the meeting focused on the same principal matters identified previously around the approach to Green Belt release and infrastructure. At this time, CEC were in the process of finalising a Green Belt Assessment document in order to set out the justification for the already proposed release of land from the Green Belt. It was agreed that further officer liaison was required on this and matters relating to infrastructure. SMBC’s principal concern in relation to infrastructure was around the need to adequately mitigate the impacts of development in all regards. It was recognised at that time as being notable and of specific concern in relation to transport / highways impacts, in particular the impact of the Handforth East and wider proposals on the A34 corridor. However, in addition there was concern that the proposals might impact on other transport corridors that ultimately pass into/through Stockport, including those at Disley on the A6 and around Macclesfield on the A523.
5. In the meantime, in May 2013, CEC published a further round of consultation titled “Possible Additional Sites”. This contained details of sites that had been proposed by various parties since the *Development Strategy and Policy Principles* consultation. This did not include any additional sites in close proximity to Stockport and so it was not considered necessary to respond on any formal basis; however, it did include a number of additional sites further south along the A34 corridor which would likely add to the additional pressure placed on that corridor. Also at this time there was an exchange of correspondence between officers relating to the requirement (under the Duty to Co-operate) to consider whether, as neighbouring authorities, there was scope to assist each other in meeting development needs. The express request from CEC was whether SMBC might be able to meet part of CEC’s housing need⁴; they sent a similar letter to other neighbouring districts. The response to this request was that, given Stockport’s own very tight position with regards to housing supply (albeit one where recourse to release of Green Belt has not yet become a general necessity), there was little or no scope unless it amounted essentially to an exchange of different types of housing need that could be more readily met in opposing districts. The example was suggested that CEC might meet some of Stockport’s gypsy and traveller needs in exchange for meeting an equivalent quantity of CEC’s regular housing needs (noting the difficulties that SMBC have experienced identifying any suitable sites to meet the borough’s identified gypsy and traveller needs, as is referred to in the minutes of the meeting of 16th July 2013 on page 50 of the *Duty to Co-operate Statement of Compliance*).

⁴ See *Local Plan Strategy Duty to Co-operate Statement of Compliance* letter regarding housing provision beginning page 108.

- 2.7 A series of further officer meetings took place following on from the initial Cross Boundary Transport & Development Board meeting at which the principal concerns around Green Belt and infrastructure, particularly transport infrastructure, were discussed. It was intended that a further meeting of the board would be held in October 2013, subsequently scheduled for late November 2013, but this did not end up taking place.
- 2.8 During the Pre-Submission Core Strategy consultation period (November-December 2013) two separate officer level meetings were held to consider outstanding issues and, notably, to ensure the continuing ongoing dialogue required under the Duty to Co-operate. These meetings reached a degree of agreement as to what steps would be required before Stockport officers would be in a position where they might recommend agreement to the proposals to Members. The meetings were followed by a letter, again from Paul Lawrence, confirming this agreement. A copy of the letter is attached to this report as Appendix 3.
- 2.9 A separate issue arises from the MOU in relation to Gypsy and Traveller / Travelling Showpeople accommodation. Under the Duty to Co-operate SMBC asked whether CEC would be in a position to assist in meeting Stockport's unmet needs in this regard, noting the significant difficulties experienced in Stockport of identifying any suitable sites through the preparation of the borough's Allocations DPD⁵. In the "Dealing with Cross Boundary Strategic Issues" table in the published *Duty to Co-operate Statement of Compliance* (2nd row on page 20) CEC set out that they have committed "*To make best endeavours through site allocations work to assist bringing forward land to assist Stockport including the potential use of land owned by Cheshire East Council in Stockport Borough*".
- 2.10 The MOU, whilst mentioning use of CEC owned land, makes no reference to this being within Stockport and, therefore, the commitment that CEC set out in the table goes beyond that which SMBC has agreed. SMBC consider that it is fair to argue that the agreement to 'make best endeavours' should be reflected within the relevant policy (SC7) of the Strategy (similarly to how the agreement to assist in meeting High Peak Borough Council's housing needs has been reflected of policy PG1 – see 3.6 below).
- 2.11 To summarise, SMBC's principal concerns with regards to the Consultation and Engagement are:
- (a) Whether Cheshire East Council has adequately had regard to the principal concerns raised by Stockport during the plan preparation period; and
 - (b) Whether policy SC7 should explicitly reference the agreement that CEC will make best endeavours to assist in bringing forward appropriate land to help meet Stockport's Gypsy, Traveller and Travelling Showpeople needs.

