

# **Cuddington Neighbourhood Plan Monitoring Report September 2024**

## **Contents**

- 1 Executive Summary**
- 2 Introduction**
- 3 Our Community Today**
- 4 How are the Neighbourhood Plan Policies being Applied in Planning Decisions?**
- 5 Are the Neighbourhood Plan Aims being Achieved?**
- 6 Are there policies in other Made Plans which could improve our NP?**
- 7 What are the relevant changes in the Local area since 2019?**
- 8 What are the relevant changes in National and Local Planning Policy?**
- 9 What Money has been raised from the Community Infrastructure Levy (CIL) and how has this been used in the Parish?**
- 10 Glossary of Planning Abbreviations**
- 11 Appendices**
  - Appendix 1 Planning Applications for 2019: Conflicts Between CWaC and Cuddington PC**
  - Appendix 2 Planning Applications for 2020: Conflicts Between CWaC and Cuddington PC**
  - Appendix 3 Planning Applications for 2021: Conflicts Between CWaC and Cuddington PC**
  - Appendix 4 Planning Applications for 2022: Conflicts Between CWaC and Cuddington PC**
  - Appendix 5 Planning Applications for 2023: Conflicts Between CWaC and Cuddington PC**
  - Appendix 6 Comparison of Made Neighbourhood Plans in CWaC**

# 1 Executive Summary

## 1.1 Purpose of a Monitoring Report

The purpose of the Monitoring Report is:

- to ensure that the Aims and Proposals contained within the Neighbourhood Plan (NP) are being delivered by the Parish Council;
- to monitor the application of the use and influence of Neighbourhood Plan (NP) policies by the Cheshire West and Chester (CWaC) Planning Officers in their determination of planning applications;
- to report on the level of monies raised through the Community Infrastructure Levy (CIL) and how the money is being used;
- to consider any changes to national and local policy which may impact the Neighbourhood plan;
- to reflect on changes in the local area which may influence the NP.

Consideration of any of these factors could indicate a need to revise a neighbourhood plan

It is important to carry out a monitoring exercise on a regular basis. Many Plans are monitored annually by the relevant parish councils, but as a minimum this needs to be done every 5 years otherwise the relevance of the plan can be subject to testing by developers.

## 1.2 Key aspects of this report

- Phase 1 of the Monitoring Exercise for the Neighbourhood Plan covering years 2019 – 23 is now complete. Further phases are on hold until the latest government review of the planning process completes.
- The review of the changes in the villages indicates that the population is now 6196 people (5335 at the time of the 2011 census), with an estimated 2617 households (CWaC data derived from 2021 census). The age profile has remained much as it was when the NP was developed. In terms of facilities, the main change is closure of the GP surgery.
- The planning process deals mainly with built environment or with green environment applications. Green environment applications are dealt with using Tree Preservation Orders (TPO). Built environment and TPO applications are 'processed' by different parts of CWaC. The ultimate CWaC decision is given to the applicant by a decision letter/ tree preservation order.
- In total there were 420 applications submitted over the period in our Parish.
- In general, the monitoring process indicates that the planning decisions taken by CWaC align with CPC recommendations - even when the NP does not appear to be directly referenced in the auditable trail of CWaC decision making. A conflict arises when CWaC's decision does not agree with the CPC recommendation. There have been 44 of these conflicts over the 5-year period, 31 on built environment applications and 13 on green environment applications.
- CWaC seem to prefer to use primary legislation as the basis for their decisions. The NP aligns closely with the primary legislation, so this preference does not usually lead to outcomes at variance with NP policies and intentions.

## 1.3 Key Conclusions and Recommendations

### 1.3.1 Conclusions

The Neighbourhood Plan has been very effective in controlling the environmental landscape and housing development with the Neighbourhood Area. The number of approved planning applications which have conflicted with the NP policies have been less than 10%. Developers are aware of the NP and refer to the relevant policies when making an application. A number of applications have been initially refused and amended by the applicant based on CP recommendations.

The NP policies are working and enabling Cuddington Parish to achieve its planning and development objectives.

### 1.3.2 Built Environment Applications

- For the built environment applications ~30% did not have a clear auditable trail in the form of an 'Officers' or a 'Decision' Report. However, only ~30% of Officer/ Decision Reports referenced the NP directly. As noted above, the team found the decisions in general were in accord with the NP policies and intentions.
- The monitoring process found the main reasons for conflicts on built environment applications are:
  - ❖ the application deals with green belt issues so the NP does not apply,
  - ❖ CWaC perceive harm to the character, street scene and appearance of the area
  - ❖ CWaC consider the application to be compliant with Planning and Building Regulations
- The monitoring process highlights that the housing mix objectives of the NP have not been met. There is almost no change in the proportion of 2 and 3 bedroomed accommodation from the 2011 census to the 2021 census - although the comparison is complicated by the parish boundary changes in 2015. It is thought that in large part this is because there have been a limited number of proposed large developments during the monitoring period. CWaC refused these based on primary legislation and the NP was heavily referenced. The majority of the new build applications were therefore for 'infill' so that NP policies on affordable houses could not be deployed. Commercial interests dictate that this type of development is mainly larger houses.
- It appears that applications can be made piecemeal e.g. 2 houses on a plot approved and built, then an application for another 2 houses approved and built, then another house. The applications seem to be considered as separate by CWaC because of the time lag between them. However, this circumvents the NP requirement for Affordable housing (1 affordable in 3), helpful for the developer, but not giving the mix of houses the NP shows the village desperately needs.
- It was found that retrospective applications appeared to be being used to justify developments that were not in the scope of the original approval.

### 1.3.3 Tree Preservation Order Applications (TPO)

- The monitoring team found no publicly available auditable trail for TPOs - although the TPO sometimes gave an indication that CPC concerns (based on the NP) had been considered. All that can be said is that, in general, outcomes appear to be in accord with the policies and intentions of the NP.
- While looking at TPO aspects the team were told of situations where conditions required in the decision letter seemed to have been ignored on site without enforcement action being taken by CWaC. Other hearsay evidence suggested that the built environment assessment group and the TPO assessment group were not aware of each other's decisions. For example, conditions made by the TPO group about replacing felled trees were not integrated into responses by the built environment group.

### 1.3.4 Recommendations

#### Built Environment Applications

- 1: The Parish Council should consider producing an annual monitoring report of the NP to ensure that the Plan remains current in a rapidly changing planning environment, but also to ensure the process is easily manageable.
- 2: The team recommend that the CPC maintain a higher level of oversight of the CWaC decision making process through the new database developed as part of this current monitoring process.
- 3: The team recommend that Ward councillors on behalf of Cuddington Parish Council should raise the issue of development creep and retrospective planning applications with the enforcement officer, particularly when it is the same applicant who is continuing to offend. The ability of CWaC to enforce planning conditions is a major concern.

#### TPO Applications

- 4: The team recommend that, as part of the routine overview of TPO applications, CPC should (on a sample basis) follow up a limited number of TPOs over time to ensure the agreed conditions regarding replacing trees are met.

## Tracking and Monitoring

As part of this Monitoring Process the team has developed a database which contains all the relevant information on the key points of each planning application.

**5:** This database needs to be formally kept up to date and should enable the PC to respond quickly if there is a substantive difference of opinion with the CWaC planning team, or, more significantly, if conditions specified in approved plans are not adhered to.

**6:** Current work by CWaC on a Revised Local Plan must be carefully monitored and will require a well-informed response by the PC. On publication by CWaC, the setting up of a committee needs to be considered to fully understand the implications to the Parish Neighbourhood Plan.

## 2 Introduction

In June 2015, Cuddington Parish Council was successful with its application to become a Neighbourhood Area, and in October 2015 the Neighbourhood Plan project was launched at a public meeting. The boundaries for the Neighbourhood Area are those of Cuddington Parish and within that there are three Parish Wards; Cuddington; Delamere Park and Sandiway. The most significantly developed part of the Parish largely bounded by the A49, A556 and Norley Road has been nominated by CWaC as one of 10 Key Service Centres (KSC) in the Borough. This is based on its sustainability in providing social and welfare services to a larger rural area. (see Boundaries Map Appendix D Cuddington NP)

The Cuddington Neighbourhood Plan reflects the comments, observations and concerns raised by the residents of the Parish about its future, gathered in consultation processes over two and a half years. Evidence had also been gathered during the development of a Village Plan from 2013 to 2015. That report, published in July 2015, provided a very solid base for the Neighbourhood Plan. The Village Plan, along with surveys carried out for the Neighbourhood Plan, were brought together with census information, strategic and statistical evidence and combined to create a vision for Cuddington Parish and a set of objectives. These summarise the community's overwhelming desire to make Cuddington an even better place to live and work, both now and for future generations. The Neighbourhood Plan was examined and MADE in February 2019.

The Neighbourhood Plan includes a Vision and set of Objectives and nineteen planning policies for Cuddington. The following vision and objectives were devised by the Neighbourhood Plan Steering Group in response to the core themes and issues that had arisen during consultation with the Parish community and from baseline research.

This Monitoring Report aims to examine how the Neighbourhood Plan is helping the Parish to achieve the vision set out in 2019 and looks at how the Neighbourhood Plan has been used to assist CWaC Planning officers in their planning deliberations.

### The Vision in the Neighbourhood plan:

**“Cuddington seeks to be a vibrant community-centred Parish which retains and enhances its historic and rural village character whilst meeting the needs of all sections of the community.”**

To deliver this Vision a set of objectives were developed covering the following planning themes:

◆ **Environment and Landscape:**

To protect and enhance Cuddington Parish's natural rural character, including its heritage and natural green areas, for the benefit of present and future generations.

◆ **Economy and Retail:** To maintain and improve the village as a convenient place to shop, work and spend time and to encourage a broad and sustainable rural economy which includes home working.

◆ **Housing and Design:**

To improve the housing mix through sustainable development by providing smaller and affordable homes which meet the needs of our rural Parish.

◆ **Travel and Movement:**

To support and improve safe and sustainable modes of transport (walking, cycling and public transport) across the Parish whilst alleviating potential traffic and parking issues.

The plan comprises 19 Policies grouped under these 4 themes and is used to inform decisions about planning applications, alongside the planning policies of Cheshire West and Chester Council (Local Plan parts 1 and 2) and the National Planning Policy Framework (NPPF).

## 3 Our Community Today

### 3.1 Description

Cuddington Civil Parish (CP) is a very pleasant village situated in mid Cheshire, within open fields and agricultural land. It forms part of the unitary authority ward of Weaver and Cuddington in the Borough of Cheshire West and

Chester. The Parish is bordered by the Parishes of Delamere and Oakmere, Norley, Crowton, Weaverham, Hartford and Whitegate and Marton. Cuddington is located within The Mersey Forest, a community forest established in 1991 to help make Merseyside, North and Mid-Cheshire one of the best places in the country to live.

