

UTKINTON AND COTEBROOK PARISH COUNCIL

18th January 2021

Mr Andy Mead
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3 Princes Street
Bath
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CC Mr S Carnaby

UTKINTON AND COTEBROOK NEIGHBOURHOOD PLAN EXAMINATION

Having carried out my visit to the Utkinton & Cotebrook Neighbourhood Plan (UCNP) Area, I have identified some matters on which clarification from the Utkinton & Cotebrook Parish Council (UCPC) and Cheshire West and Chester Council (CWaCC) would assist me in my examination of the UCNP. May I request the submission of responses to my questions below by **18 January 2021**, although an earlier response would be most welcome.

1. Consultation Statement 2020.

Questions to UCPC

- a. Please would the UCPC confirm that the Regulation 14 Consultation took place between 17 October and 30 November 2019, and confirm the number of representations received?
- b. One of the representations received was from Cheshire West and Chester Council (CWaCC). Please may I see a copy?

UCPC Response:

Question 1a – we can confirm that the Regulation 14 Consultation took place between 16th October 2020 and 4th December 2020.

Question 1 b - For clarity the tables below show the list of Statutory Consultees that the Steering Group attempted to consult with – there were 29 in total, and the responses received;

List of Statutory and other Consultees

Provided by Cheshire West and Chester Borough Council and also local/neighbouring Councils and Groups

Organisation	Line 1
Amec Foster Wheeler E&I UK (representing National Grid)	Gables House, 62 Kenilworth Road, Leamington Spa CV32 6JX
Cadw	Welsh Assembly Government, Plas Carew, Unit 5-7 Cefn Coed, Parc Nantgarw, Cardiff CF15 7QQ
Cheshire Brine Subsidence Compensation Board	Sir Henry Doulton House, Forge Lane, Etruria, Stoke-on-Trent ST1 5BD
Cheshire Brine Subsidence Compensation Board	Sir Henry Doulton House, Forge Lane, Etruria, Stoke-on-Trent ST1 5BD
Cheshire Gardens Trust	
Cheshire Police Constabulary	Clemonds Hey, Oakmere Road Winsford CW7 2UA
Cheshire Racial Equality Council	
Cheshire West and Chester Council	Public Health Team 58 Nicholas Street Chester CH1 2NP

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Chair UCNP Steering Group – Anthony.dahill@btinternet.com

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Dee Valley Water plc	Packsaddle Wrexham Road Rhosyllen Wrexham LL14 4EH
EE	The Point 37 North Wharf Road London W2 1AG
Environment Agency	Richard Fairclough House Knutsford Road Latchford Warrington WA4 1HT
Health & Safety Executive	HID CEM HD52.2 Redgrave Court Merton Road Bootle L20 7HS
Highways England	Piccadilly Gate Store Street Manchester M1 2WD
Historic England	Canada House 3 Chepstow Street Manchester M1 5FW
Homes and Communities Agency	Arpley House 110 Birchwood Boulevard Birchwood Warrington WA3 7QH
Marine Management Organisation	Lancaster House Hampshire Court Newcastle Business Park Newcastle upon Tyne NE4 7YH
National Grid plc	National Grid House Warwick Technology Park Gallows Hill Warwick CV34 6DA
Natural England	Mail Hub Block B Government Buildings Whittington Road Worcester WR5 2LQ
Natural Resources Wales	Ffordd Penlan Parc Menai Bangor LL57 4DE
Network Rail	1st Floor Square One 4 Travis Street Manchester M1 2NY
Sport England (North West Region)	SportPark 3 Oakwood Drive Loughborough LE11 3QF
The Coal Authority	200 Lichfield Lane Berry Hill Mansfield NG18 4RG
The Mersey Forest	Risley Moss Moss Gate Birchwood Warrington WA3 6QX
Three	Great Brighams Mead Vastern Road Reading RG1 8DJ
United Utilities Water Limited	Developer Services and Planning Grasmere House, Lingley Mere Business Park Lingley Green Avenue, Great Sankey Warrington WA5 3LP
Vodafone and O2	EMF Enquiries Building 1330 - The Exchange Arlington Business Park, Theale Reading RG7 4SA
Welsh Water	Kinmel Park Depot Royal Welch Avenue Bodelwyddan LL18 5TQ
West Cheshire Clinical Commissioning Group	1829 Building Countess of Chester Health Park Liverpool Road Chester CH2 1HJ