⁵ As is set out in the letter of 4th July 2013 from SMBC to CEC set out in the *Duty to Co-operate Statement of Compliance*, beginning on page 110.

3 Green Belt

- 3.1 CEC published a Green Belt Assessment document in September 2013. As set out above, the purpose of this document was to provide justification for the already proposed release of land from the Green Belt, including that at Handforth East, and provide a critical piece of evidence for the overall strategy.
- 3.2 At an officer level it had been confirmed to CEC that SMBC understand the strategic arguments in favour of releasing the Handforth site. Its proximity to the GM boundary, with associated labour market opportunity and infrastructure is acknowledged. However, concerns remain regarding whether the assessment adequately or clearly demonstrates why a proportion of development needs must be met at sites within the Green Belt and, subsequently, whether the sites identified within the Green Belt have been properly identified. Because it was not produced with the Pre-Submission Core Strategy (and any associated sustainability or other appraisals), SMBC has concerns that the Green Belt Assessment document could fully inform preparation of the published Pre-Submission Core Strategy and, arguably erroneously (see below), used to seek to justify significant elements of Green Belt release which had previously been proposed (including the Handforth East proposal, renamed the “North Cheshire Growth Village” and given the site reference CS30, as well as significant other proposals within the A34 corridor and around Macclesfield, particularly to the south).
- 3.3 The NPPF essentially requires that the starting point should be to see whether 100% of development needs can be met outside of the Green Belt; only if that cannot be done should development within or release of Green Belt be considered. CEC do not appear to have evidenced the necessary consideration of options outside of the Green Belt.
- 3.4 It might be asked whether a site identification or call for sites exercise should have been undertaken which specifically targeted areas outside of the Green Belt (possibly narrowed down by use of other exclusionary criteria such as the existence of assets of environmental or other notable value) or whether work should have been undertaken to establish what the total scope of deliverable development outside of the Green Belt might be, as opposed to just at pre-identified sites? The starting point appears to have been sites already identified as being strategic⁶ or sites put forward under the SHLAA; had a targeted exercise been undertaken then landowners may have been encouraged to put forward alternative sites that have not come forward. Without such a targeted exercise being undertaken it is hard to consider that alternatives to Green Belt release have been fully explored and, it follows, to consider that exceptional circumstances are demonstrated to exist.
- 3.5 The Strategy does make the case that sites within the northern Green Belt are required because the need being met is particular to that area (and, as is acknowledged, there are clear arguments in favour of the release of sites which might take advantage of GM’s labour market opportunities and infrastructure) but it is not clear whether any consideration has been given to potential mechanisms for allowing the need to be met outside of the Green Belt (such as, for example and perhaps most critically, through suitable investment in transport infrastructure allowing the needs to be met further south) or in other parts of the

⁶ It is uncertain why it was done in this way but it is notable that it includes sites within CEC’s ownership. This is, of course, potentially demonstratively beneficial to delivery but the deliverability of a site within the Green Belt does not outweigh the need to justify its release through adequately considering and ruling-out non-Green Belt options.

Green Belt where the harm would be less than the highest degree of harm which is identified for site CS30 by the Green Belt Assessment.

