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To Whom It May Concern

Land at Booth Lane, Sandbach – Representations to Cheshire East Council's Local Plan Scoping Consultation

Lichfields are pleased to submit representations to Cheshire East Council's [the Council] Local Plan Scoping Consultation on behalf of the Richardson Family; the Tattersall Family; the Manley Family; and Bluefield Sandbach Limited [the Landowners] in respect of their land interests on Booth Lane, Sandbach [the Site]. The representations make comments on the proposed scope of the new Local Plan and demonstrate the suitability and deliverability of the Site to support a residential allocation in the emerging plan cycle.

It is important to note that whilst the Council's scoping document accounts for significant national policy changes introduced by the National Planning Policy Framework [the Framework] in December 2024, the scoping document was published ahead of the most recent publication of the Framework in August 2026 and fails to account for the changes introduced. The representations are made in the context of the recently published Framework.

Context for the new local plan

Increase in housing requirements

The development plan for the Council consists of the Local Plan Strategy [LPS] (adopted July 2017); the Site Allocations and Development Policies Document [SADPD] (adopted December 2022), completed neighbourhood plans, and saved policies in the Cheshire Waste Local Plan and Cheshire Minerals Local Plan.

LPS Policy PG 1 (Overall Development Strategy) sets out the Council's currently adopted housing requirement to deliver an average of 1,800 net additional dwellings per annum to accommodate a minimum of 36,000 new homes between 2010 and 2030. The Council has not reviewed or updated strategic policies since the adoption of the LPS, and the housing requirement in the LPS fails to account for the borough's current identified housing need.

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Framework Policy HO1 (Assessing the need for housing) requires plan-making policies within local plans to be based upon a housing need assessment that establishes the overall number of homes needed in the area as a minimum over the plan period using the standard method in Annex D (Standard Methodology 3 [SM3]). The Council's local housing need [LHN] informed by the SM3 figure is 2,530 dwellings per annum [dpa] (reflective of the latest housing stock data and affordability ratios). This is c.41% greater than the Council's adopted housing requirement.

It is acknowledged in the Council's scoping document that the standard method figure should be used as the starting point when deciding how many new homes to plan for in a local plan, and that the final housing requirement could be set higher. Criterion 3 of Framework Policy HO2 (Setting requirement figures for homes) states that the requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas or reflects growth ambitions linked to economic development or infrastructure investment.

It is strongly recommended that the Council plans for a higher annual housing requirement than the SM3 figure at the time of publication. This will ensure that the Council appropriately addresses the historic and ongoing housing supply pressures in the borough, whilst maximising economic growth and development.

It is also important to note that since the scoping document was published, the recent Framework publication has introduced Policy S5 (Principle of development outside of settlements) that establishes the principle of granting of planning permission for certain forms of development outside of settlements unless the benefits would be substantially outweighed by adverse effects. This includes enabling residential and mixed-use development in physically well-related edge of settlement locations (including within the open countryside) to come forward where it would address an evidenced unmet need under Framework Policy S5(1)(j).

An unmet housing need includes where a local planning authority cannot demonstrate a five year supply of deliverable housing sites. The Council's latest Housing Monitoring Update 2024/25 [HMU] states that from 1st April 2025, the Council could only demonstrate 3.3 years' worth of supply. Therefore, by allocating a sufficient supply of deliverable housing sites that can come forward in the short term to demonstrate a 5YHLS, the Council will be able to better control where residential development comes forward. It will also mitigate a situation (at present) where the Council's poor housing land supply position is enabling speculative open countryside applications on sites located adjacent to existing settlement boundaries to come forward for housing under Framework Policy S5(1)(j).

Spatial Development Strategy

The scoping document outlines that Cheshire East is now part of the Cheshire and Warrington Combined Authority area and will be required to prepare a Spatial Development Strategy [SDS] for Cheshire and Warrington that will act as a spatial framework for investment across the sub region. The Council recognises that while the emerging Local Plan must be in general conformity with the SDS national policy is clear that local plan preparation should not be delayed.

The Landowners would like to stress the importance of the Council progressing with its emerging Local Plan without delay. The timetable that accompanies the scoping document is based on a 30-month

plan-making process and anticipates plan adoption on 30th March 2029. This is approximately 2.5 years away from now. The Council is a considerable way off having an up-to-date Local Plan that sufficiently addresses its identified housing need. Therefore, any further delay to the March 2029 adoption date to account for preparation timescales of the SDS will reduce the ability for the Council to plan where development is located within the borough.

