

## General Points –

- There is an urgent need to clarify the new boundary
- Don't forget that Maxwell (have I remembered him right?) will need redrawing!
- I suspect that CWaC will be pushing for a referendum, particularly if there are new residents from the boundary changes, and if you are designating any local green spaces/ wildlife corridors etc.
- If you do decide to designate local green spaces etc. I think that it is probably worth doing some quite extensive consultation. If you decide not to, and just update the policies, there may be no need to do extensive consultation, you could start at Regulation 14 (the statutory six week consultation process run by the parish council)
- I think that your original examiner was quite harsh, especially compared to some of the other examiners and in relation to what he wouldn't let you include. If you want to include wildlife corridors, footpaths, homes for an ageing population, I think that you most definitely could.
- I wouldn't be thinking of allocating housing sites at this point in time. I would recommend that the review runs to 2030, as the original plan and in line with the local plan. You have reached your housing targets up to 2030 and are under no obligation to allocate further sites and can argue that there is no strategic need (unless you want to?).
- Personally, I wouldn't be trying to change the settlement boundary either. I would guess that if you succeed it will only be redrawn again when the local plan is reviewed/ updated, so it might be a lot of work for limited gain? I'm not knowledgeable on the issues surrounding the concerns re the boundary though, so happy to be convinced of the need.
- Obviously some of the background information etc in the first sections of the Neighbourhood Plan will need updating. Some of the evidence has changed, and the NPPF has been updated twice since the NP was made, and so any references to paragraphs are now out of date. For these reasons I recommend not including these types of references (they will be in the Basic Conditions Statement) and evidence lists – it is up to individual groups of course though.
- I would try and keep the original themes, vision and objectives as far as possible, although the housing objective may need looking at. I think that unless you are intending having a very different plan, I would be trying to limit unnecessary changes. (This will just make the process simpler – if you are wanting to do a lot of changes, I think that I would be waiting until CWaC come out with new housing targets etc. and this would be when it would be worth looking at changing the settlement boundaries, allocating housing sites and establishing agricultural land classifications etc.)
- I really like the idea of a Neighbourhood Plan implementation section
- I think that you could review the locally listed buildings etc. and the views without needing to change the relevant policy. This would be helpful as although examiners state that they examine the whole of the review plan, so far, in practice, they haven't suggested modifications to any unchanged original policies (in Cheshire at least). Policies on views are quite hard to pass examination, so I would think that if you could leave the policy unscathed it would be helpful.

- I would consider whether you should have a design code/ an updated housing needs survey and a Cheshire Wildlife Trust report (see comments next to the appropriate policies below).

#### Suggested next steps for the steering group

- As a priority, try to establish the new boundary as the designated area may need to change
- Have a think about what level of consultation you think you will need to undertake. This will partly depend on whether you decide to introduce new policies on issues such as wildlife corridors and local green spaces etc. The two groups that have successfully reviewed their plans in Cheshire East didn't go back out to the community with questionnaires/ open days etc. as per their original NPs, but simply stuck to the statutory consultation stages. I think that if you are going to actually designate areas as wildlife corridors/ local green spaces etc. you would need to do more consultation – even if it just focussed on specific issues or likely large changes to the NP.
- Consider whether you would like to commission any further studies to help justify changes to the policies or the addition of new ones. Design codes are the 'in thing' at the moment (see comments next to policies BE1 and BE2 below) so having a design code, perhaps using the IBI Taylor Young Character Assessment as a starting point might be worth considering. If you would like a policy on housing for older people, or a stronger housing mix policy, it may be worth considering a housing needs report (see comments next to policy H3 below). I would also be considering a Cheshire Wildlife Trust report if you want policies on wildlife corridors/ stronger biodiversity policies etc (see comments next to policy LC1 below). Most groups can manage the Local Green Space policy themselves. Some groups have commissioned conservation reports, but unless you really want to focus on heritage it may not be necessary – especially if there is a recent Conservation Area Appraisal or your IBI Taylor report covers it.
- Have a think about whether any of your policies haven't been successful at preventing any developments or bad designs etc. as a starting point, and think whether an amended policy or a new one might have been worthwhile. Likewise, if any have worked really well, make a note so that they aren't amended too much.
- Do the usual drawing up a project plan/ apply for the grant funding etc.

Section A, below, lists the original policies, along with some comments/ thoughts about whether they may need amending. Section B lists some suggested new policies taken from other Neighbourhood Plans which you may wish to consider.