- 3.6 In addition it is concerning that the total housing figure which the Strategy seeks to deliver, as set out in policy PG1 "Overall Development Strategy" includes an average of 50 homes each year from 2020/21 to 2029/30 (stated to be 500 in total) to meet the needs of High Peak Borough. Given that CEC are seeking to evidence that they cannot meet their own housing needs without recourse to release of Green Belt it is questionable how they can justify accepting additional development on behalf of a neighbouring district; CEC's decision to assist High Peak does not amount to exceptional circumstances⁷. It is acknowledged that delivering some of High Peak's housing in CEC may relieve transport congestion on the A6 corridor which would be to the benefit of some parts of Stockport, but the residents of the new dwellings would make use of alternative transport corridors, quite likely passing through other areas of Stockport which also have significant existing congestion and air quality issues. Any benefit in those terms to one part of Stockport, albeit welcomed, would likely be offset by an equivalent disbenefit in other parts. Incidentally, there was no mention of this intent in any earlier version of the Strategy; the first time that it was brought to the attention of SMBC was in the drafting of the Memorandum of Understanding during February 2014 and it was not mentioned in the version of policy PG1 set out in the Pre-Submission Core Strategy consulted on during November/December 2013. This change to the overall development strategy goes to the fundamental core of the plan (perhaps, indeed, to its strategic priorities) and, it is suggested, is of such significance that should have necessitated at least a further round of consultation rather than simply being added to the final publication/submission version.
- 3.7 Whilst the concerns above relate to the overall approach to Green Belt, it is also of very significant note that the CS30 "North Cheshire Growth Village" site is assessed as having the highest possible level of importance in Green Belt terms. This, in essence, is setting the bar at the highest level possible with regard to the degree of exceptional circumstances required to outweigh the degree of harm potentially caused by the proposal.
- 3.8 Perhaps the main and obvious reason for the North Cheshire Green Belt is to constrain the outward sprawl of the GM conurbation, limiting its coalescence with and maintaining separation from other settlements. In doing this it encourages the regeneration of urban sites within the conurbation, something which it has arguably been exceptionally successful in doing since its inception.
- 3.9 It follows from this that if it is demonstrably necessary for CEC to release land from the Green Belt so as to meet development needs then, arguably, the land identified for release ought to be that which is most remote from the conurbations which the Green Belt seeks to prevent from sprawling. The proposed Handforth East / CS30 site, filling, as it would, nearly the entire open gap between Handforth and Bramhall, is quite probably the area of Green Belt within CEC's boundaries, certainly within their northern Green Belt, that is least remote from the core of the adjacent conurbation.

⁷ Paragraph 179 of the NPPF sets out that local planning authorities should work jointly to meet development needs which cannot wholly be met within their own areas. The example given – "... for instance, because of a lack of physical capacity..." – is pertinent to High Peak's situation but CEC should have declined to assist because they cannot meet their own needs for the very same reason. High Peak have also, similarly to CEC, enquired as to whether SMBC might assist in meeting some of their development needs; SMBC have declined for the same reasons as given to CEC, namely that SMBC has a lack of physical capacity itself.

- 3.10 The Strategy also proposes the allocation of over 130 hectares of land that is currently within the Green Belt as Safeguarded Land (sites CS31 to CS36). Whilst acknowledging the possible benefits in sustainability terms of focusing on one single large development rather than a number of smaller developments it is notable that all of these sites are more remote from the core of the conurbation than CS30 and all but one are assessed as making only a "Contribution" or "Significant Contribution" to the Green Belt as opposed to CS30's "Major Contribution". The only proposed Safeguarded Land site assessed as making a "Major Contribution" is CS34 which was assessed as part of the same parcel of land in the Green Belt Assessment as CS30 (parcel HFT08); it is contended that had this site been considered as a separate parcel then it would likely have been concluded to make only a "Significant Contribution" (the same contribution that the parcel to its immediate south, WLM02, is assessed to make).
- 3.11 No justification is given for the allocation of any of the proposed areas of Safeguarded Land beyond a simple statement that it is a requirement of paragraph 85 of the NPPF. This is not correct. The third bullet point under NPPF paragraph 85 requires that areas of Safeguarded Land should be identified "where necessary". As the Strategy fails to set out any reason or justification for why it is considered necessary it should be considered erroneous for any Safeguarded Land to be allocated.
- 3.12 In the absence of justification for the inclusion of Safeguarded Land within the Strategy it is reasonable to contemplate why the proposed Safeguarded Land could not be alternatively allocated to accommodate the development proposed for CS30 (bearing in mind that, CS34 aside, it makes a less important contribution to the Green Belt and is all more remote from the conurbation core than the Green Belt is designed to focus redevelopment towards than site CS30). This would realise an overall greater area of land for development, even without the inclusion of CS34. Given that there is no demonstrated necessity for the allocation of Safeguarded Land (and no requirement to identify it in the absence of any necessity) it follows that CS30's Green Belt allocation could be maintained, which (as the Green Belt Assessment clearly evidences) would be less harmful in Green Belt terms.
- 3.13 The above failings, inaccurate interpretations of national policy and erroneously determined approaches might have been entirely avoided a) if consultation had been undertaken on the Green Belt Assessment methodology before it was carried out and b) if the Green Belt Assessment had been undertaken at an earlier stage of plan preparation
- 3.14 To summarise, SMBC's principal concerns with regards to Green Belt are that:
- (c) The need to release land from the Green Belt to meet future development needs has not been adequately demonstrated as no targeted exercise has taken place to establish whether owners of land outside of the Green Belt (not necessarily within the built areas of CEC) would be interested in taking it forward for development (and, therefore, no work has been undertaken to establish whether development of any such land might be deliverable). The need to release land is based simply on an assessment of the development capacity of already identified sites, including those within CEC's ownership and those which CEC had already determined should be taken forward for development;
 - (d) The Green Belt Assessment should have been undertaken to inform the Strategy and associated appraisals, earlier in the plan process