- A table showing the responses to the Reg 14 Consultation is contained in the 'Consultation Statement' pp 66 – 68 and provided below;

Specific Responses from Statutory Consultees: (Made in 2019 and not referring to subsequent submissions by any of these bodies to the Draft NP Publicity Consultation – November 2020)

Consultee	Response	Action
Highways England	No comment at this stage	None required
Cheshire Brine Subsidence Compensation Board	No comment at this stage	None required
Natural England	No specific comments on this Plan	Literature provided considered by Steering Group
The Mersey Forest	No specific comment on this Plan	
Crime Reduction Team, Cheshire Police	I appreciate the size of your parish is not going to generate any large scale developments, however we would strongly recommend that any developments are built to the principles of Secured by Design and early consultation is undertaken with one of the Cheshire Police Designing out Crime Officers	Information passed to Parish Council for future reference on receipt of development applications

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The Coal Authority	Literature on resolving the impacts of mining	No relevance in this Parish area
Willington Parish Council	<p>1. the concerns and issues of the Utkinton and Cotebrook parish are not surprisingly very similar to ours; we fully support the plan and would be interested in any future developments</p> <p>2. it will be really interesting to see how the community transport link develops. We would very much like Willington to be considered in the initiative. The complete lack of public transport in Willington is of significant concern to our residents, particularly those who do not drive, are without transport or who are keen to reduce their environmental impact</p> <p>3. we really liked the children's comments</p> <p>4. we welcome the prospect of an orchard being planted which we are sure will provide an excellent community asset. One of our councillors (Rob Merrick) has considerable experience with orchards; Rob is more than happy to provide any advice or assistance (e.g. good varieties to grow and pollination partnerships that complement one another). Hopefully the land earmarked for the orchard isn't waterlogged like the adjacent land (hatched red)...first tip... apple trees don't like wet feet!! You can contact Rob via e-mail (cc'ed).</p> <p>Please do not hesitate to get in touch if Willington can assist further in any way.</p>	Will communicate through PC as the Plan develops and areas of common interest discussed where beneficial
Cheshire Gardens Trust	<p>There are a number of listed buildings, including Utkinton Hall, Grade I, within the area which we consider should be mentioned in the NPD, perhaps under Policy 7. All listed buildings could be included in an appendix.</p> <p>They are heritage assets that make a significant contribution to local character. Associated with Utkinton Hall are the remains of a potentially significant garden where some features are listed but where a full investigation has not been possible due to current ownership and access restrictions.</p>	List produced for Appendix
Cheshire West and Chester	Comments on Draft Utkinton and Cotebrook NDP supplied by all relevant Departments, collated, presented and added to as advice notes on the document by Lyndsay Jennings.	Meeting with Steering Group and Parish Council and amendments made

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2. Policy 4

Question to CWaCC

3. Policy 5

Question to UCPC

Please could the phrase “must have the need specified” be explained?

UCPC Response: *There must be sufficient detail and evidence to justify the necessity, and purpose, for the change of use e.g. operational or diversification*

4. Policies 9 & 10

Question to CWaCC

Policy 11

5. Questions to UCPC

- a. Local Green Spaces (LGS) are designated in Policy 11. The Plan includes a list of six sites in Table 2 and the areas are delineated in Figures 20 - 25. Are the sites in Figures 20 and 21 intended to be LGS and, if so, why are they coloured differently to the other four sites?

UCPC – Response:

Question 5 a The sites were coloured differently to differentiate them from the sites identified for CWaC LP2 and in the HELAA that supported it.

- b. The CWaCC Regulation 16 representations refer to two LGS being proposed in the pre-submission version of the Plan. What form of publicity and consultation was made about the four sites which have been added between the Regulation 14 Consultation and the submission of the Plan to CWaCC?