A - Suggested changes to the original policies

Malpas Neighbourhood Plan Policy	Comments
<p><b>H2. Rural Housing Development</b>            Development of individual homes in the rural area will be considered acceptable if they provide replacement dwellings. They will also be considered appropriate if they meet specific needs and deliver high standards of design and sustainability, in accordance with any of the following criteria:            (i) The home is required for rural workers at their place of work (in which case this must apply in perpetuity).            (ii) New individual dwellings in the rural area will also be considered appropriate if they deliver homes of an exceptional, innovative design. Designs must be truly outstanding or innovative, demonstrating the highest standards in architecture and helping to raise design standards in the rural area. The design must also be sensitive to the defining characteristics of the local area.</p> <p><b>H2. Rural Housing Development</b>            Development of individual homes in the rural area will be considered acceptable if they provide replacement dwellings. They will also be considered appropriate if they meet specific needs and deliver high standards of design and sustainability, in accordance with any of the following criteria:            (i) The home is required for rural workers at their place of work (in which case this must apply in perpetuity).            (ii) New individual dwellings in the rural area will also be considered appropriate if they deliver homes of an exceptional, innovative design. Designs must be truly outstanding or innovative, demonstrating the highest standards in architecture and helping to raise design standards in the rural area. The design must also be sensitive to the defining characteristics of the local area.</p>	<p>As the original policies were written before the housing targets from the Local Plan had been met, I think that you could have a new policy that is far stronger in restricting development to within the settlement limit unless appropriate in the countryside (and this would be in conformity with the Local Plan). I would suggest merging these two policies into something simpler, referencing the policies in the Local Plan. Something along the lines of</p> <p>Proposals for residential development within the settlement of Malpas, on sites that have not been allocated/designated for a particular use, will be supported in line with Local Plan Policy DM19. Proposals outside the settlement of Malpas must comply with Local Plan policies STRAT9, SOC2, R1, DM19 and DM24. <i>(You could expand a bit to explain what is appropriate etc. if you like – but little point in repeating LP policies).</i></p> <p>For the explanation/ justification I would be saying that you have met the requirement, no new strategic need has been identified – you’ll support new developments that are appropriate within the settlement boundary, and support residential developments outside the boundary that comply with open countryside policies in the Local Plan. The Local Plan Part Two (para 6.7) states that ‘Local Plan (Part One) policy STRAT 8 sets out the housing requirement for each of the key service centres up to 2030. Amendments were made to the supporting policy text during the examination process, summarising the land supply position and stating that "there will be little if any need for additional allocations to be made in the rural area"            This is the justification for Sandbach’s review – they had met and exceeded their housing target  <i>The Neighbourhood Plan seeks to promote further controlled housing growth in a more measured and incremental way, following large scale</i></p>

rapid growth. Development will take place on sites within the defined settlement boundary, in order to continue the established pattern of supporting development and characteristic separation between settlements whilst allowing required growth. This provides the best opportunity to steer further development towards smaller sites in the most sustainable locations and support regeneration. Fig.8 shows the main locations of development approvals – 2010 to March 2019. This approach is fully in line with national planning policy which aims to significantly boost the supply of housing. It also seeks to ensure that future decisions about the scale and location of additional housing development is plan-led, another key requirement of national policy. The Neighbourhood Plan is seeking to meet and exceed the housing requirement for the town. The Cheshire East Local Plan Strategy (2017) sets out the requirement for Sandbach to 2030. Policy PG7 of the Local Plan highlighted that Sandbach was expected to accommodate 2750 new dwellings in the period 2010-2030. During the period 2010 to March 2020, Sandbach has already delivered 2699 dwellings, with a further 1089 dwellings remaining to be built on sites with planning permission. The rate of delivery of new dwellings in Sandbach was recognised in the Sandbach Settlement Report, which was published in August 2020 by Cheshire East Council as part of their evidence base for Part Two of the Local Plan (the Site Allocations and Development Policies Document). The report stated that ‘taking into account existing completions, take up and commitments (including allocations), this means that there is no requirement to provide additional housing in Sandbach over the remainder of the Plan period through the SADPD.’ There is therefore no need to allocate further housing sites in Sandbach. The rapid growth of housing development in Sandbach since 2010 equates to an increase of 45% in the number of dwellings in Sandbach. The majority of new dwellings have been built on green field sites and are large scale, estate like developments of largely 3 or 4 bedroom houses. The Plan Phase 2 consultation survey (2015) highlighted that 74% of respondents indicated a desire for housing development to be delivered in