Scope of the new local plan

Creating a vision and objectives

The Landowners support the inclusion of a vision statement that incorporates aims and objectives for Cheshire East, and the need for it to be realistic, achievable and distinctive to Cheshire East. The vision statement must include the need to deliver a range of high quality housing to meet the borough's housing requirement (as a minimum) informed by the SM3 figure at the time of publication.

Framework Policy PM2 (Local plans) states that the vision should reflect longer term expectations extending beyond the plan period where appropriate, including for any specific strategic site proposals. We would recommend that the Council's vision sets a longer-term approach to best support the growth ambitions of the borough, particularly through the allocation of larger, strategic sites to ensure land for development can come forward beyond the plan cycle.

Planning for growth

The scoping document recognises that national policy requires the new local plan to make provision for housing that is informed by evidence to support the delivery of much-needed homes. Specifically, Framework Policy S1 (Positive plan-making) sets out that the development plan should plan positively for future growth and change by providing for new development in a way that promotes a sustainable pattern of development.

The Landowners request that the emerging Local Plan is accompanied by a robust evidence base, to include a Housing Needs Assessment that considers housing needs at a sub-area level, and that the proposed housing allocations are directed towards the edges of the most sustainable locations in the borough, particularly Sandbach. The proposed allocations must be available and deliverable so that they can come forward within the first five years of the plan's adoption to reverse the Council's current housing supply pressures.

Green Belt

The scoping document recognises the changes to Green Belt policy introduced by the Framework in December 2024, particularly the new term 'grey belt land'. Paragraph 5.16 states that:

"Green Belt boundaries can only be changed where development around stations is proposed or where exceptional circumstances exist and development needs cannot be met elsewhere. If such circumstances are identified, priority should be given to developing previously developed (brownfield) land and suitable grey belt sites."

The new Framework continues to state, within Policy GB3 (Altering existing Green Belt boundaries), that boundaries should only be altered where exceptional circumstances are fully evidenced and

justified. The policy retains the wording that exceptional circumstances include a local planning authority being unable to meet its identified needs for development in full, having examined all other reasonable alternatives for doing so. Of importance, since the December 2024 publication, the Framework now sets out what these options include, specifically making as much use as possible of suitable previously developed and underutilised land; optimising the density of development; and, assessing whether sufficient suitable sites can be identified outside the Green Belt.

There is now greater clarity in the Framework that an assessment of sufficient suitable sites outside of the Green Belt (e.g. sites located within the open countryside) must be undertaken to determine whether development needs can accommodated without amending Green Belt boundaries.

We have already highlighted the Council's weak housing land supply position at present. This is combined with the fact the Council must account for significantly greater housing requirement going forward. Given the limited availability of previously developed and underutilised sites across the site to meet needs at the very least, the allocation of open countryside sites for housing will be essential.

Settlement hierarchy

The scoping document outlines the 4-tier settlement hierarchy within the adopted LPS, which identifies only two 'Principal Towns' (Crewe and Macclesfield) followed by 9 Key Service Centres (to include Sandbach).

The Landowners support the recognition of Sandbach as Key Service Centre, which is reflective of its size, range of local services and amenities and access to a range of sustainable transport options, including from Sandbach train station. Residential development should be located to the most sustainable sites, particularly within and adjacent to the Principal Towns and Key Service Centres.

Spatial distribution

It is recognised within the scoping document that national planning policy requires plans to set out a spatial strategy, setting clear expectations for the location of development and to promote sustainable patterns of development. It also states that a range of options in the distribution of development may need to be considered, including for densification and further development within existing settlements, edge of settlement growth, large-scale urban extensions and new settlements.

The Landowners support the need to consider a range of options to accommodate new development. However, the challenges of developing brownfield sites must be recognised by the Council. These sites are limited in supply and are more likely to have technical issues (for example, land contamination) that may cause viability challenges that prevent housing and other types of development from coming forward. The Council must allocate a range of sites, particularly edge of settlement, greenfield residential sites within its new Local Plan that are capable of coming forward early on in the plan cycle to meet identified needs. This will ensure compliance with Framework Policy HO3 (Providing land for homes) that requires Local Plans to identify a sufficient supply and mix of sites to meet or exceed a Council's housing requirement figure.

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Development in the countryside

The scoping document recognises that national decision-making policies will set out the overall approach to development outside of settlements. The emerging Local Plan must align with new Framework, which establishes under Policy S5 (Principle of development outside settlements) the principle of granting certain forms of development outside of settlements, unless the benefits of doing so would be substantially outweighed by any adverse effects.