UCPC – Response:

Question 5 b – Each of the four sites were clearly identified in the Final Draft Neighbourhood Submission and all residents were invited to comment in the Publicity Consultation that took place between 16th October and 4th December 2020.

- c. What is the area of the LGS proposed at Land off Quarry Bank?

UCPC – Response:

Question 5 c – the land shown as TAR/0065 on pp57, fig 25 of the Draft Neighbourhood Plan covers approximately 3,26 ha (measured using Google Earth)

Utkinton and Cotebrook Parish Council and the Neighbourhood Plan Steering Group do not believe that we can designate any land as 'protected green space', but only identify land that we would like to be so designated. That it is up to the Inspector to designate them as 'protected'.

The Parish Council and Neighbourhood Plan Steering Group are seeking 'Protected Green Space' designation for the following;

Cotebrook:

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The area highlighted in blue in Fig. 20, P54 of the Draft Neighbourhood Plan (To become Community Orchard and transferred to UCPC by CWaC)

Utkinton:

- The spaces identified as
 - TAR.0009, Fig 22 pp56 (Land at John street behind Village Hall)
 - TAR/0010 Fig 23 pp 56 (Land on John Street – behind War Memorial)
 - TAR/0019 Fig 24 pp57 (Land off John Street and Northgate Lower)
 - TAR/0065 Fig 25 pp57 (Land off Quarry Bank and between Tirley Lane and John Street)

We have highlighted the importance of these plots of land to the residents, visitors to and those who use the school and work in the Parish. We have referred to them as open green spaces and, along with the proposed Community Orchard in Cotebrook, would like them to be designated by the Inspector as 'Protected Green Spaces'.

6. General

Question to UCPC

I would also be pleased to receive any comments the UCPC wish to make about any of the representations received on the Submission version of the Plan.

UCPC Responses below;

The following pages represent an analysis of the key submissions made during the CWaC Public Consultation phase and are for:

- a) Fisher German (On behalf of; Mr A Hassall)
- b) RPS
- c) Tiverton and Tilstone Fearnall Parish Council (Mr R Fould)

a) Fisher German

Synopsis of areas of disagreement with Fisher German Submission from UCPC NP Steering group

(NB: for the sake of clarity 'Para 1 et al refers to the paragraph number not necessarily the section/sub section number)

EXECUTIVE SUMMARY

Para 3 In light of this, we believe the land at Quarrybank / John Street could form part of the solution to address Utkinton's identified housing supply issues for years to come.

UCPC Response: *The identified need for the Parish (not just Utkinton) set out in previous housing studies and the Local plan, is for c.33 dwellings between 2010 and 2030 or 1.5 per annum.*

1.0 INTRODUCTION

- 1.12 **Para 16** A quick review of the planning register for the last 5 years reveals very little new residential development. An application for 22 dwellings in 2016 for affordable housing did not proceed. It is a fair conclusion that a strategy that relies on windfall development to meet affordable housing needs is not going to be sustainable.

UCPC Response: *This application was refused on appeal on the grounds of landscape distinctiveness and harm*

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2.0 CURRENT LOCAL POLICY

Policy SOC 2 Rural Exception Sites (Part 1) –

- 2.1 **Para 21** Generally, rural exception sites are permitted for 100% affordable housing. However, SOC 2 does permit market housing to be delivered at such sites, provided it is essential to enable the delivery of the affordable homes to meet local need.

UCPC Response: *The current definition of ‘affordable’ is based on a discount from market prices. ‘Right Move’ suggests an average of ; House Prices in Utkinton*

Properties in Utkinton had an overall average price of £570,000 over the last year.

Overall, sold prices in Utkinton over the last year were 46% up on the previous year and 6% down on the 2011 peak of £608,000.