	<p><i>small scale developments. However, since 2010 figures indicate that only 15% of approvals have been achieved on smaller scale developments. To help address the balance, smaller scale developments over and above the existing commitments and local plan allocations will therefore be supported that accord with the above policy.</i></p> <p><i>This policy reflects serious concerns from the community that Sandbach, whilst continuing to grow, should do so at a scale and sustainable rate that will not harm the landscape, character and feel of the town and seek to ensure that the town’s individual sense of place and local distinctiveness is retained.</i></p>
<p><b>H3. Housing Type and Tenure</b></p> <p>When determining the affordable housing component of new residential developments in the Neighbourhood Plan area, in accordance with the relevant policies from the Local Plan, the appropriate figures for ‘Malpas Ward’ from the most up-to-date Strategic Housing Market Assessment should be specifically applied.</p> <p>Application of this policy should aim to ensure that new housing development provides for objectively assessed housing needs, including the needs of existing local residents who are seeking new accommodation in Malpas and Overton. This will include ensuring developments that provide an appropriate mix of housing types that respond to local demand, and the provision of affordable housing that responds to specific equity and rental requirements.</p> <p>The needs of older people should also be addressed. Developments of more than 10 homes in Malpas should include an element of fully compliant Lifetime Homes (or compliant to a relevant equivalent standard to the satisfaction of the local planning authority).</p> <p>The provision of affordable housing and older persons’ accommodation may be influenced by specific site conditions and scheme viability. Where scheme viability may be affected and where proposals do not meet the requirements identified above, then applicants will be expected to justify their proposals through the submission of a full open book viability appraisal.</p>	<p>I like this policy –I think that you could keep this, although the SHMA is pretty much out of date now, and so you could say ‘most up to date housing needs survey’. Have you thought about having an updated housing needs survey for Malpas? It may be overkill if you aren’t allocating or expecting new housing, but it would be good to help justify housing mix policies and possibly a housing for older persons type policy, which I note that you were keen on originally. The LP policies (DM20) give quite a lot of power to NP policies, and so if you wanted a specific mix and had the evidence I think you could make the policy even stronger – or have an additional housing for older persons policy.</p> <p>Here are 2 from the Sandbach review that may be of interest (NB they had an updated housing needs survey done for the review – it was desk top, rather than going out to all residents again, so wasn’t prohibitively expensive). Your policy has the benefit of having a figure of when a Lifetime Homes requirement is necessary. I think Sandbach’s housing and an aging population policy is better than CWaC LP policy DM26.</p>
	<p><b><i>POLICY H3– HOUSING MIX &amp; TYPE (SANDBACH)</i></b></p> <p><i>New residential developments should demonstrate how they have been designed to meet the most up to date assessment of local housing need.</i></p> <p><i>New residential developments should provide a mix of dwellings to meet</i></p>

*the identified need, e.g. affordable housing, starter homes and provision for housing an ageing population.*

*New developments should primarily seek to deliver the following types of market housing:-*

- One, two or three bedroomed housing*
- Single storey housing or apartments for older people or those with reduced mobility*
- Nursing and care homes and sheltered accommodation for older people*

*Affordable housing should be delivered in line with policies within the Cheshire East Local Plan, with house type and tenure taking into account the most up to date Sandbach housing need assessment. On site provision is preferred rather than contributions. In particular, there is a need for social rented properties, and for one and two bedroomed properties. Where the affordable housing is for older people, there is a particular requirement for one and two bedroomed single storey accommodation. Larger housing types will only be acceptable if they form part of a wider mix of house types and must be justified with appropriate evidence to meet an up-to-date specific housing need.*

*Planning applications should demonstrate how they have delivered a mix which responds to the sites' specific location, context and character through delivering appropriate densities and landscape treatment, especially when creating a new urban edge.*

***POLICY H4– HOUSING AND AN AGEING POPULATION (SANDBACH)***

*To meet the needs of an ageing population, developments will be supported that provide suitable, accessible houses for older people. Housing should be a suitable mix of tenures, including private, housing association, self-build, co-housing, together with an element of affordable housing based upon the most up to date assessment of local housing need.*

*The loss or redevelopment of existing housing for older people will not be permitted unless this includes the provision of new units designed to provide accommodation for older people to be available in at least the*

	<p><i>equivalent number of existing units that will be lost – unless in exceptional circumstances it can be robustly demonstrated through an up to date housing needs survey that the accommodation is no longer needed, or the need can be met elsewhere through the existing housing stock, or the accommodation will be replaced elsewhere within the Sandbach Neighbourhood Area.</i></p> <p><i>Developments should not reduce the availability of single storey accommodation through adding additional storeys unless the development is part of a larger scheme that re-provides single storey accommodation.</i></p> <p><i>Any proposals to enhance and improve the quality or quantity of housing for older people or which include dementia friendly provisions within the settlement boundary will be supported.</i></p>
<p><b>H4. Housing Character and Design</b></p> <p>The character of new housing developments should reflect the organic growth of Malpas to date and not result in large ‘estate’ type areas of similar appearance. Instead, new developments should contribute to creating sociable and inclusive neighbourhoods that respond to the village character and strengthen the existing community.</p> <p>New residential development should therefore ideally be delivered as schemes with a maximum of 30 houses. Where a scheme exceeds this number then different areas of distinct and discernible character, each no larger than 30 homes, must be designed into the scheme.</p> <p>All new developments should be designed with an outward-looking housing layout that positively addresses existing roads and have good pedestrian connections that promote integration into the existing settlement.</p> <p>Developments should conserve and enhance the historic environment, including the setting of heritage assets, where appropriate.</p>	<p>NB – Tattenhall, in their review, may be trying to ask for more affordable housing than in the LP – asking for ‘at least 30%’ rather than ‘up to’ - so it will be interesting to see if they are successful.</p> <p>I think that you should keep this – as it stresses the 30 homes figure, is very locally distinct to Malpas, and any changes may lead it to being more scrutinised at the examination.</p>