Situated approximately 4 miles west of Northwich and 3 miles north of Winsford, it has easy road and rail access to the cities of Chester (11 miles), Manchester (30 miles) and road access to Liverpool (27 miles). Limited bus services and a rail service operate linking Cuddington with Chester, Manchester and local towns.

It has several historic buildings, including a railway station (which retains many of its original features from the beginning of rail transport in Cheshire), the Round Tower (an iconic remnant of a former gate lodge built in the early 19th century), the White Barn and the Blue Cap public houses.

## 3.2 Population

The Parish population has increased since the Neighbourhood Plan was completed. Table 1 below provides a comparison between the 2011 census data (used in the Neighbourhood Plan), a mid-year CWaC estimate for 2018 and data extracted from the 2021 census. The comparison between 2011 and subsequent estimates is complicated by official Parish boundary changes under the 2015 Government review.

Note that it is difficult to establish the exact basis of the CWaC 2021 data, so the data below is based on the custom profile tool from the 2021 census data. While the numbers don't agree exactly, (e.g. in Table 1 the custom tool suggests a population of 6100 compared with the official CWaC's estimate of 6196) they are close enough to the CWaC data and their provenance is known.

**Table 1: Cuddington Parish (Cuddington, Sandiway & Delamere Park) Population Data \*\*\***

Year/ Age Range	0 – 15	16 – 24	25 – 44	45 – 59	60 – 74	75+	Total	% people over 45
2011 Census (KS102EW)	15.9 **	7.7	19.7	21.9	22.5	12.3	5335	56.7
2018 Mid-Year CWaC estimate	18	7.5	14.8	21.5	21.5	13.6	5730	56.6
2021 Census ONS custom build profile *	16	8.1	20.1	20.6	21.2	13.9	6100	55.7
Amended Age Range ****	0 – 15	16 - 24	25 - 40	41 – 50	60 – 74	75+	Total	% people over 41
Cuddington Neighbourhood Plan Housing Need Survey (HNS) data	13.6	7.3	9.1	22.4	31.7	15.9	1692	70

The notes indicated by asterisks below apply to this and subsequent tables.

\*Based on Build a custom area profile Census 2021, ONS

\*\* Numbers are percentage of total. Note rounded to one decimal place

\*\*\* These numbers are indicative only because the areas on which they are based vary e.g. Parish boundaries changed in 2015 Government review.

\*\*\*\*Neighbourhood Plan Housing Needs Survey carried out in 2015 and published May 2016

Table 1 indicates that, although the total number of people in the villages has increased, the population age profile has not altered significantly over the years from the completion of the Neighbourhood Plan and the present census estimate. Note, again, the parish boundary changes in 2015 making the best comparison between the 2018 and 2021 estimates. As expected, the percentage of people of people over 45 remains effectively unchanged – highlighting the skewed data collected by the Neighbourhood Plan Housing Needs Survey which relied on residents returning questionnaires.

Turning now to the Household size in the village Table 2 provides comparative data from the 2011 and 2021 censuses.

**Table 2 Household Size - all figures are %**

No of Persons in Household	1 person	2 person	3 person	4 or more persons
2011 Census	24.6 *	43.3	13.4	18.7
2021 Census	27.1	41	14.1	17.8
Cuddington Neighbourhood Plan HNS data	22.8	49.3	11.4	16.5

Once again, from Table 2 it is clear that the household size profile has not changed significantly over the 10 year period between the censuses.

Table 1 and Table 2 would suggest that the village has been attracting incomers across the complete age range and concerns in the Neighbourhood Plan that the population profile was shifting towards the higher end of the age range have not been realised.

### 3.3 Housing Stock

Comparison data from the 2011 and 2021 censuses of various measures of the housing stock are given the tables below.

**Table 3: Accommodation Type - all figures are %**

Accommodation type	Whole house or bungalow	Flat, maisonette or apartment	Caravan, mobile of temporary structure
2011 Census (QS402EW)	93.5*	6.3	0.3
2021 Census **	92.6	7.3	0.4
Cuddington Neighbourhood Plan HNS data	96.8	3.1	0.1

Table 3 clearly indicates the unchanged predominance of houses and bungalows in the housing mix – with only a small percentage of flats, maisonettes or apartments.

Turning now to the size of the accommodation, Table 4 provides the size based on the proportion of the total housing stock based on the number of bedrooms.

**Table 4: Accommodation Size- all figures are %**

Year/ No of bedrooms	1	2	3	4 or more
2011	3.6	15.2	37.7	42.6
2021	4.2	16.2	36.9	42.7
Cuddington Neighbourhood Plan HNS data	1.5	12.2	32.9	53.4

At the time of this analysis data was not available from the 2021 census source on 5 or more bedroomed accommodation. Data from the 2011 census/ the NP HNS survey has been amended to give comparable totals. It is clear from Table 4 that the Neighbourhood Plan objective of increasing the number – and proportion – of 2 and 3 bed accommodations has not been met. The proportion of 2-bedroom accommodation has risen marginally and the 3 bedroom data appears to show a fall. The change in Parish boundaries in 2015 makes this comparison somewhat questionable. However, the team believe that the lack of increase arises (at least in part) because of the preponderance of infill development in the village during the monitoring period with commercial interests building large houses on limited sites.

**Table 5: Tenure of Households – all figures are %**

Ownership	Own outright	Owned with mortgage/ loan/ shared	Social Rented	Private rent/ living free, etc
2011 Census	46.7	37.6	7.7	8.0
2021 Census	49.5	33.9	7.8	8.8
HNS Data	68.1	25.7	3.5	2.7

Table 5 indicates clearly that houses are held predominantly by outright ownership or mortgage/ loan and that this has not changed in the 10 years between the censuses. Again, the HNS data reflects the cohort who responded to the Questionnaire, predominantly above the average age for the community.

### 3.4 Summary

The 2011 census gave the Parish population as 5335 people while the 2021 estimate by CWaC based on the census data is 6196 people. An increase over the ten years is to be expected based on significant developments in and around the village – e.g. the former Eden Vale factory site and Golden Nook Farm estate (Forest Edge development) – plus infill within the KSC. CWaC currently estimate a total of 2617 households based on 2021 census data giving an average household size of 2.4 people (6196/2617).

Analysis of the data shows the Parish has a wide selection of dwellings from 5 & 6 bedroom executive properties, 3, and 4 bedroomed family houses, individual cottages, flats/ apartments and bungalows as well as Housing Association properties, including sheltered accommodation. However, it also shows that larger privately owned houses (3 bedrooms and greater) represent ~80% of the housing stock.

The tables above indicate age profile within the village, the number of persons per household, and the tenure of ownership have not changed markedly since the completion of the Neighbourhood Plan. The accommodation size profile (based on the number of bedrooms) shows the proportion of 2 and 3 bedroomed accommodation has not changed over the period between censuses. The Neighbourhood Plan objectives in terms of building smaller properties have not been met - in large part this is because development has been dominated by infill of small plots within the village. Commercial interests dictate that this type of development is mainly larger houses.

### 3.5 Business Development

The Parish includes a range of business activities including two parades of shops, a Post Office, a library, a community centre, various playgrounds and green areas, several working farms, Blakemere craft and leisure centre, a dentist, a pharmacy and a Veterinary Practice. It includes a number of residential care homes, several churches (Anglican, Methodist, and Full Gospel) and other buildings offering various forms of religious observances. There are two public houses and two restaurants, and on each parade of shops there is also take away food provision. With the exception of the closure of the local doctor's surgery, this picture has not changed significantly over the monitoring period. It is apparent that the decision to close the surgery could be reconsidered based on the increasing local population - which could justify replacing the service on commercial grounds (possibly from another provider).

Over the past five years, in line with national trends, there has been a very significant increase in the number of people who are working from home. This has been reflected in planning applications for garage conversions or garden structures such as offices/gyms. This additional load on broadband infrastructure has seen a rollout of upgraded connectivity.

## 4 How are the Neighbourhood Plan Policies being Applied in Planning Decisions?

The Planning Applications submitted to Cheshire West and Chester (CWaC) Planning have been studied and tables 6, 7, & 8 summarise the findings of the analysis.

### 4.1 Background

There are two main types of planning application - those dealing with the built environment and those dealing with the green environment. The assessment/ decision procedure of these two types is handled by different sections within CWaC using different processes. The green environment applications are usually dealt with by Tree Preservation Orders (TPOs).

CWaC has a database accessible by the public on which information on all applications is entered. However, this data was not found easy to manipulate to answer specific monitoring questions. Such was the difficulty that the monitoring team developed a new database containing CWaC data in a more accessible form. This database was used for the analysis and is now available to the CPC for decision tracking/ outcome monitoring purposes. However, it will need to be kept up to date.

Overall, the number of planning applications per year range from 60 to 96 over the monitoring period of 2019 to 2023. Table 6 below shows the number of applications supported/ not supported by the CPC, together with the number of applications where the CPC was not consulted.

It also gives an overall picture of the number of built environment applications, the number of TPOs, the number of applications that had Officer Reports (including the number that reference the NP), the number of decision letters that reference the NP and the number of conflicts i.e. when the CPC recommendation does not align with the final CWaC decision. The significance of these numbers is explained in the paragraphs and tables below.

Tables 7 and 8 provide a more detailed breakdown of the applications approved and refused in each year. The tables provide information on both the built environment and the green environment (TPO) applications which are considered separately below.

### 4.2 Built Environment

An auditable trail explaining the reasoning behind CWaC decisions is available for a proportion of the built environment applications in the form of an Officer or a Decision report. Table 6 shows that on average nearly 70% of the applications have Officer/ Decision reports but only a very limited number of these reports (~33% on average) reference the NP. The final decision is given in a decision letter which, for those without Officer/ Decision Reports, is all that is available.

The decision letters usually contain only limited information on the decision basis. In cases where there is only a decision letter it is not possible for the team to determine whether or not the NP had been used. In these cases, if there is a conflict between the CPC recommendation and the final CWaC decision, it has not been possible to ascertain why the difference had arisen.

To explain the tables, consider the year 2021. In Table 7 the number of approved built environment applications is 53 of which 36 had Officer Reports. Of those Officer reports only 8 reference the NP i.e. only 15% of the total number of approved built applications reference the NP. There are 4 where there is a conflict between the CPC recommendation and the CWaC final decision.

Turning to the applications that were refused (Table 8) there were 4 applications that were refused - all had Officer Reports of which 3 referenced the NP i.e. 75% of the total number of refused built applications referenced the NP. The number of conflicts was 3.