Cheshire West and Chester suggest that

[https://www.cheshirewestandchester.gov.uk/residents/housing/accessing-affordable-](https://www.cheshirewestandchester.gov.uk/residents/housing/accessing-affordable-housing/affordable-housing.aspx)

[housing/affordable-housing.aspx](https://www.cheshirewestandchester.gov.uk/residents/housing/accessing-affordable-housing/affordable-housing.aspx) Discounted market sale homes are also a low cost home ownership product and are known as intermediate affordable housing. They are often referred to as discounted sale properties and are offered for sale to eligible purchasers at a discount of at least 20% below local market value. In higher value areas this discount may be up to 40% to make them more affordable.

Even at that rate the average discounted price in Utkinton would equate to £342,000.

- 2.2 **Para 26** Furthermore, in keeping with DM 24 paragraph 12.45, the site benefits from good accessibility via a pedestrian route to local facilities such as a farm shop, coffee shop, garden centre, florist, village hall, church and the local primary school. This accessibility is due to the site’s adjacency to Quarrybank. The settlement also benefits from transport links to Northwich, Tarporley and Winsford via the C87 and C89 bus services. This strong connectivity to local services makes the site the most suitable when contrasted with other sites adjacent to the settlement boundary.

UCPC Response: *There is no Church in Utkinton, the nearest is St John and the Holy Cross in Cotebrook almost 2 miles distant and only accessible by car.*

These Transport Links do not exist, Utkinton is served only by limited Community Transport – and this is, in the main ‘Dial a Ride’. Unless residents have a car, they are, in effect, isolated from the services in Tarporley and beyond.

Policy GBC 2 Protection of Landscape (Part 2) –

- 2.3 **Para 27** As identified in Figure 1, a portion of the northern part of the site is designated as part of the Delamere and Utkinton Area of Special Country Value. As a result, this designation does not constrain the development potential of the site provided any development that takes place within or potentially affecting the setting of the ASCV complies with the following;

- Protect and, wherever possible, enhance landscape character and distinctiveness;
- Integrate into the landscape character of the area;

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- Be designed to take account of guidance in the Landscape Strategy;
- Preserve their special landscape character and scenic value;
- Enhance landscape quality, character and appearance wherever possible;
- Make suitable provision for improving public access to, and enjoyment of the landscape, where appropriate

UCPC Response: We cannot see how this (last) comment would be possible – there is one PROW (FP2) but no paved footpaths beyond Bentley Cottage to the north along John Street toward Willington

3.0 UTKINTON AND COTEBROOK DRAFT NEIGHBOURHOOD PLAN POLICY:

- 3.1 **Para 30** As state earlier, our client's land is located within the centre of Utkinton also positions it within reasonable walking distance local services and facilities along a safe route.

UCPC Response: It (the field in question) lies on the northern edge of the settlement boundary of the village. Can Fisher German explain 'reasonable' and 'safe'?

- 3.2 **Para 31** The land is sizeable, and it is recognised that there is a need to protect the character of the village. Development could come forward on a phased approach, in accordance with a longer-term masterplan. A potential allocation could enable a masterplan to come forward as part of the Neighbourhood Plan process or in a subsequent planning application. Either way, it is imperative that the site comes forward in close dialogue with the community.

UCPC Response: Given that FG have suggested that the site could accommodate 'up to 67' dwellings and this would represent 30% growth in the housing stock for Utkinton village and 20% for the Parish.

This would add:

c.110 private cars c/w subsequent strain on narrow country lanes and through routes

c. 180 more residents including around 40 – 50 of school age – the local school has a limited roll of 60.

4.0 ACCESSIBILITY

- 4.1 **Para 32** The site is surrounded by good access options. Quarrybank provides access to the south of the site, whilst John Street offers access to the west. Furthermore, the site offers the appropriate pedestrian accessibility to key services and facilities under DM 24.