<p><b>BE1. Scale and Form of New Development</b></p> <p>New development should be a positive addition to the existing built form. The built character of Malpas and rural character of Overton and other outlying areas should be preserved. Achieving this will involve full consideration of:</p> <ul style="list-style-type: none"> <li>• Scale of development (including height)</li> <li>• Density of development</li> <li>• Integration with existing surrounding buildings</li> <li>• Impacts on the significance of heritage assets</li> <li>• Impacts on the setting of the heritage assets</li> <li>• Appropriate style, character and materials</li> <li>• Impacts on views and the existing relationship with the countryside</li> <li>• Impact on the wider townscape</li> </ul> <p>Development proposals that do not contribute positively to the built environment will be considered inappropriate.</p>	<p>I would leave these, unless you are considering having a design code prepared. You may be able to get one done free from Aecom (you apply as you would for the grant funding, through localities, and they prepare one alongside you rather than giving you extra money – you can still apply for the £10k). They may say no, if you are not expecting lots of new development –but may be worth a try. Upton and Tattenhall have had them prepared if you want to have a look at a completed one</p> <p><a href="https://tattenhallpc.co.uk/wp-content/uploads/2020/12/upton-by-chester_design_code.pdf">https://tattenhallpc.co.uk/wp-content/uploads/2020/12/upton-by-chester_design_code.pdf</a></p> <p><a href="https://tattenhallpc.co.uk/wp-content/uploads/2021/07/Tattenhall_NP_Design-Code_Optimized.pdf">https://tattenhallpc.co.uk/wp-content/uploads/2021/07/Tattenhall_NP_Design-Code_Optimized.pdf</a></p>
<p><b>BE2. Design of New Buildings</b></p> <p>The design of new buildings must reflect the distinctive character of Malpas and Overton. Development that fails to adequately reflect local character will be considered inappropriate.</p> <p>Development should conserve and enhance the historic environment, including the setting of heritage assets, where appropriate.</p> <p>Developers should refer to the Malpas Character Study and any subsequent relevant documents produced by CWaC (e.g. the Malpas Conservation Area Appraisal) and include within Design &amp; Access Statements (where these are required) an explanation of how their design proposals have responded to the significant aspects of local character. This explanation should have regard to the different character areas within the village.</p> <p>The extent of this character assessment and explanation of response should be commensurate with the scale of the proposed development.</p>	<p>(NB the Tattenhall one has been much improved since this version – as they and CWaC weren’t overly impressed – but the latest version hasn’t been uploaded on their web page yet).</p> <p>The benefits of this would be that design codes seem to be the ‘big thing’ at the moment for Neighbourhood Planning – mentioned in the new levelling up bill etc. so it is probably worth considering having one. They could use the IBI Taylor Young Malpas Character Study as a starting point – or you could just update that.</p>



<p><b>BE3. Alterations and Extensions</b>  Alterations and extensions to existing buildings must be carefully designed and implemented to ensure that the significant character of the building, and its contribution to the character of the wider area, including its impact on significant heritage assets and their setting, is not harmed. The cumulative impact of small changes should be considered as this can be detrimental to the character of the area if not carefully designed and controlled.</p>	<p>This policy could be deleted as it is covered in the Local Plan policies DM21, 46-48.</p>
<p><b>BE4. Character Buildings and Structures</b>  Development must respect and enhance the character and settings of buildings, structures and spaces that are considered important to the character of Malpas and Overton. These have been identified by the local community and are defined in the Neighbourhood Plan (at Appendix D and Figure 5.1). Development proposals that cause harm to these assets and their settings will be considered inappropriate unless overriding mitigating circumstances dictate otherwise. These assets will also provide important design cues for new buildings.</p>	<p>I would keep this policy as drafted as it is locally distinct to Malpas.</p>
<p><b>BE5. Archaeology</b>  Development must conserve and enhance designated and undesignated archaeological heritage assets within the plan area, and their settings. This includes below ground archaeology. In addition to designated archaeological sites, the areas identified on Figure 5.2 and listed below have particular local historical significance:</p> <ul style="list-style-type: none"> <li>• The Area of Archaeological Potential, which encompasses the historic town centre, including medieval burgrave plots, the castle and the church.</li> <li>• Sites of historic sandstone quarries</li> <li>• Lychets - survivals of ancient/medieval cultivation patterns</li> <li>• All suggested alignments of the Roman Road</li> </ul> <p>Planning applications for development affecting these areas should be submitted with a desktop archaeological survey undertaken by an appropriately qualified specialist, so that the impact of the proposed development on the significance of the heritage assets can be assessed. This may indicate that further</p>	<p>I would keep this policy too as it adds local detail to the Local Plan policy. I like this - I've not seen many NP policies (if any) that cover archaeology.</p>