Looking at Table 8 over all the monitoring period it is apparent that all refused applications had Officer Reports. There is a very much higher proportion referencing the NP than is the case for the approved applications.

These tables give rise to obvious issues – the reasons for the apparent low usage of the NP in approved applications and the reasons for the conflicts between CPC recommendations and CWaC decisions.

Turning to the usage of the NP first it should be noted that there is an impact of the NP on the initial production of the application – clearly the developer knows that if the application does not align with the NP at the outset the prognosis is not good. The team found that CWaC seem to prefer to use primary legislation to justify decisions – perhaps because this is easier to defend in an appeal situation – or they are simply more familiar with primary

legislation. Note that since CWaC was using contractors to make these decisions during some of the monitoring period it is also possible that the contractors were simply not aware of the NP.

However, the NP aligns very closely with the existing legislation, so it is possible that CWaC are aware that meeting the primary legislation is unlikely to produce decisions which are at variance with the intentions and policies of the NP.

The situation with the use of the NP in CWaC decision making is clearly not optimum and the team recommend that the CPC maintain a higher level of oversight of the CWaC decision making process using the new database developed as part of this monitoring report (Recommendation 2).

Turning to the reasons for the conflicts between CPC recommendations and CWaC decisions these are dealt with in more detail in the Appendices. In brief there are 3 main reasons: -

- ❖ The application deals with green belt issues so the NP does not apply,
- ❖ CWaC perceive harm to the character, street scene and appearance of the area
- ❖ CWaC consider the application to be compliant with Planning and Building Regulations

Further issues identified by the monitoring exercise are as follows: -

(i) A situation was identified where an application was made for 2 houses which was approved, and the houses were built. On completion a further application was made for another 2 houses alongside the original two which was approved, and the houses built. A further application was made for yet another two houses and so on. CWaC considered the time lag between applications meant that the applications were separate. However, this process circumvents the NP policy to build affordable houses (1 in 3 houses should be affordable). Commercially this is helpful for the developer, but it does not result in the mix of houses the NP identified that the village desperately needs.

(ii) The team identified situations where it appeared that work was being undertaken on approved sites that did not align with the original approval. This was then justified by retrospective applications. It appeared that CWaC enforcement does not identify and react to these situations.

(iii) While not part of this monitoring exercise it was alleged that in some of the estates that have been built recently, the intentions identified in the original approval, in terms of facilities were slowly watered down as the planning application approval was passed from developer to developer before the actual work started.

The team recommend Ward councillors should be made aware of issues of development creep and retrospective planning applications particularly when it is the same applicant who is continuing to offend. (Recommendation 3).

### 4.3 Tree Preservation Orders

Table 6 provides the numbers of TPO applications that have been submitted in each of the years monitored. Tables 7 & 8 also provide information on those approved/ refused together with the number of conflicts. For TPOs the data available from the CWaC database is insufficient to allow an understanding of the decision basis. This is because none of them have Officer Reports on the public database – the majority are decision letters. There is, therefore, no publicly available auditable trail for the decision-making process.

Tables 7 & 8 make it clear that there are a slightly more conflicts with the outcomes for approved and refused TPOs than was found when considering the built environment applications. However, because decision letters usually have little or no information on the reasons for the CWaC decision, it is not possible to ascertain the basis for these conflicts.

All that can be said is that, in spite of the higher level of conflicts, the overall impression is that the outcomes seem to accord with the policies and intentions of the NP. It is noted that in some decision letters the recommendations of the CPC (based on the NP) appear as conditions in the letter.

The team was informed of an example of how TPO applications can be made piecemeal and then followed up by an application to build. In one case two applications for removal of trees were made separated by 6 months in 2021. The first application was decided with no objections, other than a reference by the PC to the requirements of NP Policy 3. No decision report was posted. As part of the argument for the tree removal the applicant alleged that the tree removal would among other things, protect a Maple tree and make it more visible. Six months later an application to remove 6 trees including the Maple was made but following objections by the PC and a neighbour the application was withdrawn. A further application was made early in 2022 for removal of 3 trees which was objected to by the PC but decided with no decision report. In 2022 and 2023 three applications to build in the area cleared of trees were made and objected to by the PC and refused by CWaC.

These sorts of issue underline the importance of more detailed monitoring by CPC which would allow identification and tracking of these matters as they arise so that they can be discussed with CWaC while they are still current. TPO Decision Letters should be produced for all the TPOs requesting tree felling.

The team recommend that, as part of the routine overview of TPO applications, CPC should (on a sample basis) follow up a number of TPOs over time to ensure that Decision Letters are produced and agreed conditions are met (Recommendation 4).

**Table 6: Summary of All Planning Applications Processed for Cuddington Parish 2019 - 2023**

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 **</b>	<b>2023 ***</b>
<b>No of Applications in a year *</b>	86	90	88	96	60
<b>No. of Applications supported by CPC</b>	45	60	61	66	45
<b>No. of Applications not supported by CPC</b>	10	8	9	12	7
<b>No of Applications CPC Not Consulted on</b>	31	22	18	18	8
<b>No of Built Environment Applications</b>	66	59	57	74	37
<b>No of TPO applications</b>	20	31	31	22	23
<b>No of Officer Reports</b>	46	44	40	47	22
<b>No of Officer Reports that reference the N.P.</b>	15(33%)	13 (29%)	11 (27%)	21 (45%)	6(26%)
<b>No of CWAC Decision Letters that reference the N.P.</b>	0	0	1	2	0
<b>No of Conflicts</b>	8	10	10	10	6

\* Net of applications subsequently withdrawn or where applications not required

\*\* 2022: 4 applications still awaiting a decision by CWaC planning officer

\*\*\* 2023: 3 applications still awaiting a decision by CWaC planning officer

**Table 7: Applications Approved by CWaC Planning**

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>No of Approved Built Environment Applications</b>	61	57	53	62	31
<b>No. of Decision Letters</b>	58	52	50	60	31
<b>No. with Officer Report</b>	41	41	36	39	18
<b>No. of Officer Reports that refer to N.P.</b>	11	13	8	17	4
<b>No. of Conflicts</b>	5	4	4	3	3
<b>No. of Approved TPO Applications</b>	18	29	30	21	19
<b>No. of Decision Letters</b>	8	23	22	11	17
<b>No. of Conflicts</b>	1	3	3	2	0

**Table 8: Applications Refused by CWaC Planning**

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>No of Refused Built Environment Applications</b>	5	2	4	8	4
<b>No of Decision Letters</b>	5	3	4	8	4
<b>No with Officer Report</b>	4	2	4	8	4
<b>No with Officer Report that referenced N.P.</b>	3	0	3	4	2
<b>No of Conflicts</b>	1	2	3	5	1
<b>No of Refused TPO Applications</b>	2	2	1	1	3
<b>No of Decision Letters</b>	2	2	1	1	3
<b>No of Conflicts</b>	1	1	0	0	2

## 4.4 A Brief Summary of Conflicts/ Differences of Opinion

The reasons for conflicts / differences of opinion between CPC and CWaC are detailed in the Appendices 1-5 but are briefly summarised in the list below.

### **2019-Reasons for conflicts**

#### **Built Environment**

- 2 PC objected to the increase in the footprint of the Shell Garage and the provision of only one EVC
- 1 Variation of Conditions on an application approved before the NP was Made
- 1 Green Belt – outside NP remit
- 1 Following PC objection application was modified and approved
- 1 Extension would be a disproportionate increase in size of the property

#### **TPOs**

- 1 No CWaC decision letter
- 1 Insufficient info for TPO officer

### **2020-Reasons for Conflicts**

#### **Built Environment**

- 3 Green belt/ Conservation areas - outside NP remit
- 2 PC concerned about adverse impact on neighbours
- 1 Harm to the character, street scene and appearance of the area

#### **TPOs**

- 1 CWaC no decision report
- 2 Applications modified to allow pruning only
- 1 CWaC had lack of supporting evidence

### **2021-Reasons for conflicts**

#### **Built Environment**

- 1 Compliant with building regulations so approved by CWaC
- 1 Green belt – outside NP remit
- 1 PC objected to the increase in the footprint of the Shell Garage and the provision of only one EVC
- 1 Harm to the character, street scene and appearance of the area
- 1 Following PC objection conditions were set, and application approved
- 1 Developer made aware of need not to interfere with PROWs
- 1 CWaC concern over adverse impact on neighbours

#### **TPOs**

- 1 Concern over ownership of trees, approval limited to identified trees.
- 1 CWaC followed PC recommendation not to fell
- 1 No decision report

### **2022-Reasons for conflicts**

#### **Built Environment**

- 2 Considered compliant with Planning Regulations by CWaC
- 2 Green belt outside NP remit
- 1 Overdevelopment of extension and harm to the character and appearance of the area
- 3 Harm to the character, street scene and appearance of the area

#### **TPOs**

- 2 No decision letters

## **2023-Reasons for conflicts Built Environment**

3 Green belt outside NP remit

1 CWaC approved but accepted PC objections re commercial use

### **TPOs**

1 Refused but then approved

1 Insufficient information

## **5 Are the Neighbourhood Plan Aims being Achieved?**

### **◆ Environment and Landscape:**

To protect and enhance Cuddington Parish's natural rural character, including its heritage and natural green areas, for the benefit of present and future generations.

Although the aims for the environment of the Neighbourhood Area have been achieved and are being sustained the monitoring team notes the following:

- The management and control by CWaC of planning applications regarding the maintenance and removal of trees is very difficult to examine. In particular, there appears to be no connection between officers agreeing tree removal and officers approving subsequent building applications on cleared land. Our Neighbourhood Plan specifically requests that any trees or hedgerows removed in developments are replaced with equivalent species. This does not appear to be happening reliably, and we have seen an increase in planning applications where replanting has not occurred.
- A number of applications for developments on open countryside and on Green Spaces have been successfully resisted but these applications will continue and this needs to be carefully monitored by the PC going forward.
- Applications in the Open Countryside for eg tourism developments have had an impact on the surrounding woodlands and led to erosion of the countryside. The abuse of the system through retrospective applications has been allowed, and the conditions of extant planning applications have not been enforced consistently by the CWaC officers.
- Current work by CWaC on a Revised Local Plan must be carefully monitored and will require a well-informed response by the PC. On publication by CWaC, the setting up of a committee needs to be considered to fully understand the implications to the Parish Neighbourhood Plan.

### **◆ Economy and Retail:**

To maintain and improve the village as a convenient place to shop, work and spend time and to encourage a broad and sustainable rural economy which includes home working.

