

Regulation 16 Consultation Response

**Cranage Neighbourhood Plan
April 2026**

Contents

1	Introduction	3
	Process and Legal Compliance	3
	Meeting the Basic Conditions.....	4
	Regard to national policies and advice contained in guidance issued by the Secretary of State.....	5
	Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses (applies to orders only)	5
	Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area (applies to orders only)	5
	Contributing to the achievement of sustainable development.....	5
	Preventing Housing Development	5
	Compatibility with EU obligations.....	5
	Prescribed conditions have been met	6
2	Consultation.....	6
	Plan Content	6
	Vision and Objectives	7
	Policies	7
	ENV1 – Footpaths and bridleways.....	7
	ENV2 – Wildlife sites, wildlife corridors and biodiversity.....	7
	ENV3 – Trees, hedgerows and watercourses	7
	COM1 – Local green spaces.....	8
	COM2 – Community facilities	8
	COM3 – Rural economy.....	8
	DES1 – Landscape character	8
	DES2 – Design for new developments.....	8

1 Introduction

- 1.1 This statement sets out CEC's (Cheshire East Council) views regarding the Cranage Neighbourhood Plan (CNP).
- 1.2 In summary, it is CEC's view that the NP, overall, meets the Basic Conditions and other legal requirements.
- 1.3 Engagement between the Qualifying Body (QB) and CEC has meant that many issues raised at previous stages of consultation have been addressed, however the LPA (Local Planning Authority) would like to take the opportunity to provide additional comments on the Regulation 16 version of the CNP and include such comments below.
- 1.4 Whilst the comments presented here are relatively limited, should specific issues be raised during examination, the LPA would be happy to provide information and input to the examination process, as may be required.

Process and Legal Compliance

- 1.5 The CNP sets out policies in relation to the development and use of land for the defined neighbourhood area, which accords with the definition of neighbourhood plans in Section 38A of the Parish and Country Planning Act 1990.
- 1.6 Cranage Parish Council (PC) have prepared the Plan, and it is the QB.
- 1.7 The Cranage neighbourhood area was designated by CEC on 03/07/2018. The CNP relates to the Cranage neighbourhood area and there are no other neighbourhood plans (NP) for that area. This area is coterminous with the Cranage Parish boundary.
- 1.8 The CNP does not include policies on 'excluded' development.
- 1.9 CEC would like to draw attention to the implications of forthcoming national legal change.
- 1.10 The draft NPPF 2025¹ includes policy PM6: General principles for plan-making. Stating that in preparing plans: avoid unnecessary duplication of other parts of the development plan; and not to duplicate, substantively restate or modify the content of national decision-making policies unless directed by other policies in this Framework.
- 1.11 On the 2nd of March 2026, The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 were made². Meaning sections 98 and 99 of the Levelling-up and Regeneration Act 2023³ will be coming into force on 25th of March 2026.

¹ https://assets.publishing.service.gov.uk/media/697b71c52ff8d10a830d5d4a/Draft_NPPF_December_2025.pdf

² <https://www.legislation.gov.uk/uksi/2026/169/made#top>

³ <https://www.legislation.gov.uk/ukpga/2023/55/part/3/chapter/2/crossheading/neighbourhood-planning>

-
- 1.12 Sections 98 and 99 amend the Planning and Compulsory Purchase Act 2004⁴ and the Town and Country Planning Act 1990⁵ in respect of the legal compliance and the Basic Conditions requirements of neighbourhood plans.
- 1.13 Also, paragraph (2C) of Section 99 states that the neighbourhood development plan must not— (b) be inconsistent with or (in substance) repeat any national development management policy.
- 1.14 The further legal compliance requirements can be summarised as follows:
- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
 - so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.
- 1.15 Although the CNP does not have any dedicated policies regarding climate change, themes relating to this topic are included within the Plan, such as policies focused on the Natural Environment.
- 1.16 Cheshire East Council is part of the Local Nature Recovery Strategy (LNRS) that includes Cheshire West and Chester, and Warrington. The CNP does not reference the LNRS explicitly, however, does not include policies that would result in conflict with the endeavours of the LNRS. In contrast, the CNP includes policies that seek to plan positively for the natural environment.
- 1.17 The new Basic Condition requirement⁶ is as follows:
- the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.
- 1.18 The following section discusses the Plan's accordance with the Basic Conditions.