<p>predetermination field evaluation excavation and/or mitigation secured by condition are required. Mitigation may take the form of further excavation, an archaeological watching brief or preservation in situ of significant archaeological remains.</p> <p>In addition to consultation with the Archaeology Planning Advisory Service and the Cheshire Historic Environment Record, specialists undertaking such surveys should consult with the Parish Council, which holds local knowledge on these sites</p>	
<p><b>LC1. Landscape Character and Development</b></p> <p>New development proposals in the rural area (i.e. outside the built up area of Malpas village) must preserve and enhance the established landscape character. Buildings in the rural area should respond to the established character of rural buildings. This includes the arrangement of buildings (i.e. isolated farmsteads with courtyard buildings), local boundary treatments (e.g. Cheshire Estate Railings and other local forms) and building materials, roofscapes and architectural features. External lighting, associated with new development, must be designed to minimise its impact on landscape character whilst providing the required level of lighting for personal security. This should include consideration of the timing of lighting use and effective technologies to minimise light spillage (such as down lighting).</p>	<p>NB - The Cheshire Landscape Character Assessment has been updated, and so has different character areas now. I think this policy is fine – I would keep it as it is, although reference ‘outside the settlement limit’. It could be expanded a bit after looking at the updated Cheshire Landscape Assessment if necessary.</p> <p>One thing which may be worth considering, particularly if you are interested in wildlife corridors, is to have a Cheshire Wildlife Trust study. Lots of groups have these done, and they are really useful for justifying policies on biodiversity, wildlife corridors, nature conservation etc. and for adding local detail/ maps etc. I’ve included some example policies that have been drafted using the wildlife study at the end of this report. Here is one if you want to have a look. They cost £2-3k but do take the Wildlife Trust a good few months.</p> <p><a href="https://www.inceparishcouncil.uk/wp-content/uploads/2022/01/ince-natural-environment-report.pdf">https://www.inceparishcouncil.uk/wp-content/uploads/2022/01/ince-natural-environment-report.pdf</a></p>
<p><b>LC2. Renewable Energy</b></p> <p>The development of renewable energy technology is supported, provided a range of unacceptable environmental, amenity and public health and safety impacts are avoided. The most appropriate technologies for each location should be sought, after consideration of all potential options for renewable energy options. Planning permission will be granted for proposals to develop renewable energy sources in the Neighbourhood Plan area, including wind turbines, unless any of the following apply:</p>	<p>This is up to you – I think this is adequately covered by ENV7 and DM 51-53 so I would be inclined to delete it, unless you really want to keep it. If you do, I would reference the above policies.</p>

<ul style="list-style-type: none"> <li>• significant adverse impacts on landscape character;</li> <li>• significant adverse impacts on the character of the built environment;</li> <li>• significant harm to heritage assets (including below ground archaeology) and their settings;</li> <li>• significant harm to the amenity of residential areas (including visual impacts and noise, distance, traffic, pollution and odour);</li> <li>• significant harm to a wildlife species or habitat;</li> <li>• unacceptable shadow flicker and electro-magnetic interference;</li> <li>• Non-conformity with established safety distances to bridleways and public footpaths.</li> </ul> <p>In all cases, application of these criteria should be considered in response to specific conditions of the site and its surroundings, including landscape, topography and land-uses.</p> <p>The impacts on landscape character, built character and heritage assets should be assessed with reference to national planning policy, local strategic policy and other relevant policies in the Neighbourhood Plan (especially BE1, LC1, LC3 and LC4).</p>	
<p><b>LC3. Key Views</b></p> <p>New developments should protect the key scenic and distinctive views into and out of the village (including the Conservation Area), and across the open fields, and minimise the visual impact on the landscape. These key views are identified on Figure 5.1.</p>	<p>I would keep this as it is – views are notoriously difficult to get through examination, and so it may be worth keeping exactly as it is in the hope that it won't be looked at too closely in a further examination. If any of the views have unfortunately gone as a result of new development, they would need to be deleted.</p>
<p><b>LC4. Biodiversity</b></p> <p>Development proposals should seek to increase biodiversity. This can include the provision of new or extended wildlife corridors, new green spaces and the use of indigenous species in new planting. The community wish to see hedgerows and mature trees retained wherever possible. This should be reflected when considering development proposals that affect trees and hedgerows or proposals that affect TPO-protected trees or trees and hedgerows within the Conservation Area.</p>	<p>I think that this could be made much stronger – maybe a new trees/ hedgerows policy, especially if you have a Wildlife Trust report, and a new wildlife corridor policy. DM44 and DM45 cover these issues, but you could add more local distinctiveness. I've included some example policies at the end of this report that other groups have done and that have passed examination.</p>