- The number of retail units in the Neighbourhood Area is largely the same as at the time the NP was Made. One butchery is currently closed but there are no empty retail units and so far none have been lost to change of use.
- The major change was the loss of the GP surgery in 2021. Despite a strong campaign by resident patients to retain some form of medical presence and service in the NP Area, the remote surgery in Northwich is now the nearest surgery for those patients. The surgery building is currently in need of maintenance and will require some action in the near future as it is on a Gateway into the Key Service centre.

### **◆ Housing and Design:**

To improve the housing mix through sustainable development by providing smaller and affordable homes which meet the needs of our rural Parish.

- The significant large developments in and around the Key Service Centre, mostly committed and largely complete when the NP was Made, have delivered on housing mix and affordable housing in line with NP Policies.
- Unfortunately, the infills in the KSC have been larger homes not in line with the Policies, and in some cases have been delivered piecemeal to avoid the need to provide affordable accommodation as specified in the NP and endorsed in the Local Plan.
- Although the PC has resisted these applications, they have slipped through the CWaC planning processes without challenge.

### ♦ **Travel and Movement:**

To support and improve safe and sustainable modes of transport (walking, cycling and public transport) across the Parish whilst alleviating potential traffic and parking issues.

- The roadways in the new developments are close to the minimum width which makes for parking problems for multiple car ownership homes.
- The PC has resisted garage conversions where they will result in resident car parking on the street but again the CWaC planners have not been as rigorous in refusing those particular planning applications, and so this has led to an increasing number of change of use of garages.
- Public Rights of Way through the Neighbourhood Area have been successfully retained but the upkeep has been impacted by poor weather and no doubt lack of funding.

## **6 Are there policies in other Made Plans which could improve our NP?**

We have identified seven made plans in the CWaC Borough that are recent plans, and that are mostly in the rural area. Other plans, older than ours, seem to be “less detailed” in their ambitions. It is obvious that as each Neighbourhood Area published their requirements then more detail was included in subsequent and newer plans.

The plans we have examined are: Clotton Hoofield (Pop 425, 126 Households); Utkinton and Cotebrook (Local Service Centre, Pop. 712); Tarporley (KSC Pop 3219 (2021) 1176 Households (2011); Kelsall (KSC, POP 2996); Upton by Chester (Pop 8527); Darnhall (Pop 232, Households 92); Tarvin (KSC, Pop 2744).

The surprising feature from many plans is that “housing” was predominantly a list of what was then “current” facts on housing stock and a vague aspiration for the future. Ince and Tarvin didn’t have any stipulations in their plan (current housing “quota” exceeded), and Darnhall was minimal.

Most plans covered the same general areas we currently cover with slight differences on presentation. The history and need areas were comparable to our own plan. However, areas covered in other plans worth noting are given briefly below in Table 9 More detailed analysis is shown in Appendix 7

**Table 9: Sample of Made Plans in the Rural Areas of Cheshire West and Chester**

Neighbourhood Area	Population Profile	Comments
Clotton Hoofield	Population 425 Households 126	Policy regarding timber framed and self-build houses in the area. This identifies the character and nature in order for them to be “in keeping” with the existing scene. We have only a couple of examples in the village (one on Mill Lane) but are now seeing applications for them
Utkinton and Cotebrook	Local Service Centre Population 712	There are specific guidelines within the plan stating the mix of the properties they will accept within their boundary. This gives them greater ability to reject planning if the quota is already fulfilled. This reads “one third new builds as detached properties, with the rest being bungalows, terraced or semi-detached”.

Tarporley	Key Service Centre Population 3219 (2021) 1176 Households (2011)	Tarporley has a specific section for “Housing of older people” within the plan as they see this as their main issue for new house development in their area. This would be useful given the current mix of our village and offers a greater support to smaller or single occupancy developments within planning.
Kelsall	Key Service Centre Population 2996	Has a stipulation for a new build, a proportion of the properties developed must conform to accessibility and adaptable living standards. Again, offering more control over planning within their area.
Upton by Chester	Population 8527	Objective <ul style="list-style-type: none"> <li>• To ensure that housing developments and conversions are appropriate to the housing needs of the local community, particularly young families and older people</li> </ul> The demand for existing social housing in the area is high and there is a need for more affordable housing. <ul style="list-style-type: none"> <li>• The provision of suitable “starter homes” and houses suitable for older people wishing to “downsize” should be enhanced.</li> </ul>
Darnhall (Pop 232, Households 92)	Population 232 Households 92	Acceptable types of new housing development include: <ul style="list-style-type: none"> <li>• Re-use or conversion of existing rural buildings which are of permanent construction and can be reused without major construction that would lead to an enhancement of the immediate area</li> <li>• Redevelopment of brownfield sites in sustainable locations and replacement of existing dwellings subject to the criteria listed in policies DM1, DM19 and DM21 of the Local Plan (Part Two)</li> </ul>
Tarvin	Key Service Centre Population 2744 Households 1350	<ul style="list-style-type: none"> <li>• Any development should protect open space, existing hedgerows and trees (91%);</li> <li>• There should be a focus on good quality design to complement the existing housing and surroundings (88%);</li> <li>• Houses should have gardens and space to park a car (87%); and,</li> <li>• In order to protect the views to open countryside, no building should exceed two storeys in height outside the Tarvin Conservation Area (85%).</li> </ul>

## 7 What are the relevant changes in the Local area since 2019?

### 7.1 Completion of New estates and Infills 2010 – 2023

The Housing target set for Cuddington Key Service Centre (KSC) for the period 2010 to 2030 was 200 new homes as a minimum. The Forest Edge development has contributed 165 towards that total and infills around the Parish have contributed a further 38 homes, giving a total against the Local Plan target of 203 new homes. The Parish has therefore met its 2030 housing obligation.

### 7.2 Development of Blakemere

A specific policy was included in the NP for Blakemere. It was designed to ensure that the site would continue to be a tourist and leisure attraction but that it would remain within the then existing footprint. (Policy 11 in the NP)

The policy supports the on-going use of this facility and the reuse of land and buildings to further the leisure and tourism offer, uses which are identified as being commensurate with the open countryside location. Residential and further retail uses are not considered acceptable as part of the mix, as there is no identified need for further housing, and appropriate growth can be accommodated within the Key Service Centre. It is important that the setting and the character of the area is protected and does not become overly developed. The Monitoring Team noted that there are three planning applications from 2022 for developments related to the caravan park, which are still awaiting planning decisions. These are all retrospective and therefore Blakemere continues to be developed but without formal approval. (See Recommendation 3)

### 7.3 Doctors Surgery

In the Key Service Centres Background paper issued by CWaC in 2013, describing and listing the assets in proposed KSCs, the presence of a doctor's surgery in Cuddington Parish was the first key feature identified in justifying Cuddington as a KSC.

At that time the population of the Parish was of the order 5350 and today it has grown to 6196 (CWaC estimate) yet it has lost its GP surgery.

The Monitoring team is concerned that several other KSCs with populations of approximately 3000, namely Tarvin, Tarporley and Kelsall, are served by medical practices, with facilities within the KSC and we have lost ours.

## 8 What are the relevant changes in National and Local Planning Policy?

Cheshire West and Chester is currently consulting on a Local Plan review. This is due to complete in 2024. The Parish Council has already engaged in the first phase but should engage fully in this consultation. Following the Local Authority Review, it will be necessary to carry out a further monitoring exercise on our Neighbourhood Plan.

## 9 What Money has been raised from the Community Infrastructure Levy (CIL) and how has this been used in the Parish?

CIL allows local authorities in England and Wales to raise funds from developers who are undertaking new building projects in their area. Money gained through CIL is used to pay for strategic infrastructure projects. Neighbourhood Areas without a Made plan are entitled to receive 15% of the money raised through the CIL for a development in their area. This is capped at a maximum of £100 per existing council tax dwelling per year so for a Parish that has 2000 existing dwellings, then they could not receive any greater than £200,000 from CIL neighbourhood monies in a year.

Since the Parish has a Made plan then the entitlement has risen to 25% of CIL monies and is not limited in any way. The Cuddington NP was Made in February 2019 and so our CIL entitlement after that date was increased for the Parish.

The CIL rates per square metre are listed below, for planning permissions granted on or after:

- 5 April 2019 - 31 December 2019: £77.83
- 1 January 2020: £81.74
- 1 January 2021: £81.51
- 1 January 2022: £81.26
- 1 January 2023: £86.89
- 1 January 2024: £93.25

## Summary of the Use of Cuddington Parish Community Infrastructure Levy (CIL)

Financial Year	CIL Receipts	CIL Expenditure	Items of Expenditure	CIL Retained
2018/2019	£1438.50	£0.00		£1438.50
2019/2020	£0.00	£1438.50	Community notice boards x2 Additional PC funding £1149.00	£0.00
2020/2021	£0.00	£0.00		£0.00
2021/2022	£13258.46	£13258.46	Physical infrastructure. £3435.86 Green Space £9822.60	£0.00
2022/2023	£13197.50	£13075.98	Social Infrastructure - Benches and Bins £2296.08 Physical Infrastructure - New Speed Indicator Devices £10440.00 Green Infrastructure – Repairs to open space areas. £339.90	£121.52

## 10 Glossary of Planning Abbreviations

OUT	Outline planning application to establish the principle of a development
FUL	Full detailed planning application
S73	Planning application for the variation or removal of a condition on an existing planning permission.
LDC	Legal Development Certificate
LBC	Listed Building Consent - consent to alter a listed building
CAT	Notification of Proposed Works to Trees in a Conservation Area
CIL	Community Infrastructure Levy
HHE	Householder application for eg an extension
SPD	Supplementary Planning Document – additional advice on policies in the Local Plan
TPO	Tree Preservation Order