UCPC Response: Good access options; There is no footpath on the east side of John Street from its junction with Quarry Bank, to the northern boundary of the Parish. There is a narrow footpath on the west side of that section of John Street that ends at Bentley Cottage. Any vehicular movement onto or off John Street would cause difficulties for road users travelling along that stretch of road. From www.gov.uk the hedgerows along John Street and Quarry bank are protected (see <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>). Access to the site from Quarry Bank is an area where many parents park to drop off/pick up their children from the school. Any exit, entrance on the north side of Quarry Bank from John Street up to Tirley Lane would exacerbate the traffic problems at those times and create a dangerous environment for pupils, parents and any other road users. The land is in an ASCV. The red line is the boundary marker. It is also outside the VSB

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5.0 CONCLUSION

- 5.1 **Para 40** The good accessibility the Quarrybank / John Street benefits from makes it a site capable of accommodating development of varying degrees. This could range from a limited infill development between Altnaharra and Wychwood to the 67 dwellings the HELAA 2017 identified the site had capacity to deliver.

UCPC Response: We would argue the opposite. It might be possible to envisage 'infill' as suggested and also between 'Donbourn' and the northern edge of the plot along John Street– but both of these would go against local perspectives.

Para 42 The flexibility of the site means irrespective of the outcome of the independent housing needs assessment that all residential development in local service centres remains subject to; the site has capacity to deliver a scheme, whether this be through limited infilling or the rural exception.

UCPC Response: We would argue the opposite. It might be possible to envisage 'infill' as suggested and also between 'Donbourn' and the northern edge of the plot along John Street– but both of these would go against local perspectives.

b) RPS

Representations to the Utkinton and Cotebrook Neighbourhood Development Plan (2020-2030) - (Regulation 16 Consultation)

Synopsis of areas of disagreement with RPS Submission from UCPC

Para 2 The Neighbourhood Plan Steering Group, made up of Parish Councillors, community volunteers and other organisations such as Cheshire Community Action and Cheshire Wildlife Trust have overseen the decision-making process through the plan development.

UCPC Response: Not accurate, reads as if they were part of the NPSG

Cotebrook

Para 6

It should also be noted that in the draft UCNP, the village settlement boundary for Cotebrook has been removed, meaning it is now located on land designated as 'open countryside'. This is the only constraint for this small rural settlement which has an organic pattern of development and includes a number of services and facilities for a village of its size. These include the local Parish Church of St. John and the Holy Cross (a Grade II Listed Building), the village hall (recently refurbished), pre-school facilities, Cotebrook Coffee Shop, the Shire Horse Centre and two public houses (the Alvanley Arms and the Fox & Barrel).

As acknowledged within the draft UCNP, there is a lack of recreational or outdoor play facilities within the village, and in relation to Utkinton (classified as a Local Service Centre), Cotebrook is of smaller scale,

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without the benefit of local facilities and services such as a local primary schools, local secondary school, GP surgery, dentist and rail station.

UCPC Response: A flawed statement as the three settlement boundaries for Cotebrook were removed by CWaC when it designated Utkinton as a 'Local Service Centre' c.2018

These facilities no longer operate in Cotebrook

Cotebrook has access to both Utkinton St Pauls and Eaton Primary. Neither village has public transport access to GP Surgeries, Dentists or Rail Station.

Para 10 Representations to the Utkinton & Cotebrook Neighbourhood Plan (UCNP)

It continues that 'developers should only consider brownfield or infill sites before applying for other locations and in order to protect the natural environment no new development should adversely affect key distinctive views into and out of the Parish'. These objectives are based on the outputs from the independently produced draft (version 1) Household Survey Report on Housing Need (April 2018) and the Housing Needs Report (August 2018) by Cheshire Community Action, the latter using longer term housing trends from data compiled by Cheshire West and Chester Council.

UCPC Response: Not accurate; UCPC commissioned CCA to produce a Housing Needs report for the Neighbourhood Plan, this was later encompassed by CWaC as part of a Borough wide review.

Para 12

As such, RPS consider the draft UCNP makes a number of assumptions and lacks any credible supporting evidence to limit development within and to the confines of Utkinton only, and thereby excluding development in Cotebrook. Consequently, if adopted it would not deliver upon sustainable aims but instead frustrate any new development coming forward, and be contrary to the aims of the higher tier CWCLP (Part One) Strategic Policies (January 2015) and Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (July 2019). RPS consider the draft UCNP needs to be inflexible in this regard and recommend that a more robust evidence-led approach is applied.