Meeting the Basic Conditions

- 1.19 Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied

⁴ <https://www.legislation.gov.uk/ukpga/2004/5/section/38B>

⁵ <https://www.legislation.gov.uk/ukpga/2004/5/section/38C> and <https://www.legislation.gov.uk/ukpga/2004/5/section/38C>

⁶ This replaces the former Basic Condition that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area.

to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (Neighbourhood Planning PPG). The basic conditions are:

Regard to national policies and advice contained in guidance issued by the Secretary of State

- 1.20 The NPPF states that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. The NP has been developed with and by the community since 2018 when the idea of producing an NP was first introduced to the community by the steering group.
- 1.21 The NP supports development that serves the needs of the community, seeks to protect valued natural environment, enhance the local economy in the area, and protect/ support community facilities. The NP addresses social, environmental, and economic planning issues.

Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses (applies to orders only)

- 1.22 The neighbourhood area contains several listed buildings, but the CNDP does not include any heritage focused policies. However, there are no policies included that conflict with the existing local plan regarding this issue, also, this criterion is only specifically required of orders.

Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area (applies to orders only)

- 1.23 The neighbourhood area contains no conservation areas. However, there are no policies included that conflict with the existing local plan regarding this issue, also, this criterion is only specifically required of orders.

Contributing to the achievement of sustainable development

- 1.24 The NP establishes a clear vision for the area to 2035, which is articulated through a series of objectives addressing themes including countryside, environmental protection, community well-being, and local economy. The vision and objectives are then brought into effect by the policies of the NP.

Preventing Housing Development

- 1.25 The making of the CNP would not result in preventing development which is proposed within the development plan area that is sought to provide housing from taking place.

Compatibility with EU obligations

- 1.26 The NP has been screened for SEA by CEC. This confirmed that it was not necessary to undertake SEA.

-
- 1.27 The NP has screened for a HRA by CEC. This confirmed that there are no habitats or circumstances that would trigger HRA.
 - 1.28 CEC is satisfied that the NP does not breach, and is compatible with, EU Obligations and Convention rights (within the meaning of the Human Rights Act 1998).
 - 1.29 The CEC is satisfied the NP meets this Basic Condition.

Prescribed conditions have been met

- 1.30 The NP has been subject to an SEA screening assessment that concluded that a full SEA and HRA were not required. The NP also does not propose development that would be required to be subject to Environmental Impact Assessment. Therefore, it is considered that the NP has met the requirements of other prescribed conditions as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended).

2 Consultation

- 2.1 CEC congratulates the PC on preparing a comprehensive NP and for the way in which it has been prepared, closely involving the local community. It is notable that the PC has grappled with a wide range of locally important planning issues to set out a positive approach to development.
- 2.2 The NP is the product of a very significant amount of hard work by volunteers and continuous engagement with the local community which has clearly shaped the content of the NP. It is evident from the submitted Consultation Statement that residents, businesses, and other organisations have had significant opportunities to input into the development of the NP.
- 2.3 A range of techniques have been used to reach different sectors of the community. Such as, questionnaires and public events.