<p><b>SF1. Village Centre</b></p> <p>The Village Centre as defined in Figure 5.1 should remain the focal area where shops, services and community facilities are clustered. New retail uses (use classes A1 to A5) should be provided within, or on the edge of, this area unless a sequential test demonstrates that there are no suitable sites available (in accordance with Policy ECON 2 of the CWaC Local Plan) or unless they are required to meet specific rural needs. New retail uses should be proportionate to the scale and role of the existing centre in meeting the day to day needs of the local community. New or enhanced facilities for tourists and visitors in the Village Centre will be encouraged.</p> <p>Changes of use within the Village Centre should not prejudice the predominant character of active street frontages with businesses open to the public. The loss of existing shops and related commercial facilities for the local community should be resisted.</p>	<p>Most of this is now covered by local plan policies DM15-17, although it should be noted that use class orders have been changed. This policy covers tourism and visitor facilities though. Up to you if you keep it, but it would need to be slightly redrafted to reflect changes to use class orders, reference to policies DM 15-17 would need to be referenced, and you could strengthen the last part. Some changes of use now have permitted development rights, but you could say something along the lines of</p> <p>‘Change of use of shops and related commercial services for the local community which require planning permission will be resisted unless it can be demonstrated any replacement use will provide equal or greater benefits to the community. Proposals must demonstrate that the site has been marketed for freehold or leasehold purposes for the current use at a reasonable commercial price for at least twelve months without an appropriate offer being received.’</p> <p>I think it is adequately covered by the local plan – so could be deleted.</p>
<p><b>SF2. Church Street</b></p> <p>Church Street should remain a special character area within the centre, building on its high heritage value and the presence of St Oswald’s Church. Development proposals must respect this distinctive character and contribute to the creation of a niche area with a mix of appropriate uses including high quality food and drink, specialist retail outlets and residential properties. Development should conserve and enhance the historic environment including its setting, where appropriate.</p>	<p>I really like this as it is so locally distinct to Malpas – definitely keep this as it is.</p>
<p><b>SF3. Upper Floors</b></p> <p>The use of upper floors in the Village Centre for office, professional services and residential use will be considered appropriate, whether this is connected with the ground floor business or independent from it.</p>	<p>I would keep this (although the system is meant to be changing – again). I would keep it though as it allows for the list of aspirations on page 58-60 and appendix E to be included in the NP.</p>
<p><b>LE1. Flexible Workspace</b></p>	<p>I would keep this as it is if you are still happy with it.</p>

<p>Applications for the development of flexible workspace (including meeting rooms) for small businesses that wish to expand will be supported if a suitable location can be identified in Malpas. Locations within or immediately adjacent to the Village Centre are preferred, but other sites may be deemed suitable if there are no available sites in the village centre. The suitability of sites must have regard to residential amenity, traffic and parking impacts and the application of other relevant policies.</p>	
<p><b>LE2. Rural Diversification and Local Tourism</b>  The Neighbourhood Plan supports diversification in the rural economy, especially development proposals that create local employment and introduce new or enhanced leisure and tourism opportunities.  Small scale rural offices, retail and other small scale employment or tourism development in the rural area will be permitted where this supports existing farms and businesses in the rural area (for example farm shops) or where the use is linked with the rural location. In addition to farm/rural diversification schemes, proposals for the extension of existing buildings or conversion of existing rural buildings for economic purposes will be supported. New or expanded employment or tourism facilities must be proportionate to the character of the rural area and such proposals must have full regard to transport impacts and effects on landscape character.  Proposals for small scale retail facilities within the rural area to support farm diversification, or as ancillary to tourism facilities, will be supported.</p>	<p>I think that this is fine. I would keep this as written.</p>
<p><b>TC1. Pedestrian and Cycle Routes</b>  New developments should provide for safe, direct and attractive pedestrian and cycle routes - through the developments and into the Village Centre, where these are required by the development and do not currently exist or are in need of improvement.</p>	<p>I would keep this policy – it adds a bit to local plan policies, adding for the routes to be attractive and for routes to go through the developments and into the village centre. It could possibly be expanded as per the suggested sustainable transport policies at the end of the report.</p>