UCPC Response: The Draft NP is based upon two housing needs studies, two Neighbourhood Plan surveys and local consultation with residents. Development in Cotebrook has not been constrained by the NP, but by the proposals submitted to and rejected by CWaC (two on appeal) for relatively low-level developments.

Para 13 Draft UCNP Policies

The following draft UCNP policies are of relevance to Cotebrook village.

The explanation recognises that 'some development within the village of Cotebrook' would be appropriate for the Village to thrive and have a future with new residents, and it references sites considered as brownfield but does not identify any for Cotebrook. RPS considers that the UCNP should give consideration to Paragraph 69 of the NPPF, which encourages Neighbourhood Plans to look for opportunities for small and medium sized allocations, which can come forward in the plan area. In this regard, the NPPF tells us (paragraph 68 refers) that such sites can make an important contribution to meeting the housing requirement for an area and promote a good mix of sites. In respect of the provision

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of supply in rural areas, Paragraph 77 of the NPPF tells us that planning policies should be responsive to local circumstances and support developments that reflect local needs.

UCPC Response: UCPC supported two sites (the Old School and the Old haulage Yard) both in Cotebrook and neither of which is considered as suitable for brownfield registration by CWaC. The first has been tested two or three times for the development of 'affordable' dwellings but turned down (by the CWaCC Housing Department) as not big enough to be sustainable

Para 14

Turning to this point, RPS is aware that a Housing Survey Report was prepared for Utkinton and Cotebrook Parish in April 2018. Section 6 of this report considers the survey response to the question of whether there are any local residents in housing that is either unsuitable now, or will become unsuitable in the next five years. In response to this, 19 respondents noted that they were currently in unsuitable accommodation, for issues largely surrounding the need to downsize, or upsize (Q6 refers). These factors point towards a lack of suitable and available housing in the area.

UCPC Response: When the criteria for eligibility for affordable dwellings (CWaC Housing Department) were taken into account only 2 – 4 of those for whom a need was identified were considered eligible.

Para 16

For these reasons, RPS would encourage the Parish Council to take a positive approach to allocating land within the UCNP, which should not be limited to the Local Service Centre of Utkinton and could include small allocations to Cotebrook, in order to ensure that Cotebrook has the ability to continue to grow in a way that is sympathetic to the size and sustainability of the settlement.

UCPC Response: UCPC has identified 6 parcels of land and is seeking 'Protected Green Space' designation for 5 of these. Two of these are in Cotebrook and only one partially suitable for development.

Para 17

Policy 2: Built Environment (Housing Style) states that 'all new development should conform to the density and building scale of the immediate area'. It continues that in order to meet the housing needs of Utkinton and Cotebrook, this new development should favour smaller dwellings of three bedrooms or less, made up of and limited to one-third detached, bungalows, semi-detached or terraces, and live/work units. This is very prescriptive focusing solely on deficiencies highlighted by the community and is likely to frustrate the delivery of a range of market housing, and result in development which is out of character with its surroundings.

UCPC Response: The Parish, and in particular Cotebrook (which appears to be the focus of the RPS submission) has a mix of housing styles ranging from 1 - 2 bedroom bungalows, terraced, semi-detached and larger 'market' housing. The Parish recognises the need to attract younger families and this is essential element within the NP.

Para 18

Policy 3: Built Environment (Housing Design) states that all materials, roof pitches, dormers, gable ends, porches and chimneys should blend with the setting and character of existing neighbouring buildings. It also references the requirement for permeable drives, lighting to protect 'dark skies', garden sizes, and

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the gap between the two settlements. RPS welcomes the intention behind this proposed policy but considers that the ambiguous wording of the policy lack the necessary clarity, leaving the policy unable to be effectively implemented.

UCPC Response: The NP identifies that 'protecting dark skies; relates to external lighting. The gap between Utkinton and Cotebrook is historic and was demonstrated in the differing settlement boundaries prior to LP2, The settlements of Cotebrook and Utkinton are discontinuous in terms of housing developments

Para 20

Policy 7: Footpaths, cycleways and highways welcomes the construction of new tracks, paths and links especially for non-motorised users. RPS agrees with the intent behind this policy and welcomes better connectivity within Cotebrook that resolves the lack of footways. This could be achieved by allowing sites within or adjacent to the main built up area of Cotebrook to be developed, thereby increasing opportunities to reconnect.