- (e) Given its significance, the Green Belt Assessment methodology should have been subject to consultation, at least with key stakeholders, prior to its application. As a likely outcome of this, site CS34 should have been assessed as a separate parcel of land from CS30;
- (f) The Strategy proposes the release of land that would have the greatest detrimental impact on the purpose of the Green Belt of any assessed;
- (g) There is no justification, necessity or requirement for the identification of Safeguarded Land;
- (h) The proposed Safeguarded Land might alternatively be allocated to meet development needs during the plan period and the more harmful proposal to release site CS30 should be dropped. (On the assumption that the targeted exercise referred to above does not entirely negate the need to release land from the Green Belt); and
- (i) Seeking to deliver an increased number of dwellings to assist High Peak Borough's housing delivery and reduce impacts on the Peak District National Park, whilst understandable, is incompatible with CEC's inability to meet their own housing needs without recourse to release of land from the Green Belt.

4 Infrastructure

- 4.1 The concerns about infrastructure relate to the transport/highways impacts both of site CS30 (and any future phase that might subsequently be delivered at the Safeguarded Land site CS34 to the south) and cumulatively with regard to the significant number of sites that are in proximity to the A34 or other transport corridors that feed into it⁸. It is considered that the mitigatory measures required to overcome these impacts are likely to be substantial and far-reaching, quite probably including the need for significant investment in highways infrastructure within Stockport, particularly at junctions on the A34 going northwards through Stockport towards Manchester, with each junction improvement quite likely simply resulting in the next junction north requiring improvement. Whilst the A6-MARR scheme now has planning permission, it has not been designed to create additional capacity which would accommodate additional development but, rather, is designed to relieve existing congested areas, allowing road space within those areas to be reallocated so as to function in a way that better meets the needs of local communities. Indeed, paragraph 7.63 of the SEMMMS strategy⁹ sets out an explicit presumption against development adjacent to the new road schemes that it proposes, clearly noting that inappropriate land use developments have the potential to undermine some, or all, of the recommended strategy and erode the benefits it will bring.
- 4.2 Page 161 of the *Duty to Co-operate Statement of Compliance* sets out agreement on the undertaking of a multi-modal study to investigate options to mitigate the transport impact of the proposed “North Cheshire Sustainable Village” (CEC appear to be using this alternative name interchangeably with “North Cheshire Growth Village”).
- 4.3 The Strategy is laudable in that it seeks, *inter alia*, to guide development to sustainable and accessible locations or locations that can be made sustainable and accessible (policy CO1 “Sustainable Travel and Transport”). Policy CS30, in relation to the “North Cheshire Growth Village”, follows the approach of CO1 setting out the principle that highways/transport contributions may be required and that:

“Appropriate linkages must be provided to improve connectivity and accessibility into and out of the site to the wider local area, including improvements to the accessibility of Handforth Railway Station” (Site Specific Principles of Development d.)

and

“Allow for appropriate highway impact mitigation measures to the A34 and A555 corridors” (Site Specific Principles of Development f.)