Plan Content

- 2.4 NP policies must apply to the development and use of land and be in general conformity with the strategic policies of the adopted local plan; they should be clear and unambiguous and be supported by robust, yet proportional evidence; they should demonstrate that proposals are deliverable, are shaped by effective engagement; and they should not duplicate policies that are already being applied in the local area.
- 2.5 Overall, it is felt that most of the policies of the CNP comply with the relevant tests.
- 2.6 As a general point, CEC feels that the document is well structured and logical. The NP sets out the strategic context and local characteristics before moving into the detail of policy proposals accompanied by a summary of justification and evidence. This is a successful approach which is clear to read and understand.
- 2.7 The objectives of the NP are set out thematically, following the vision with an easy read across to the relevant policies. The content of the policies addresses local issues, and it is considered that the plan is in general conformity with the strategic policies of

the Local Plan Strategy (LPS) and Site Allocations and Development Policies Document (SADPD).

2.8 The Strategic Priorities of the LPS are:

- Promoting economic prosperity by creating conditions for business growth
- Creating sustainable communities, where all members are able to contribute and where all the infrastructure required to support the community is provided
- Protecting and enhancing environmental quality
- Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network

2.9 It is felt that each of the thematic policy areas of the NP aligns to at least one of the strategic objectives of the LPS.

Vision and Objectives

2.10 The vision and objectives should form the pre-face and starting point for the topics and issues later addressed by policy. There is a natural link from the initial vision to the objectives and finally the policies.

2.11 CEC would like to raise that the plan period is set out to be 2025 – 2035. The current plan period of the Local Plan is up to 2030, we see no reason the neighbourhood plan period should go beyond this strategic plan period, and therefore would suggest the CNP's period is amended to 2025 – 2030.

Policies

2.12 We are encouraged that many of the points raised at the earlier Regulation 14 stage of consultation have been addressed. However, the LPA has some additional, specific policy comments to add at this stage, which are outlined below.

ENV1 – Footpaths and bridleways

2.13 CEC are supportive of this policy and have no further comments to make.

ENV2 – Wildlife sites, wildlife corridors and biodiversity

2.14 CEC are supportive of this policy and have no further comments to make.

ENV3 – Trees, hedgerows and watercourses

2.15 Regarding the third paragraph. Focus should be drawn to the impact of potential harm resulting from the loss of a significant tree (even if the removal was lawful) as a material consideration, the following wording is suggested:

2.16 *The removal of a significant tree, including prior to the submission of a planning application, and its absence is relevant to the assessment of a development proposal, the resulting loss of amenity, landscape or ecological value will be considered in assessing the proposal. Any necessary mitigation or compensatory planting will be required to address the impact of the development.*

2.17 Paragraph four could be moved to the supporting text.

COM1 – Local green spaces

2.18 CEC have no comments other than noting that the 'Tranquillity' column in Table G is not filled out for LGS 6, 7, and 8. Can these be filled out for completeness?

COM2 – Community facilities

2.19 Second paragraph. It is suggested that this is reworded to illustrate a clearer test for development proposals as opposed to how currently worded, which is more of an aspiration. The following wording is suggested:

2.20 *Development proposals for the refurbishment and improvement of existing community facilities will be supported, subject to accordance with other policies in the Neighbourhood Plan.*

2.21 Is the end of the second paragraph missing text? Should this read: '*... existing community facilities include:*'?

COM3 – Rural economy

2.22 The content of this policy is sufficiently covered by the existing Local Plan, particularly the 'RUR' policies of the SADPD.

DES1 – Landscape character

2.23 It is understood that the Dane Valley Local Landscape designation is present towards the south-east area of the plan area, however, there appears to be no specific justification as to why the areas in figure L are particularly sensitive and warrants further policy protection in addition to existing Development Plan policies regarding landscape character.

2.24 Its considered points B and D are covered by existing Local Plan policy.

DES2 – Design for new developments

2.25 Paragraph 8.2.1, although this may be true and it is recognised Cranage is a rural village within the open countryside which results in some constraint for development proposals, it is currently unknown the amount of development Cranage may have over the plan period; therefore, it is considered this should be reworded to simply state that under the existing Local Plan, Cranage is an infill village within the open countryside.