## 11 Appendices

### Appendix 1 Planning Applications for 2019: Conflicts Between CWaC and Cuddington PC

App Number	Proposal	CPC Comments	CWaC Decision
19/02137/FUL	Erection of new sales building (demolish existing), repositioning of HGV fuel dispenser, alterations to the access arrangements, creation of new egress and associated works - revised existing and proposed site plans	Objection Incursion on neighbour boundaries vents too close Removal of hedgerows and trees contrary to NP policy 3	Approved No Officer Report Decision Letter <ul style="list-style-type: none"> <li>No part of the development shall be occupied until full details of the soft landscaping works including boundary treatment and the provision of replacement trees (as a minimum, replacing one tree with two trees) have been submitted and approved</li> </ul>
19/03046/FUL	Erection of stable building with tack room/store	Objections <ul style="list-style-type: none"> <li>It is in the green belt</li> <li>No reference has been made to Neighbourhood Plan Policy 3 (Protecting Trees, Hedgerows and Vegetation) and no account taken of Policy 5 (Open Countryside).</li> <li>There is insufficient land on which to keep 2 horses and no water supply.</li> </ul>	Approved <ul style="list-style-type: none"> <li>The site is located within the Countryside and Green Belt.</li> <li>The main issues are the principle of the development and equestrian policy, the visual impact on this Green Belt location, residential amenity and highways access.</li> <li>The development would be a small-scale equestrian use which is considered to be a suitable use in the open countryside</li> </ul>
19/03901/S73	Variation of condition 7 (Electric Vehicle Charging Points) of planning permission 19/02137/FUL to provide one fast 150kw electric vehicle charging point	Objection The Councillors request was for the provision of two fast EVCPs, and this is Condition 7 in the Notice of Planning Permission. Shell is offering to provide one such charger asserting that this provision meets Local Plan policy requirements.	Approved No comments relevant to the objection
19/04149/FUL	Single storey extension, part conversion of existing roof space and rear dormer	Objection <ul style="list-style-type: none"> <li>The extension at the front is out of keeping with the character of neighbouring property, is unsightly and an intrusion into the street scene.</li> <li>The requirements in the Neighbourhood Plan Policy 15 and Character Assessment are not met by this application.</li> </ul>	Approved <ul style="list-style-type: none"> <li>The design was modified and addressed the CPC objections.</li> <li>Therefore complied with NP Policy 15</li> </ul>

App Number	Proposal	CPC Comments	CWaC Decision
19/04469/S73	Variation of condition 2 (plans) of planning permission 18/02406/FUL	Objection <ul style="list-style-type: none"> <li>The Variation on Approval given in 2018 was post NP Made Plan and breaches Policies 1,3,12,14,18</li> </ul>	Approved <ul style="list-style-type: none"> <li>Planning approval was prior to NP</li> <li>The principle of a dwelling on this site, has already been established, and matters relating to visual amenity, neighbour amenity, highways and parking, relationship with the proposed extension at no.17 and drainage have already been discussed in detail in the previous application, and on the whole remain unchanged</li> </ul>
19/01613/FUL	Part single storey, part two storey rear extension and single storey front extension	No Objection	Refused Policy 15 of the Cuddington NP states that extensions should respond to the local character with respect to use of materials, architectural detailing, form and mass and provision of public and private space. Extensions should not disproportionately increase the size of the property.
19/02817/CAT	12 Trees for pruning and or Felling	Objection Insufficient information	Decided No Decision Letter
19/02278/TPO	Felling of Three Silver Birch	No objection	Refused Consent is hereby REFUSED for the fell of 1,2,3 Silver Birch due to lack of supporting evidence. 2. The applicant has not supplied any or insufficient evidence to justify the removal of the tree(s) and the consequent loss of amenity to the area.

## Appendix 2 Planning Applications for 2020: Conflicts Between CWaC and Cuddington PC

App Number	Proposal	CPC Comments	CWaC Decision
20/01158/S73	Variation of Condition 2 (Approved Plans) of 19/03046/FUL to provide an amended hardstanding area	<p>Objection</p> <ul style="list-style-type: none"> <li>It is in the green belt</li> <li>No reference has been made to Neighbourhood Plan Policy 3 (Protecting Trees, Hedgerows and Vegetation) and no account taken of Policy 5 (Open Countryside).</li> <li>Further reduction in grazing area</li> </ul>	<p>Approved</p> <ul style="list-style-type: none"> <li>The site is located within the Countryside and Green Belt.</li> <li>The development would be a small-scale equestrian use which is considered to be a suitable use in the open countryside</li> </ul>
20/02018/FUL	First floor rear balcony, and roof alterations	<p>Objection</p> <ul style="list-style-type: none"> <li>Recommend refusal, the application affects the privacy of neighbours.</li> </ul>	<p>Approved</p> <ul style="list-style-type: none"> <li>It is considered that the proposal would not have a significant adverse impact on health or quality of life, having particular regard to residential amenity.</li> </ul>
20/02048/FUL	Change of use of agricultural building to residential garage and storage including alterations and repairs, together with the siting of a temporary mobile home for the use by a dependent relative	<p>Objection</p> <ul style="list-style-type: none"> <li>The buildings are in the conservation area and plans for repair must be carried out sympathetically and any building finishes must be in keeping with adjacent properties. The use of buildings for garaging and storage is acceptable.</li> <li>We object to the siting of mobile homes for any period of time in this conservation area.</li> </ul>	<p>Approved</p> <ul style="list-style-type: none"> <li>The temporary mobile home is for the use by a dependent relative shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling for a dependent relative.</li> <li>The temporary mobile home shall also be removed from the site and the land shall be restored to its former use and condition when no longer required for the use by a dependent relative</li> </ul>
20/03984/FUL	Single storey rear extension	<p>Objection</p> <ul style="list-style-type: none"> <li>The proposal is not in accordance with CWaC Local Plan SPD relating to housing extensions as regards both size and situation and so has an adverse effect on neighbouring properties and therefore CPC objects to this application.</li> </ul>	<p>Approved</p> <ul style="list-style-type: none"> <li>Decision Letter only</li> <li>No reference to objections by neighbours or CPC</li> </ul>
20/00937/FUL	Conversion and extension of a traditional barn to a dwelling, including the demolition of existing modern farm buildings and associated development	<p>No objection</p> <ul style="list-style-type: none"> <li>Subject to clarity on the treatment of foul sewage</li> </ul>	<p>Refused</p> <ul style="list-style-type: none"> <li>It is within the Cuddington Conservation Area and Green Belt.</li> <li>The development would result in alterations that by virtue of the scale and form undermines the traditional agricultural character of the existing barn. Furthermore, it has not been demonstrated that the conversion would lead to an</li> </ul>

App Number	Proposal	CPC Comments	CWaC Decision
			<ul style="list-style-type: none"> <li>enhancement of the immediate setting. As such, the proposal is contrary to policy STRAT 9</li> </ul>
20/02840/FUL	Replacement of existing boundary hedge with stone retaining wall and close boarded fence	No objection	<p>Refused</p> <ul style="list-style-type: none"> <li>The main issue is the effect of the proposal on the character and appearance of the local area.</li> <li>The development would harm the character and appearance of the area in conflict with Policy ENV6 of Cheshire West and Chester Council Local Plan (Part One) Strategic Policies (2015), Policy DM21</li> </ul>
20/00537/TPO	Fell an ivy clad Lime in close proximity to the house which is currently resting on the roof tiles and has dislodged said tiles. Alternatively a 2-3m reduction, if a fell is refused.	<p>Objection</p> <ul style="list-style-type: none"> <li>The Councils view is that a 3 metres reduction would be sufficient without removing all the tree</li> </ul>	<p>Approved</p> <p>Application approved via Decision Report</p>
20/03208/TPO	1 x mature beech - request to fell due to encroachment on property and also suppressed by surrounding trees. 1 x smaller beech, crown reduce to allow sunlight to garden	<p>Objection</p> <ul style="list-style-type: none"> <li>Given the distance of the trees from the house we cannot see how there is encroachment. Crowning of the smaller tree appears to be in order but we would regard reducing the size of the larger tree adequate rather than felling.</li> <li>All TPO applications should have regard to the need to replace any felled trees in line with Cuddington NP Policy 3</li> </ul>	<p>Approved</p> <p>Application approved via Decision Report</p>
20/01519/CAT	T1 Spruce - fell to low stump. T2 Ash - Fell to low stump. G1 Conifers - fell to low stump	<p>Objection</p> <ul style="list-style-type: none"> <li>The Council would like to understand the reason for the proposed felling before commenting. This is in the conservation area and needs to demonstrate compliance with NP Policy 3</li> <li>Consideration should be given to lopping rather than felling</li> </ul>	<p>Approved</p> <p>No Decision Report</p>
20/03839/TPO	Silverbirch – fell; Oak - crown lift by 2m	<p>No objection</p> <ul style="list-style-type: none"> <li>CPC request NHP Policy 3 is adhered to.</li> </ul>	<p>Refused</p> <ul style="list-style-type: none"> <li>Consent refused for the fell of x 1 Silver Birch as indicated on submitted plan due to lack of supporting evidence to justify removal.</li> <li>Crown lift by 2m to x 1 Oak is Approved</li> </ul>

### Appendix 3 Planning Applications for 2021: Conflicts between CWaC and Cuddington PC

App Number	Proposal	CPC Comments	CWaC Decision
21/02682/FUL	Proposed two storey side extension	<b>Objection</b> <ul style="list-style-type: none"> <li>The extension would not be in keeping with the surrounding properties. The development would potentially remove light to No 2 which faces the extension directly, and would significantly alter the current appearance.</li> <li>The size of the extension would take it close to the property boundary. No trees or surrounding are affected.</li> </ul> <p>The Parish Council objects to this application</p>	<b>Approved</b> <ul style="list-style-type: none"> <li>Compliant with building regulations Conditions prescribed</li> </ul>
21/00678/FUL	Erection of a garage and adjoining outbuilding	<b>Objection</b> <ul style="list-style-type: none"> <li>The applicant has started the work before permission has been granted</li> <li>The applicant has ignored the Neighbourhood Plan Policy 3 The application says that no trees would be removed.</li> <li>The proposed usage of the workshop for "non-residential purposes" needs to be clarified as to its purpose.</li> <li>The Council objects to the applicant taking precipitous action without having planning permission and without heeding the Neighbourhood Plan.</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>The outbuilding hereby permitted shall not be used at any time other than for purposes incidental to the residential use of the main dwelling (Badger Bank) and shall not at any time include any primary habitable accommodation (including lounge, kitchen, dining, bedroom or bathroom) or be used in connection with any business or commercial purposes.</li> </ul>
21/01533/FUL	Replacement of boundary wooden fencing with a 1.8m high deer fencing	<b>Objection</b> <ul style="list-style-type: none"> <li>Kennel Wood is an historic woodland and the introduction of a metal fence would further erode the local amenity value of the wood.</li> <li>In the Neighbourhood Plan under the Character Assessment Appendix L protection of the wood is sought in section 3 (All Wooded Areas in the Parish) which states:</li> <li>"All Cuddington Parish is part of the Mersey Forest and is therefore also subject to such rules and regulations that the Mersey Forest organisation imposes. Wooded areas survive from the former extensive Delamere Forest. In particular are....., Kennel Wood, ....."</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>The developer should be aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed; such interference may well constitute a criminal offence.</li> <li>In particular, the developer must ensure that there is no diminution in the width of the right of way available for use by members of the public</li> </ul>