⁸ The concerns also extend to the possible impact of proposals on other transport corridors that ultimately pass into/through Stockport, including those at Disley on the A6 and around Macclesfield on the A523, although the A6 corridor has been subject to a multi-modal study undertaken jointly by SMBC, CEC, High Peak, Derbyshire County Council and Transport for Greater Manchester to establish the most appropriate mechanisms for mitigating the transport impacts of development along its entire length from Greater Manchester to Buxton.

⁹ The South East Manchester Multi-Modal Strategy (SEMMMS) can be viewed at <http://stockport-consult.limehouse.co.uk/file/1224068>. It is, however, notably absent from the list of Local Plan Research and Evidence provided by CEC on their website despite Cheshire County Council and Macclesfield Borough Council (now superseded by the single tier Cheshire East Council) being involved in its preparation and agreeing, with the other authorities within its area of coverage, to implement its findings and recommendations.

- 4.4 However, this has no regard to whether appropriate linkages or measures are physically/technically feasible and financially viable. Until the agreed study reports and actual measures are proposed, demonstrated to be physically/technically feasible and financially viable and agreed by all parties (noting the certainty that measures will be required outside Cheshire East) then it is not possible to demonstrate that the proposed development is deliverable.
- 4.5 By way of illustrating this, whilst it may be possible to make the necessary improvements that make Handforth Railway Station accessible by sustainable means to residents of the new development (although how remains to be shown) the study will also need to address the fact that there is limited, if any, spare capacity within the rail network or existing rail services to accommodate the additional patronage that would likely arise.
- 4.6 To summarise, SMBC's principal concerns with regards to infrastructure are that:
- (j) The reliance upon sustainable modes of transport, whilst laudable and supported, is not evidenced to be deliverable, especially in relation to rail capacity; and
 - (k) The strategic sites in the A34 corridor, including CS30, and (it follows) the Strategy as a whole are not evidenced to be deliverable.



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

Services to Place

Place Development, Stopford House,
Piccadilly, Stockport SK1 3XE

Mr. Adrian Fisher
Spatial Planning Team
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

paul.lawrence@stockport.gov.uk
Fax: 0161 474 4586
Phone: 0161 218 1940
Ask for: Paul Lawrence

21st September 2012

Dear Mr. Fisher,

Re Consultation on Town Strategies

Stockport Council has a number of concerns relating to the six town strategies that you are currently consulting upon. These concerns are most pertinent in relation to the Poynton and Handforth strategies which have the greatest potential impact upon Stockport and the wider Greater Manchester sub-region but are also of relevance to those being prepared for Macclesfield, Knutsford, Crewe and Nantwich.

More specifically:

• **Infrastructure / Community Infrastructure Levy (CIL)**

It is noted that the strategies each contain details of infrastructure that may have to be provided in support of new development. Consultees are asked to rate how important they consider each element of infrastructure. However, no assessment appears to have been undertaken as to what infrastructure would have to be provided to ensure that any of the options could be brought about sustainably. An understanding of what infrastructure improvements local people would like to see is not evidence of what infrastructure improvements are required. This is particularly relevant to transport infrastructure and (specifically but not exclusively in relation to Poynton and Handforth) the certain cross-boundary impact that development of any of the options would result in.

Before deciding which options may be worthy of taking forward for further consideration (as part of the Cheshire East Local Plan) it first needs to be determined what infrastructure improvements are necessary to enable them to be brought about sustainably and how those infrastructure improvements will be put in place. If the necessary improvements cannot be put in place then the Local Plan would be at significant risk of being found unsound on the grounds of deliverability; it is essential, therefore, that consideration is given to such matters at the outset, rather than after preferred options for development have already been established through the town strategies process.

Each of the town strategies sets out a degree of prioritisation as to how contributions made under a future community infrastructure levy (CIL) would be spent. It is important to note that infrastructure funded under CIL has to be linked to the additional needs created by new development. To impose the levy the Local Planning Authority must first identify any shortfall in infrastructure required to enable the envisaged level of sustainable development; the charge placed on development is calculated based on meeting that shortfall rather than on meeting a wish-list of locally determined '*benefits to local residents*'. The regulations require it to be an empirical process, not a beauty contest.