UCPC Response: In reality, the largest gap in the footpath is between Oulton Mill Lane and Eaton Lane and there is little chance of making a paved footpath without acquisition of land currently owned as part of Cotebrook Cottage and Chapel Cottage.

Para 21

The criteria for designating each of the Local Green Space's ('LGS') is not explained in detail, and needs to be clearly justified and underpinned by robust evidence. The policy continues that development will not be permitted other than in very special or exceptional circumstances. Again, this is not explained, and is disproportionate for a designation of this type, as LGSs do not have the same statutory protection or planning weight as Green Belt policies where inappropriate development should not be approved except in 'very special circumstances.' RPS does not agree with the phraseology here, which is a highly inappropriate choice of words, evocative of the protections of Green Belt, when clearly Local Green Spaces are not afforded the same levels of protection.

UCPC Response: The PC and NPSG did not designate these spaces, they were all part of SHLAA (Local Plan and HELAA for CWaC Local Plan 2.)

Para 23

Sections (b) to (e) of this policy discusses views and vistas, and states that 'Development must respect important views into and out of the Parish due to their special character (see 'Vistas and Views'), significance and community value'. Proposals are required to demonstrate how they have reflected the local character of these views and vistas, through design, retained and framed (where relevant) views of the wider countryside and local landmarks. It also asks that proposals assess their potential harm and how any impacts will be mitigated. Again, this is an inflexible approach, lacking a clear methodology and appears to be based upon purely subjective criteria. It is also unclear how it relates and is relevant to the proposed LGS policy.

UCPC Response: In both the original and the V&O surveys for the NP, a large proportion of the respondents all reflected on why they enjoyed living here and it was for the vistas and views. It is subjective, but these were the views stated by the residents

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Para 27

The draft UCNP also references a further 10 vistas to be protected but without any specific detail. Two are included from Cotebrook and include 'From Luddington Hill views moving down into Cotebrook' (3); and 'Cotebrook Cottage – off Oulton Mill Lane hidden by trees and fronted by the A49 (A fine Arts and Crafts house with far reaching views over rolling South Cheshire countryside).' Again, this should be deleted from this policy, as its purpose is unclear.

UCPC Response: The purpose is simple – to demonstrate what makes the Parish a good place to live.

Para 30 Basic Conditions Statement

Given the representations to the UCNP identified above, and as noted in the introductory paragraph, RPS has concerns that the draft UCNP fails to meet the 'basic conditions' required to meet the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act. To satisfy the 'basic conditions' neighbourhood plans need to demonstrate an adequate and proportionate evidence base (in line with NPPF paragraph 31) , something RPS consider is lacking with this draft UCNP.

UCPC Response: Please produce evidence as to this statement

C - Tiverton and Tilstone Fearnall

Synopsis of responses to Tiverton and Tilstone Fearnall PC submission

Tiverton & Tilstone Fearnall Parish Council (Mr Ray Mould)

Would you like to be notified of the Council's decision on the plan?

No

Comments on neighbourhood plan

My comments refer in particular to the section on Public Transport.

1. .
2. On page 35 it says that Tiverton is in Tarporly Ward. This is not correct, Tiverton is in Tattenhall Ward. It is correct that we did take part in discussions with the villages in Tarporley Ward about alternative arrangements for public transport in the area, but we were not invited to take part in the Ward wide survey discussed on page 34.

UCPC Response: This is correct and reference to Tarporley Ward is, or will be removed. The Ward wide survey was funded by and limited to Tarporley Ward. The reference will be corrected.

3.

4.

Ray Mould

Chairman, Tiverton & Tilstone Fearnall Parish Council

Many thanks and apologies for the delay,

Kind regards

Francis Tunney

Chair, Utkinton and Cotebrook Parish Council