App Number	Proposal	CPC Comments	CWac Decision
21/01576/FUL	Demolition of existing sales building and construction of a news sales building Shell Garage	<b>Objection</b> <ul style="list-style-type: none"> <li>This application represents overdevelopment of the site.</li> <li>The application seeks only a single electric vehicle charging point therefore does not meet the following 2 requirements: -</li> <li>NPPF (paragraph 85), which is referred to in section 5.13 of the Planning and Design and Access Statement, says "....meet the scale and type of development likely to be needed at least 10 years ahead".</li> <li>Neighbourhood Plan (policy 18), which is referred to in section 5.44 of the Planning and Design and Access Statement, says ".....using....renewable and low energy design solutions".</li> <li>This larger footprint should include at least 2 vehicle electric charging points taking into account future demand.</li> <li>The Council Objects to the proposal.</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>Subject to a number of conditions including:</li> <li>Condition 7: Prior to first use of the sales building hereby approved, electric car charging infrastructure comprising of 2 no. fast HV 150kw electric vehicle charging points shall be provided in accordance with Proposed Layout, Rev 10019297-PLNG-03-2021 Rev D, and thereafter retained.</li> </ul>
21/00939/FUL	Erection of a single storey timber clad garden building	<b>No objection</b> <ul style="list-style-type: none"> <li>No objection subject to there being no restrictions owing to its location in the green belt</li> </ul>	<b>Refused</b> <ul style="list-style-type: none"> <li>The dwelling is located in the Sandiway Conservation Area and is located in the Green Belt and open Countryside.</li> <li>Not an exception for a construction in the Green Belt</li> </ul>
21/03592/FUL	Alteration to roof, internal alterations and new detached garage	<b>No objection</b> <ul style="list-style-type: none"> <li>There is no precedent in the surrounding houses for this type of alteration but the effect of the alteration to the house is minimal being within the existing footprint.</li> <li>However, the erection of a garage to the front of the garden is a significant change to the street scene and we draw the Planning Officers attention to this</li> </ul>	<b>Refused</b> <ul style="list-style-type: none"> <li>The proposed garage would, by virtue of its size, design and positioning, appear as an overly-prominent and alien feature which would be out of character with the open and front garden areas of the street scene and harmful to the character and appearance of the area.</li> <li>Would cause highway safety issues.</li> <li>The rear extension is not considered to be of a sufficiently high quality</li> </ul>
21/04918/REM	Approval of reserved matters (Access, Scale, Layout, Landscaping and Appearance) following outline approval on 20/01239/OUT	<b>No objection</b> <ul style="list-style-type: none"> <li>No objections subject to adherence to the Planning Officers report and to the Cuddington NP policies referred to at the outline planning permission stage. (20/01239/OUT)</li> </ul>	<b>Refused</b> <ul style="list-style-type: none"> <li>Overall, whilst it is considered that the access, appearance and landscaping area acceptable and that visually the scale and layout of the proposed dwelling would be acceptable, the proposal would</li> </ul>

App Number	Proposal	CPC Comments	CWaC Decision
			give rise to a significant adverse impact upon the residential amenity of the occupiers of No 16 Weaverham Road due to loss of outlook, overshadowing and loss of light
21/00926/TPO	Crown reduce 3 x cherries along Hadrian Way Crown reduce / lift various trees along boundary near garages Cut back Laurels and self set sycamores to rear corner of property Cut hard back laurels and ivy covered trees overhanging footpath on A556/Chester Road boundary	<ul style="list-style-type: none"> <li>• <b>Objection</b></li> <li>• The application shows 5 Watling Court as the applicant - however the impact of the application is much wider than 5 Watling Court so there needs to be a check that the applicant has the full authority to carry out the extensive tree work, particularly with regard to the other occupants of Watling Court and the neighbours.</li> <li>• The site is within the conservation area so the impact on the conservation area of the tree work intended needs to be taken into account particularly as Watling Court is adjacent to one of the main gateways into the village and so any tree work will make a visual impact.</li> <li>• There are TPOs but the application does not name them on the sketch plan.</li> <li>• The sketch plan is insufficiently detailed to give a true impression of the work intended.</li> <li>• We request that a full Tree Survey is carried out so that the application can be considered with a fuller understanding of the work intended and its consequent impact.</li> <li>• The applicant should also state how Neighbourhood Plan Policy 3 "Protecting trees, hedgerows and vegetation" has been taken into account.</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>• As specified in the application</li> <li>• The works hereby approved only relate to the trees identified on the plan attached to this decision.</li> <li>• It is advised that where the applicant is not the owner of the trees to be worked on, regardless of any permission under the TPO from the Council, the applicant must also gain the tree owners permission to carry out any works to the tree.</li> </ul>
21/02512/TPO	1x Mature Oak - Request to fell to size and close proximity to house , if refused then a 30% crown reduction would suffice.	<b>Objection</b> <ul style="list-style-type: none"> <li>• The tree should have crown reduction, it should not be felled.</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>• Consent is hereby APPROVED for the crown reduction not exceeding 30% to Oak as detailed on submitted plan for reasons of tree management.</li> </ul>
21/04810/CAT	1 Sycamore (T1) to be removed from the front garden that is causing obstruction to the roadside streetlight.	<b>Objection</b> <ul style="list-style-type: none"> <li>• Objection to the removal of the tree. No need to fell this should only be crowned if necessary.</li> </ul>	<b>Decided</b> <ul style="list-style-type: none"> <li>• No Decision Report posted on portal</li> </ul>

## Appendix 4 Planning Applications for 2022: Conflicts between CWaC and Cuddington PC

App Number	Proposal	CPC Comments	CWaC Decision
22/02830/FUL	Proposed first floor side extension including front roof dormer and associated alterations	<b>Objection</b> <ul style="list-style-type: none"> <li>The proposed development would put a two storey building on the boundary between 16 and 18 Weaverham Road. This will dwarf the adjacent bungalow and lead to loss of light and amenity for the neighbours. 18 Weaverham Road is currently unoccupied having been recently sold and the Parish Council needs assurance that the new owners have been notified and are aware of this proposal.</li> <li>The Parish Council objects to this proposal on the grounds of over-development of the plot.</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>In respect to residential and visual amenity, the Parish's comment relating to overbearing and overdevelopment of the plot has been considered.</li> <li>In this case, it is accepted there would be some impact on the bungalow to the north due to its close proximity and very small overall height.</li> <li>However, critically the bungalow only has windows which are obscurely glazed facing towards this site and therefore any loss of light or overshadowing impacts will be limited.</li> <li>Furthermore, the total height increase will be approx. 1.5m and the ridge will be a similar height to the adjoining bungalow.</li> <li>As such it is not considered that the proposal would result in significant adverse impact upon the residential amenity of the occupier of No 18 Weaverham Road in respect to outlook, light or privacy.</li> </ul>
22/03810/FUL	Demolition of outbuildings and erection of 2no. dwellings	<b>Objection</b> <ul style="list-style-type: none"> <li>The plot looks too small for two large houses and there is no detail in the plans for the proposed garage(s). One dwelling appears not to have a garage at all. The development should be compliant with the Cheshire West and Chester Revised Parking Standards SPD (February 2022), which stipulate that a minimum of three parking spaces should be provided for every 4 bedroom house on new developments. Cuddington Neighbourhood Plan Policy No 18 Parking Standards is based on this SPD.</li> <li>The proposal is for two, 4 bedroom properties which is not in line with the Cuddington Neighbourhood Plan Policy 12 Housing Mix and Type. The proposal also includes the development of a new</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>Amended plans were received in a bid to address concerns over the impact of the proposal on visual and residential amenity. Property 2 was moved Westwards to increase separation distances with properties along Poppy Close, whilst changes were made to the design of property 1. Property Two would be located in excess of 29m from all neighbouring dwellings to the North and East,</li> <li>Key Service Centres are identified in policy STRAT8 of the plan and represent the most sustainable rural locations for new development.</li> <li>Cuddington and Sandiway is identified within STRAT 8 as a Key Service Centre. The application site is located within this settlement boundary.</li> <li>Key Service Centres are identified in policy STRAT8 of the plan and represent the most sustainable rural locations for new development.</li> </ul>

App Number	Proposal	CPC Comments	CWaC Decision
		<p>wide access onto the very busy A49. CWaC Highways Officer will need to consider this.</p> <ul style="list-style-type: none"> <li>Cuddington Parish Council cannot support this application.</li> </ul>	<ul style="list-style-type: none"> <li>Cuddington Parish Council commented that the proposed development does not accord with Cuddington NP Policy 12 'Housing Mix and Type'. In order to secure a sustainable and mixed community, this policy states that small-scale residential developments with a range of housing types to meet identified local needs will be supported where they accord with Local Plan policies STRAT 8 and STRAT 9, the NP Policy 14 and other relevant policies.</li> <li>In line with Local Plan it states that proposals for residential development must take account of the housing needs of the local area to ensure a range of house types, tenures and sizes are provided across the borough. However, DM 20 clarifies that it is only applications for major residential development that are required to demonstrate a suitable range of housing is being provided.</li> <li>NP supports smaller homes for first time buyers and dwellings which cater for the elderly and those wishing to downsize. However, given the scheme is for two dwellings it is not considered it would be reasonable to refuse the application on a lack of housing mix</li> </ul>
22/04040/FUL	Extension and refurbishment of existing dwelling	<p><b>Objection</b></p> <ul style="list-style-type: none"> <li>The proposal is for a change to the footprint of the property which means the loss of a garage.</li> <li>The proposed materials of construction for the side extension i.e. aluminium cladding will be out of keeping with the other properties in that development and will negatively impact the street scene. Neighbours may wish to comment on the impact of the side extension. Cuddington Parish Council recommends that the CWaC Planning Officer should review the design and materials of construction.</li> </ul>	<p><b>Approved</b></p> <ul style="list-style-type: none"> <li>Amended plans were submitted which display a change in external materials, alterations to the glazed link element and the introduction of two new roof lights to the first-floor extension.</li> <li>The proposal seeks to introduce timber framed windows, a fixed timber cladding screen to the front and first floor side elevation, a concrete parapet overhang to replace existing garage and slime frame powder coated aluminum frame double glazed doors to the side of the rear extension</li> <li>Although the introduction of new materials is not usually supported, a justification can be made due to most of these materials being introduced to the rear, as well as exiting vegetation to the front boundary of the dwelling meaning it would not be wholly visible from the street scene.</li> </ul>