We have specific concerns relating to the (as yet unassessed) impact of the various options in both the Handforth and Poynton strategies on existing and proposed transport networks in Stockport and the wider Greater Manchester area.

- **Green Belt**

Several of the strategies set out options which include the significant release of land currently allocated as Green Belt. It is asserted within these that it is necessary to release Green Belt to meet development needs and that by considering a variety of options the necessary requirements (established by case law) are met. We consider this assertion to be flawed as:

1. There is no apparent evidence of the housing need of each individual town or a reasoned/justified apportionment of the district wide housing target;
2. It is necessary to consider all reasonable options on a wider basis (including whether development needs might be met by neighbouring / nearby districts) not just a variety of options within the Green Belt or within the immediate vicinity of a given town. It should be a sequential approach with the development of greenfield sites in the Green Belt being the final option.

The approach set out in the strategies is essentially the reverse way to that which is required by case law:

- the first step should be to identify (with clear evidence) what the essential objective is (for example, the need to meet district-wide and more locally defined development needs);
- the second step should be to consider how those needs might be met outside of the Green Belt or as 'appropriate' development within the Green Belt as defined in NPPF paragraph 89; and
- finally (and only if the essential objective cannot be met through the second step above) establishing which is the most suitable land that might be released from the Green Belt.

Unless it is to meet very specific local needs the final step amounts to a strategic review of the Green Belt and should only result in the most suitable land (i.e. that which is not subject to other policy constraints, is available/deliverable and which contributes least to the purposes of the Green Belt) being released if it is clearly demonstrated that achievement of the essential objective outweighs the harm caused.

One final matter on Green Belt is that there is a direct contradiction between Poynton strategy objective 6a (which sets out that the Green Belt will be preserved) and the subsequent options involving the significant release of Green Belt land to meet development needs. This contradiction is mirrored in the Handforth strategy which sets out in both its vision and objective

5 that the intention is to preserve the existing gap / undeveloped area between Handforth and Heald Green but then goes on to suggest options for development within that area.

- **Woodford ‘Garden Village’**

Paragraph 6.4 of the Poynton strategy sets out that ‘*Some of the demand for housing may be met by development close by in Stockport Borough, namely the proposed Woodford Garden Village*’. Such an approach may be possible if it is shown to be meeting the very local needs of the Poynton area but (especially given the current housing land supply situation in Stockport) would have to be off-set by an equivalent number of dwellings to meet Stockport’s non-local housing needs (i.e. houses that could realistically be delivered anywhere within a wider, travel-to-work area) being delivered within Cheshire East. We would certainly consider further discussion of this point, especially if it were to assist us in meeting our needs for gypsy, traveller or travelling showpeople accommodation.

- **Poynton strategy Objective 6c**

In accordance with paragraph 97 of the NPPF, Local Planning Authorities should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;
- support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

Poynton strategy objective 6c seeks to make an explicit exception to the use of wind farms in terms of promoting the use of renewable energy in all developments. In the apparent absence of any evidence in support of this approach, this is directly in conflict with the NPPF. If this approach is continued into the Local Plan then it would be at significant risk of being found unsound on the grounds of conformity with national policy.

Whilst it is acknowledged that the town strategies will not form part of the statutory development plan for Cheshire East they will, nonetheless, have some weight in informing the Local Plan as they are being formally approved by the relevant town councils who are statutory consultees on the Local Plan. We consider it imperative, therefore, that Stockport MBC is afforded more time to fully consider the implications of the strategies and (given the statutory Duty to Co-operate) need to agree a proper dialogue process with yourselves. That dialogue needs to reach mutually acceptable conclusions on the matters above (amongst other things) – without that, as things stand, we consider that if any of the options set out in the various town strategies are taken forward into the Cheshire East Local Plan then that plan will be at considerable risk of being unsound on the grounds of deliverability and conformity with national policy, as well as failing to accord with the Duty to Co-operate. Given the potentially significant implications for Stockport and our partner authorities in Greater Manchester we may have no choice but to consider objecting to the plan on that basis.