## B - Suggested new policy examples

These are policies that you may want to consider including, based on suggestions from the original NP, policies that the original examiner deleted, and the 'climate emergency'. I think the housing space standards could possibly be looked at via the design code if you do one? Obviously, there would need to be evidence to back them up. Broadband is covered by Local Plan policy DM18

### Wildlife corridors/ biodiversity

(these are from Darnhall, and were drafted with the help of the Cheshire Wildlife Trust Report)

#### **Policy CE1 – Biodiversity**

Development will be supported where there is a net gain of biodiversity resources and where it enhances the ecological network of the borough. The habitats and the wildlife corridor network shown at Figures B and C, and local wildlife sites shown at Figure D, shall be protected from new development unless it can be demonstrated that the benefits of development clearly outweigh the impact it is assessed to have on the site and the wider network of sites.

Development which would result in the loss of or damage to ancient woodlands shown at Figure E will only be supported if there are wholly exceptional reasons and a suitable compensation strategy exists.

New developments shall demonstrate a net gain in biodiversity using appropriate evaluation methods and avoidance/ mitigation strategies. Compensatory measures (for example biodiversity offsetting) will be required where a net loss of biodiversity is demonstrated.

#### **Policy CE2 - Natural Assets**

Proposals to protect and enhance all natural assets will be supported. New developments must seek to provide for greater integration between existing wildlife corridors (Figure C) and where possible should contribute to the creation of new or improved links

## Trees and Hedgerows

This is from Eaton in Cheshire East – I think this is good as it is locally distinct, naming specific trees etc.

### **POLICY BNE8 – TREES, HEDGEROWS, WATERCOURSES, LAKES AND PONDS**

Hedgerows, trees, watercourses, lakes and ponds which make a significant contribution to the amenity, biodiversity and landscape character of Eaton must be preserved, and development which would have a significant adverse impact upon them will not normally be permitted. In exceptional circumstances, where the benefits of development are considered to outweigh the benefit of preserving trees, hedgerows and watercourses, development will only be permitted subject to appropriate mitigation. The retention of trees, hedgerows and watercourses in situ will always be preferable.

Any new developments will, where appropriate, be required to include suitable plantings of trees and hedgerows. The planting of hedgerows as boundaries rather than fencing in all properties will be supported.

Applications on sites where hedgerows follow the historic field plans will be expected to include plans to ensure that these field boundaries are retained and enhanced.

For the purposes of this policy, significant trees are the mature oak in the Millennium Park; those by the Community and Church Hall entrance drive; trees along School Lane; the Diamond Jubilee oaks behind the Plough Inn; the woodland belts which are the remains of the Eaton Hall Estate; and the oak tree behind the old school house. They include the trees the subject of Tree Preservation Orders as illustrated on Figure I. Watercourses, lakes and ponds which make a significant contribution to the Neighbourhood Area are the River Dane, its banks and riverine surroundings, the quarry lakes (Eaton Hall sand and gravel quarry) and Cranberry Moss.

## Sustainable construction

This is from Upton-by-Chester. It is very strict but got through examination unscathed.

### **Policy S1: Sustainable construction**

- All development must support the Neighbourhood Development Plan objective of seeking reductions in carbon emissions from within the Upton NDP area and mitigating the impacts of climate change. Developments should be zero carbon, with residential developments meeting Passivhaus standards, and should be designed to minimise non-renewable energy consumption, including the use of sustainable main materials, high energy efficiency levels, the incorporation of renewable energy initiatives and the efficient design of the building, except where there is clear evidence that it is impractical and/or non-viable. The sustainability of main building materials should be demonstrated by life cycle assessment.
- Major developments are required to support sustainable living and utilise best practice in the use of sustainable resources and green technologies such as renewable energy and storage, decentralised heating systems, heat from waste systems and rainwater harvesting.
- All development proposals (including changes of use) will be expected to achieve the highest levels of energy and water efficiency, except where there is clear evidence that it is impractical and/or non-viable.
- All development proposals (including changes of use) will be expected to demonstrate that they have examined and maximised opportunities to incorporate sustainable design features.
- Developments which would lead to improved energy and water efficiency in existing buildings and which do not negatively impact the character of the building or surrounding area will be supported.



## Footpaths

This is from Eaton (and lots of other Cheshire East plans have similar policies). I like it because it sneaks in speeding, which most residents are interested in, but really is outside the scope of the NP.