App Number	Proposal	CPC Comments	CWaC Decision
			<ul style="list-style-type: none"> <li>Also, a mix of materials can be seen along Hadrian Drive, with dwellings along the street scene being previously altered, displaying modern additions.</li> </ul>
22/00108/FUL	The erection of a single storey timber clad building	<b>No objection</b>	<b>Refused</b> <ul style="list-style-type: none"> <li>The dwelling is located in the Sandiway Conservation Area and is located in the Green Belt</li> <li>The proposal is located in a large section of land located to the north east of the dwelling and would be located 5m from the Tennis court area, which itself lies over 37m from the dwelling. This tennis court area has not been granted planning permission but has existed for over 10 years and therefore is lawful and immune from enforcement action, as is the small scaled existing outbuilding.</li> <li>Main considerations here are that the development is not considered to be within the domestic curtilage of the dwellinghouse and is also located over 5m from the dwelling.</li> </ul>
22/01047/FUL	First floor side extension, two storey side/rear extension, single storey rear extension	<b>No objection</b>	<b>Refused</b> <ul style="list-style-type: none"> <li>The proposed side extension, by virtue of its scale, design and massing, would result in development that would not be in keeping with the character and appearance of, nor be subordinate to, the original dwelling, and surrounding properties, and the wider setting.</li> <li>As such, the proposal would be contrary to Policy ENV6 of the Cheshire West and Chester Local Plan (Part One); Policies DM3 and DM21 of the Cheshire West and Chester Local Plan (Part Two), and the Framework which requires development proposals to demonstrate high quality standards of design and respects local character, and both the proposed SPD.</li> </ul>
22/01171/FUL	Alterations to front elevation to include windows to change from white to grey, remove brown tiles to front and side, insulate and finish with white render.	<b>No objection</b>	<b>Refused</b> <ul style="list-style-type: none"> <li>The proposed alterations would, by reason of their external materials in white render, result in significant adverse impacts on the established character and appearance of the host dwelling, street scene and wider locality.</li> <li>The development would therefore conflict with Policies DM 3 and DM 21 of the Cheshire West and Chester Local Plan (Part Two), Policy 15 of the Cuddington NP and guidance contained within the Cheshire West and Chester Council's Supplementary Planning Document:</li> </ul>

App Number	Proposal	CPC Comments	CWaC Decision
22/01886/FUL	Demolition of existing conservatory and garage, erection of two-storey and part single storey rear extension, detached garage with office space above	<b>No objection</b>	<b>Refused</b> <ul style="list-style-type: none"> <li>The site is located in the Green Belt and in an area designated as countryside.</li> <li>The proposed development, by virtue of its design, massing and cumulative impact along with previous developments, would not be sufficiently subordinate to the original dwellinghouse and would have a detrimental impact on the character and appearance of the original dwellinghouse.</li> <li>The proposal would therefore not accord with the provisions of the National Planning Policy Framework, policies ENV6, ENV2 and STRAT9, policies DM3 and DM21 of the Cheshire West and Chester Council's Supplementary Planning Document: House Extensions and Domestic Outbuildings, and the National Planning Policy Framework</li> </ul>
22/04203/FUL	Render to front and side elevation	<b>No objection</b> <ul style="list-style-type: none"> <li>Cuddington Parish Council has no objection subject to the application being compliant with the conditions set out in the officers report on the previous Planning Permission 21/03756/FUL and addressing concerns expressed by neighbours.</li> </ul>	<b>Refused</b> <ul style="list-style-type: none"> <li>By virtue of its colour, texture and impact on the original facade, the proposed render would have a negative impact on the character and appearance of the original dwelling and the predominant character of the streetscene and surrounding area. It would eradicate original architectural detailing that is important to the character of the original dwelling and the streetscene.</li> <li>As such, the development fails to accord with the provisions of policy ENV6 of the Local Plan (Part One), policies DM3 and DM21 of the Local Plan (Part Two), Cheshire West and SPD and the National Planning Policy Framework.</li> </ul>
22/00757/CAT	Removal of Lime (T1), Sycamore (T2) and Horse Chestnut (T3)	<b>Objection</b> <ul style="list-style-type: none"> <li>This applicant has removed a significant number of trees from this plot in a conservation area, and has applied before for further tree removal.</li> <li>We understand that the Tree Officer is seeking TPOs on the trees in this plot.</li> <li>The Applicant has also applied to build a new property on this site. This activity is contrary to the NP ; is destroying the outlook for neighbours and is attempting to permanently change the rural landscape and setting.</li> </ul>	<b>Approved</b> No Decision letter

App Number	Proposal	CPC Comments	CWaC Decision
		<ul style="list-style-type: none"> <li>The Parish Council strongly objects to this application.</li> </ul>	
22/03215/CAT	T1 - Ash- Crown thin 20 % T2 - Cypress fell and replace with suitable tree. T3 - Fir - Crown lift lower limbs and dead branches to 4 m T4 - Robinia - Tree on boundary of two properties Fell to ground.	<b>Objection</b> <ul style="list-style-type: none"> <li>No reason has been given for the felling of tree T4 and no plan to replace the tree has been proposed.</li> <li>On this basis the removal of this tree contravenes NP Policy 3 and so the Parish Council suggests that the tree officer should examine this proposal.</li> </ul>	<b>Approved</b>  No Decision report

## Appendix 5 Planning Applications for 2023: Conflicts between CWaC and Cuddington PC

App Number	Proposal	CPC Comments	CWaC Decision
23/00137/FUL	Two storey and single storey side extension, single storey front and rear extensions	<b>Objection</b> <ul style="list-style-type: none"> <li>This proposal is not in keeping with the street scene, is significant overdevelopment of the plot and aims to create a semidetached appearance at the front.</li> <li>In addition the loss of a garage will contribute to parking issues on the street. Cuddington Parish Council does not support this application.</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>The site lies within the Green Belt, within a residential area of Cuddington.</li> <li>It is considered that the proposed development would not result in a disproportionate addition over and above the size of the original building and is therefore considered an appropriate development.</li> </ul>
23/00270/FUL	Conversion and extension of a traditional barn to a dwelling, including the partial demolition of existing modern farm buildings and associated development	<b>Objection</b> 21/02/23 <ul style="list-style-type: none"> <li>This application is a modification to Application 20/00937/FUL which was refused at appeal. This proposed development, together with the three other properties, previously approved and built on this site, would produce a significant urbanising effect in the Green Belt.</li> <li>A development of this overall size (more than three dwellings) should be subject to the Affordable Housing stipulations in the</li> </ul>	<b>Approved</b> <ul style="list-style-type: none"> <li>The site is wholly located within the Cuddington Conservation Area and Green Belt.</li> <li>The proposal represents conversion of a redundant rural building with alterations of a scale that are considered acceptable and ones that retain the character of the original building. In light of the same the scheme is found to represent proportionate additions and therefore appropriate development in the Green Belt.</li> <li>Comments have also been received that touch on the requirement for affordable housing for the development</li> </ul>

		<p>Cuddington NP Policy 13. Cuddington PC does not support this application.</p> <p>19/10/23</p> <ul style="list-style-type: none"> <li>• This application is another modification to Application 20/00937/FUL which was refused at appeal and it only alters the footprint of the proposed fourth dwelling on this site.</li> <li>• This proposed development, together with the three other properties, previously approved and built on this site, would produce a significant urbanising effect in the Green Belt.</li> <li>• A development of this overall size (more than three dwellings) should be subject to the Affordable Housing stipulations in the Cuddington NP Policy 13. Cuddington PC does not support this application for a fourth dwelling.</li> </ul>	<p>and policy 13 of the Cuddington Neighbourhood Plan is noted.</p> <ul style="list-style-type: none"> <li>• While it is appreciated the proposal has been put forward by the same applicant as the adjacent conversions, these have clearly been carried out some time ago and are now occupied.</li> <li>• As such, this application is not considered to represent piecemeal development, rather it is a scheme for one dwelling that would not justify an affordable housing contribution.</li> </ul>
23/00393/FUL	Change of use of land to include equestrian use and erection of timber stables and all weather arena	<p><b>Objection</b></p> <ul style="list-style-type: none"> <li>• The application refers to a change of use of the land. We would like the Planning Officer to address the following points.</li> <li>• This is a development in the Green Belt.</li> <li>• Is this a change of use to create a business?</li> <li>• The Design and Access Statement referred to in the application is not in the set of documents posted on the portal with the application</li> <li>• The proposed arena is close to neighbouring properties and could impact in terms of floodlighting and activity with horses. No doubt the neighbours will comment</li> <li>• There is no reference to the level of activity anticipated and there may be traffic issues caused by the movement of horses on and off the site Cuddington PC cannot support this application based on the information given.</li> </ul>	<p><b>Approved</b></p> <ul style="list-style-type: none"> <li>• The stables hereby approved shall only be used for private equestrian uses, and shall not be used in connection with any commercial equine operation such as a riding school or livery.</li> <li>• Notwithstanding the approved plans, no external lighting shall be installed in conjunction with the development hereby approved.</li> </ul>
23/00899/S73	Amendment to application 15/02524/FUL for conversion	<p><b>No objection</b></p> <p>No objection. Neighbours may wish to comment</p>	<p><b>Refused</b></p> <ul style="list-style-type: none"> <li>• The site is within the countryside and Green Belt.</li> </ul>

	of agricultural building to 3No dwellings, erection of 3 garages, demolition of redundant buildings, and associated works - Variation of condition 2 (approved plans) of planning permission 17/00954/FUL		<ul style="list-style-type: none"> <li>The development would result in an outbuilding being located more than 5m from the main dwellinghouse and would therefore represent inappropriate development in the Green Belt by virtue of being a new building as opposed to an extension.</li> <li>Very special circumstances are not considered to exist that clearly outweigh the harm to the Green Belt by reason of inappropriateness.</li> <li>As such, the proposal is found to be contrary to Chester Local Plan – Part One Policy STRAT9, – Part Two Policy DM19, the Cheshire West and Chester Householder Supplementary Planning Document: House Extensions and Domestic Outbuildings and the NPPF.</li> </ul>
23/00357/TPO	Poplar (T1) - Crown reduce by 30% to prevent failure and damage to neighbouring property.	<b>No objection</b>	<b>Refused</b> <ul style="list-style-type: none"> <li>Hi Planning, I am contacting you to ask if you can add some notes or withdraw an application I have just refused. Ref 23/00357/TPO. The applicant submitted a proposal to reduce a poplar tree at the above address however there was a lack of evidence so it was refused by me this morning.</li> <li>Having checked the original order Poplar is not noted as a species so it would be my opinion that it is not protected and as such there should not have been an application for work.</li> </ul>
23/03230/TPO	Horse Chestnut which grown into 2 trees from the base. The branches of a large tree need trimming from base up to 3m approx as is intruding into neighbours garden. Small tree requires to be removed as this has seeded from the main tree and is growing too close to main tree.	<b>No objection</b>	<b>Refused</b> <ul style="list-style-type: none"> <li>Consent is hereby REFUSED for the removal of a co dominant stem as requested due to lack of supporting evidence to justify this work and the resultant large diameter wound close to the main stem base which would be left.</li> <li>Consent is APPROVED for a crown lift to 3m.</li> <li>The applicant has not supplied any or insufficient evidence to justify the removal of the tree(s) and the consequent loss of amenity to the area.</li> </ul>