Stockport Council was not consulted on the already approved strategies for Alsager, Middlewich, Sandbach and Congleton, or on the strategy for Wilmslow which is currently being finalised. These comments, therefore, are also of relevance to those strategies and should be taken into account if and when any of the options they contain are taken forward into the Local Plan.

Yours sincerely,

Paul Lawrence
Service Director
Place Development

CROSS BOUNDARY TRANSPORT & DEVELOPMENT BOARD

Friday 5th July 2013, 10.30am
Management Meeting Room, 2nd Floor, Westfields

MINUTES

Present:

CEC: Kevin Melling (Chair) (KM)
 Cllr David Brown (DB)
 Adrian Fisher (AF)
 Andrew Ross (AR)

SMBC: Ian Roberts (IR)
 Jim McMahon (JMc)

1.0	TERMS OF REFERENCE	Action
1.1	A general discussion was held around proposals and Terms of Reference. It was agreed that the host authority chairs the relevant meetings. Cllr Brown to oversee future Cross Boundary meetings on behalf of CEC.	
1.2	Action: Meetings to be held quarterly but a special meeting to be called at any time when there is special occasion to warrant one. LL to add onto the Terms of Reference.	LL
2.0	DUTY TO COOPERATE AGREEMENT	
2.1	AF expressed thanks for the ongoing assistance of Richard Wood with cross boundary issues. There are reservations in terms of the high level of evidence for the approach Cheshire East has taken. People need to read through the rationale/approach which has been taken. Work has been done internally and is not in the public domain. Further meetings have taken place since the last Cross Boundary meeting. Stuart Penny and Richard Wood have been liaising and will meet and discuss further.	
2.2	DB said that there are pressures on the Local Plan and the timescales involved. The target date for this to be finalised is September and DB asked Stockport to assist with this. IR said issues have been identified and discussed with a view to resolve them as soon as possible. IR happy to move forward with this once the contract is received.	

2.3	<p>The Greenbelt review has been refreshed and work completed. Action: AF to share evidence and rationale with Stockport.</p>	AF
2.4	<p>IR said that mitigation is going to be needed for the increase of traffic on the A34. DB said that the potential of a school and hospital being built should assist with this.</p> <p>Action: AF to check with Stuart Penny what he has received up to now so gaps in information can be filled in for clarification.</p>	AF
2.5	<p>DB has issued another brief on Gypsy & Traveller sites. There are no official sites in Stockport due to sites needing to be in residential areas as rural areas are away from transport links. Action: Stockport to liaise further with CE to arrange solution.</p>	JMc/IR/ KM/AF
2.6	<p>DB commented on the Local Plan – DCLG have done a critique on planning advisory services and the planning inspectorate. This has proved to have been worthwhile. IR advised that transport mitigation is vital. Action: AF to follow up and check that needed information has been received and distributed. Further meeting to be set up to resolve outstanding issues if required.</p>	AF
3.0	<p>DEVELOPMENT/TRANSPORT INFRASTRUCTURE UPDATE</p> <p>3.1 The community council have put in a request for a neighbourhood plan. It is not clear when the planning application is coming in. Action: AF to chase.</p> <p>3.2 <u>A6 – Manchester Airport</u> Second phase of consultation underway. JMc said that additional mitigation measures have been included to protect people who live near the road. There has been good feedback with issues being addressed. This phase finishes on 19th July. Mid September is the earliest time to create the report which will go to Executives. Timescales are tight.</p> <p>3.3 <u>GM Combined Authority meeting</u> It is expected that there will be a report re scheme funding at the GM Combined Authority 26th July and to confirm an allocation to go with the Government's grant to the scheme.</p> <p>As a consequence of the scheme being within Greenbelt there may be a planning enquiry even though the proposal is consistent with local policies. Positive feedback has been received for the first phase of the consultation with approximately 70% in support of the scheme. Exhibitions have gone well and owners of the approximately 200 houses facing the route have been invited to local liaison forums.</p> <p>3.4 <u>PRR</u></p>	AF