### **POLICY T12– FOOTPATHS AND ACCESS TO THE COUNTRYSIDE**

- a) Access to the countryside will be promoted through protection and maintenance of the existing Public Right of Way network (see 6.14 Figure J - map of existing Public Rights of Way), its enhancement where possible, and the safety of users of rural roads and lanes.
- b) Any development that leads to the loss or degradation of any Public Right of Way will not be permitted in other than very special circumstances, and then only if a suitable alternative to loss can be provided. Proposals to divert Public Rights of Way shall provide clear and demonstrable benefits for the wider Eaton community.
- c) Any new development must provide easy, accessible traffic-free routes for non-motorised users (to include pedestrians, disabled people, people with prams or baby-buggies, cyclists and where appropriate equestrians) to open spaces, facilities and nearby countryside. The provision of any such additional routes will be supported.
- d) The needs of non-motorised users (as described above) must be taken into account in all traffic planning, but especially in relation to rural lanes and roads. Hazards arising from an increase in vehicle numbers where agricultural buildings are converted to residential or commercial use will need to be taken into consideration. Measures to be taken to ensure this may include, for example, separation of pedestrians/cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction.

This is Eaton's sustainable transport policy, which may be of interest as it expands upon your transport policy and incorporates a bit more. It is similar to Local Plan policy T5 however, so you may think it unnecessary. If you did a village travel plan, you could try linking it here.

#### **POLICY T11 – SUSTAINABLE TRANSPORT**

In order to improve sustainable transport and safety and to facilitate cycling and walking, where appropriate, applicants for any new development must demonstrate:

- a. Safe walking and cycling routes in the immediate area of the proposed site, with consideration of access to local facilities;
- b. The provision of safe cycle storage facilities;
- c. How any adverse impacts of traffic from the proposed development will be mitigated;
- d. That the most up to date parking standards required by Cheshire East Council will be met and on-site parking must be provided for any new developments.
- e. That any proposed site is located in an acceptable place in relation to the existing highway network, especially from a safety and aggregate congestion viewpoint;
- f. That the needs of children, horse riders, those with disabilities and the elderly have been positively considered;
- g. That any vehicular access arrangements will not be detrimental to the character of village lanes maintaining verges, trees and hedgerows wherever possible.

Where appropriate, development contributions from S106 and CIL will be used to improve traffic safety.

## Local Green Space Policies

These are really useful, as they are locally distinct and offer any site that is designated a lot of protection from development. Examiners have got wise to groups trying to allocate local green spaces on all their green fields to prevent development, and so they need a fair bit of evidence and consultation with the landowners and community. If there are any parks/ football pitches etc. that you would like to see protecting this is an excellent opportunity.

Here is the guidance from the NPPF :-

*101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

*102. The Local Green Space designation should only be used where the green space is:*

*a) in reasonably close proximity to the community it serves;*

*b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

*c) local in character and is not an extensive tract of land.*

*103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts*

This is an example from Eaton

### POLICY BNE6 – LOCAL GREEN SPACES

The areas listed below are designated as 'Local Green Spaces' which are protected from new development in accordance with Green Belt policy, or where development supports the role and function of the Local Green Space. Acceptable proposals which enhance the local green spaces and their function will be supported.

LGS1 – Millennium Park, Play Area and Sports Pitch

LGS2 - Village Green opposite the Plough Inn

LGS3 – Parish Hall Green Space

Open Space	Size	Proximity to the Community	Demonstration of Special Value to the Community
Millennium Park with Play areas and sports pitch	0.65ha	Located within the village	Situated within village, the Millennium Park is an excellent facility which is central to the recreational needs of the village. The recreation area is a much-valued meeting place for the residents of the core of the village but also a place for the outlying sub areas residents of Eaton to meet with families. The recreation area provides a community area for all. The Millennium Park enjoys protected mature oak trees and includes playground equipment, and has an open, well managed playing field and kickabout pitch. Large trees at the boundary edge of this space bring a sense of greenery and nature into the main A536 carriageway, and the large, historic oak tree forms an important focal point. The Millennium Park is part of the gateway into the village, enjoys lovely views across the landscape and to Mow Cop.
Village Green Opposite the Plough Inn	0.04 ha	Located within the heart of the village	The village green is small but situated in the heart of the village within the area classified in the Landscape and Village Character Assessment as a Heritage Zone, and is framed by important village historical assets such as the Georgian terraces and listed Plough Inn and Church House. The village green not only has visual amenity value, adding greenery to the centre of the village and being an integral part of the historic core, but also acts as a buffer from the noise of the passing traffic on the A536.

5.61 Figure G – Local Green Spaces