## Appendix 6 Comparison of Made Neighbourhood Plans in CWaC

Neighbourhood Plan Area	Summary of Policy
<u>Clotton Hoofield</u>	<p>Policy regarding timber framed and self build houses in the area. This identifies the character and nature in order for them to be “in keeping” with the existing scene. We have only a couple of examples in the village (one on Mill Lane) but are now seeing applications for them.</p> <p>6. Policies: Housing</p> <p>6.1. Objective; to provide the opportunity for some housing to meet local needs and to successfully accommodate new development that integrates positively with the character of the plan area.</p> <p>Policy H1 Scale of housing development</p> <ul style="list-style-type: none"> <li>• New development will be supported in principle provided each development is appropriate in scale and design and falling in the following categories: <ul style="list-style-type: none"> <li>o Redundant Buildings</li> <li>o The re-use, conversion and adaption of permanent, structurally sound, rural buildings of substantial construction which would lead to an improvement to the character of the area.</li> </ul> </li> </ul> <p>Essential Rural Workers Dwellings</p> <p>Development that has an operational need for a countryside location such as for agricultural or forestry purposes.</p> <p>FIGURE 8: DISTINCTIVE TIMBER-FRAMED BUILDING FIGURE 9: CHESHIRE BRICK BUILDING Policy H2 Type and Size of New Housing</p> <ul style="list-style-type: none"> <li>• Any new housing proposals in the plan area should reflect the identified local 15 housing needs and contribute to a balanced and inclusive community. Policy H3 Extensions and Alterations to Existing Dwellings</li> <li>• Proposed extensions and/or alterations to existing dwellings should reflect the size and scale of the existing and adjacent dwellings and will be required to be constructed of complementary materials.</li> <li>• The design of any alteration or extension should reflect and enhance the character and appearance of the existing dwelling and the proposal should also retain garden space commensurate with the size of the extended or altered dwelling in accordance with the prevailing pattern of development in the locality. The resulting development should be subordinate to the original dwelling, surrounding properties and setting</li> </ul>
<u>Utkinton &amp; Cotebrook</u> (LocalService Centre)	<p>There is specific guidelines within the plan stating the mix of the properties they will accept within their boundary. This gives them greater ability to reject planning if the quota is already fulfilled. This reads “one third new builds as detached properties, with the rest being bungalows, terraced or semi-detached”.</p>
<u>Tarporley</u>	<p>Tarporley has a specific section for “Housing of older people” within the plan as they see this as their main issue for new house development in their area. This would be useful given the current mix of our village and offers a greater support to smaller or single occupancy developments within planning.</p> <p>Policy TH2 - Affordable Housing</p>

	<p>Affordable housing will be required to contribute towards meeting the affordable housing needs of the community in terms of types and sizes of dwelling, levels of affordability, and mix of tenures. Affordable housing should be allocated to those with a local connection as defined in Table 1 below. Affordable housing should be fully integrated (i.e. “pepper potted”) with market housing in new development and should only be provided off-site or located away from other housing types within a development scheme in exceptional circumstances and where it can be robustly justified.</p> <p>Policy TH3 - Housing for Older People</p> <p>New housing, including nursing homes and older persons accommodation, which is designed to meet older peoples’23 needs, either as part of mixed developments or as separate schemes, will be encouraged.</p>
<b><u>Kelsall</u></b>	<p>As a stipulation for a new build, a proportion of the properties developed must conform to accessibility and adaptable living standards. Again, offering more control over planning within their area.</p> <p>In more general observations, the topics most covered that we don’t currently have specific sections on are:</p> <p>Local Dark skies policy Local Climate change policy Air quality statement Renewable energy statement</p> <p>There is also a strong leaning towards a “Carbon neutral development building plan” to be provided to Planning as part of the application and is stated in their plan. This puts the emphasis onto the new development builder to show how their proposal will be both better for the surrounding built environment but also in its construction too. I feel that this has been included to “weed out” building companies, again giving better support for refusing planning if required.</p> <p>H1 Planning applications for housing developments of five or more dwellings shall be supported which:</p> <ol style="list-style-type: none"> <li>provide a range of property sizes suitable to meet local housing needs;</li> <li>provide open market houses across the full range of dwelling sizes on developments comprising a mix of open market and affordable housing;</li> <li>include dwellings constructed to part M4 Category 2 of the Building Regulations (2010) standards (Accessible and Adaptable dwellings) and Category 3 (wheelchair user dwellings) (or their successors) (including in the affordable housing provided where appropriate); and d. meet the local needs for sheltered, supported and/or extra care housing (including in the affordable housing provided where appropriate).</li> </ol> <p>H2 Planning applications for housing developments for 10 or more dwellings shall be supported which provide at least two bungalows.</p>
<b><u>Upton-by-Chester</u></b>	<p>Housing 9.1 Objective</p> <ul style="list-style-type: none"> <li>• To ensure that housing developments and conversions are appropriate to the housing needs of the local community, particularly young families and older people</li> </ul> <p>9.2 Key issues and proposals The key concerns of the local community in terms of housing development are:</p> <ul style="list-style-type: none"> <li>• That large-scale development of new housing in Upton would be inappropriate except on the Dale Barracks site. The Dale Barracks is identified as a developed site within Green Belt in the Cheshire West and Chester Local Plan (Part Two) Policy GBC 1.</li> </ul>

	<ul style="list-style-type: none"> <li>• That the demand for existing social housing in the area is high and that there is a need for more affordable housing.</li> <li>• That the provision of suitable “starter homes” and houses suitable for older people wishing to “downsize” should be enhanced.</li> <li>• That existing green spaces and amenity areas within Upton should not be developed for housing.</li> <li>• That any infill development should not be detrimental to the overall character and amenity of the area.</li> <li>• That new housing and other developments should be highly energy and water efficient.</li> </ul> <p>9.5 Policies</p> <p>Policy H1: Scale of housing development Large-scale housing development (10 or more dwellings or an area of 0.3HA or more) would be supported only on the site of the Dale Barracks, should this become available during the plan period, or in exceptional cases, to meet an identified community need. Small-scale housing development will be supported in principle, provided that it is environmentally sustainable and not located in the Green Belt.</p> <p>Policy H2: Mix of housing types In accordance with Policy SOC3 of the Local Plan (Part 1) and Policy DM 20 of the Local Plan (Part 2), sites which are developed for housing during the plan period should provide an appropriate mix of housing types. In particular they should include affordable housing and properties that meet the needs of first-time buyers and people wishing to downsize from larger homes and/or support elderly residents, whilst encouraging independent living. All relevant new residential dwellings should meet the requirements set out in the Building Regulations Approved Document M, section M4(1) Category 1 – visitable - 42 - dwellings. The requirements set out in M4(2) – accessible and adaptable dwellings should be met for all new residential dwellings and the requirements set out in M4(3) – wheelchair users should also be met for a proportion of new residential dwellings. The requirements relating to M4(2) and M4(3) should be met where reasonably practicable and financially viable</p>
<b><u>Darnhall</u></b>	<p>Policy RCLE 4 – Housing Development All residential development must accord with the Local Plan (Part One) STRAT1, STRAT 9 and ENV5. Acceptable types of new housing development include:</p> <ul style="list-style-type: none"> <li>• Re-use or conversion of existing rural buildings which are of permanent construction and can be reused without major construction that would lead to an enhancement of the immediate area and are in accordance with Policy DM 22 of the Local Plan (Part Two).</li> <li>• Redevelopment of brownfield sites in sustainable locations and replacement of existing dwellings subject to the criteria listed in policies DM1, DM19 and DM21 of the Local Plan (Part Two)</li> <li>• Where fully justified and assessed, a minimal level of enabling development consistent with ensuring an historic building’s future in an appropriate viable use, in accordance with ENV5.</li> </ul> <p>Policy RCLE 5 - Design To ensure that buildings, characteristic features and materials are representative of the settlement character of Darnhall parish, new development will be encouraged, where appropriate and viable, to:</p> <ol style="list-style-type: none"> <li>a) Complement and enhance the size, height, scale, mass, rural skyline, materials, layout, access and density of existing development in the area</li> <li>b) Use local materials and incorporate features to maintain the local vernacular and enhanced sense of place, as detailed in Appendix 4 (Parish Building Design features).</li> </ol> <p>This includes</p> <ul style="list-style-type: none"> <li>• brick, both standard stretcher and Flemish bonds, generally rustic reds using either grey or red mortar</li> <li>• banded or decorative brickwork immediately below rooflines</li> <li>• stone or arched brick lintels</li> <li>• small terracotta roof tiles or slate with pitched, open gables or Jerkinhead roofs</li> </ul>

<b><u>Tarvin (KSC)</u></b>	<p>3.2.1 All development covered by this plan up to 2030 should be based on the following aspirations of the residents as supported by the 2016 community survey:</p> <ul style="list-style-type: none"> <li>• Any development should protect open space, existing hedgerows and trees (91%);</li> <li>• There should be a focus on good quality design to complement the existing housing and surroundings (88%);</li> <li>• Houses should have gardens and space to park a car (87%); and,</li> <li>• In order to protect the views to open countryside, no building should exceed two storeys in height outside the Tarvin Conservation Area (85%).</li> </ul> <p>3.2.2 The community wishes to minimise the impact of housing and a majority of residents would support there being no further development (59%). There is a belief within the community (see S&amp;E Data, Section 2) that increased housing will put an increased strain on community facilities and infrastructure (secondary education, recreation, transport and health provision).</p> <p>3.2.3 With respect to parish priorities regarding housing, issues relating to preserving the green spaces (woodland, green belt and agricultural land) are seen as the highest priority for residents so as to keep the village feel and identity. Further housing development is seen as the least important priority for the Plan area. New build housing on greenfield sites will not be acceptable unless it meets the requirements of Local Plan policy STRAT 9.</p> <p>3.2.4 The area between Tarvin and Oscroft retains a strong and historic separation functionality, given the relatively significant scale of Tarvin village and the relatively limited distance of separation. Absence of built development across a typical Cheshire Plain hedge and hedgerow tree landscape, which significantly foreshortens views, serve to present an effective break between settlements that should be maintained.</p>