3.5	<p>This is being progressed. Cheshire East worked closely with Stockport on the consultation process and the plan is now in place. Still awaiting funding for the scheme. Section 8 agreement yet to be finalised. JMC reported that outstanding issues need to be resolved to allow for Executive/Cabinet decisions to be taken in September.</p> <p><u>A6 Corridor</u></p> <p>The A6-Manchester Airport model is forecasting a significant increase in traffic on the corridor. It was identified that Cheshire East and Stockport need a joint strategy that both are comfortable with and can then share with Derbyshire Council. The possibility of a range of multi-modal measures for the corridor were discussed which would ease the traffic volume.</p>	
4.0	<p>FUTURE TRANSPORTATION PROJECTS</p>	
4.1	<p>AR said that they are taking advantage of the SEMMMS scheme model and there are many projects in the pipeline. It is estimated that economic growth will arise from these projects. AF/AR have a meeting arranged to discuss growth implications with HS2.</p>	
5.0	<p>INVOLVING OTHER NEIGHBOURING AUTHORITIES</p>	
5.1	<p>AR reported on Transport for Greater Manchester.</p>	
5.2	<p>New East/West Corridor – need to look at how other projects fit together within this.</p>	
5.3	<p>Superfast Broadband is in place.</p>	
6.0	<p>DATE OF NEXT MEETING</p> <p>Beginning of October @ Stockport (TBC)</p>	



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

Services to Place

Place Development, Stopford House,
Piccadilly, Stockport SK1 3XE

Ref: PL/KM

20 December 2013

Caroline Simpson
Director of Economic Growth and Prosperity
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1H2

Email: Paul Lawrence@stockport.gov.uk
Fax: 0161 474 4369
Phone: 0161 218 1940
Ask for: Paul Lawrence

Dear Caroline

Thanks very much for the recent meetings at which you and your colleagues have explained your Council's Development Plan in more detail and answered a number of our previous queries. There really remain two substantive issues – the approach to Green Belt release and the deliverability of the North Cheshire Growth Village (Handforth) site.

On the Green Belt release issue, as I have written previously, we understand the strategic argument in favour of the release of the Handforth site. Its proximity to the GM boundary, with associated labour market opportunity and infrastructure is acknowledged. However, we remain concerned about the justification to release a site that plays such a major role in the purposes of the Green Belt when other less harmful options appear to have been available to you (or were not assessed as part of your exercise). This still represents an issue for us in respect of the appraisal methodology you seem to have adopted.

In terms of the Handforth site, our view remains that delivery has not yet been proven. Given that this is a key test of the site's inclusion in the strategy, we would therefore suggest, as agreed at the most recent joint meeting, that further joint work is undertaken.

Our concerns relate specifically to the Handforth proposal but also by extension to the wider proposals within the A34 corridor and the wider segment of Cheshire East that has clear inter-activity with Stockport and Greater Manchester (essentially the segment from the A6 in the east around to the A538 in the west).

For the Plan to be deliverable, the scale of the impact on infrastructure needs to be described and then a high level summary of realistic and deliverable measures that would mitigate them set out. We believe that your case for releasing the Handforth site from the Green Belt is weakened as it relies substantially upon its location having good rail and road linkages but those linkages do not,

as things stand, have the capacity to accommodate any additional development, particularly in the A34 corridor.

Taking this into account, I understand the meeting on 3rd December between our colleagues agreed on the need for a multi-modal strategic study of this segment (although excluding the A6 corridor as that is subject to a similar existing and ongoing study). As discussed, this study would be undertaken jointly by your authority with ourselves but also potentially with the involvement of other appropriate GM partners such as TfGM.

At the recent meeting your colleagues agreed to prepare a specification for such a study for consideration and agreement by all parties. We would very much hope that this study would be concluded as a matter of urgency and inform your final submission, and I will ask my team to work with yours on this to quickly finalise an agreed programme.

Finally, and for your information, it would be our intention to take a report on your Plan to our Area Committees in February so that local Members can be fully informed on your proposals. Any view from Stockport on your document for submission will be informed by these views.

I look forward to seeing you at the re-arranged Joint Member meeting in January.

With best wishes for Christmas and the New Year.

Yours sincerely



Paul Lawrence
Corporate Director, Place Directorate

CC:
Richard Wood - SMBC
Sue Stevenson – SMBC
Adrian Fisher – CEC