Of particular relevance, criterion (1)(h) of the policy establishes the principle of developing for residential and mixed-uses if within a reasonable walking distance of a well-connected station and physically related to the station or settlement within which it is located; if of a scale that can be accommodated without prejudicing any proposals for long-term comprehensive development in the same location. Additionally, criterion (1)(j) establishes the principle of developing housing on sites that are physically well-related to an existing settlement if there is an unmet need for housing.

Physically well-related edge-of-settlement sites located within the open countryside (including those within a reasonable walking distance of a well-connected station) should be prioritised for residential development in accordance with the Framework. Additionally, by allocating a sufficient supply of sites that are capable of coming forward in the early part of the plan cycle, the Council have greater control on the location of housing development.

Housing

Affordable housing

It is acknowledged that the new Local Plan will need to establish affordable housing requirements, including the overall number and proposed tenure mix to be provided. Consideration should be given to the viability of schemes, so that the level of affordable housing does not impact the deliverability of housing development. Additionally, the policy wording should reflect Framework Policy HO8 (Providing affordable homes) that states that the affordable housing should be provided on-site unless off-site delivery on an alternative nearby site would optimise the quality or quantity of affordable homes built; or, a cash payment in lieu of on or off-site provision can be justified robustly, and the agreed approach contributes towards the objective of creating mixed and balanced communities.

Additionally, a degree of flexibility should be incorporated in the application of the Council's emerging affordable housing policy. The policy should have regard to all the tenure types in the Framework, noting that certain tenures may be less appropriate in certain locations. This will prevent a situation where according with specific affordable tenure and size requirements may render a residential scheme unviable.

Housing mix

The scoping document states that *"The draft NPPF places greater emphasis on delivering a diverse housing mix, particularly on larger sites of 150 homes or more, and on demonstrating how the needs of different groups will be met."* It is important to note that the adopted Framework does not set specific mix requirements for larger sites. However, Framework policies seek to plan for an appropriate mix of accommodation for the local community.

The Landowners accept the need for the Council to review and update housing mix policies within the new Local Plan to reflect current identified needs. However, the policy wording should incorporate appropriate flexibility so that scheme viability, locational requirements and market factors are accounted for in its application. This is because it is for the market to determine the requirements for market housing in that specific geography. For example, it is typical that smaller dwellings (including apartments) are more concentrated in centres, whereas family housing sites will likely accommodate larger family homes on the open market with smaller affordable properties.

Housing standards

The new Framework, in Policy HO5 (Meeting the needs of different groups) requires the development plan to set out the proportion of housing on major developments to be delivered to requirements M4(2) and M4(3) of the Building Regulations. Requirements should meet or exceed local levels of need, and should ensure that no less than 40% of homes on major developments are delivered to M4(2) standards (subject to any appropriate exemptions set out in the development plan).

The Landowners ask that the requirements for M4(2) and M4(3) dwellings are supported by robust evidence, so that the supply of future housing appropriately addresses demand. Evidence should also support any requirement for dwellings to meet National Described Space Standards [NDSS].

Other housing policies

The Landowners request that the emerging Local Plan does not duplicate unnecessary housing policies set out within the recently adopted Framework.

The Site

The Site is well contained between Booth Lane and existing dwellings accessed from the road to the west; existing dwellings to the north and the freight only Northwich-Sandbach railway line to the east.

The Site comprises a number of agricultural fields of varying sizes, with hedgerows and trees along much of the field boundaries. The Site also contains a number of buildings and structures associated with Hollybank Farm.

The Site is relatively physically and technically unconstrained. The Site is located within Flood Zone 1 (with and without climate change) and it is considered that the very limited areas of surface water flooding can be safely and appropriately mitigated through the detailed drainage design. Trees are predominantly located on the field boundaries, but none appear to be the subject of a Tree Preservation Order [TPO]. There are also no known statutory or locally designated heritage assets located within the Site, and the Site is not located within any statutory ecological designations.

The Site is sustainably located within a 15-minute walk of facilities in Sandbach, including Elworth Primary School; St Peters Church; a Co-op convenience store, a pharmacy, newsagents, hairdresser and a public house.

The centre of the Site is located within 800m of Sandbach train station, which offers (Monday to Saturday) two trains per hour in each direction between Crewe and Manchester. Bus stops are also

located immediately adjacent to the Site's western boundary, offering services to Crewe, Winsford and Northwich.

The Site is located within the open countryside, but approximately 200m away from the settlement edge of Sandbach with intervening housing and other built development located between. It is considered that the principle of developing the Site for housing is acceptable by virtue of both its proximity to the well-connected Sandbach train station under Framework Policy S5 criterion (1)(h); and, in the absence of a 5YHLS, the site's physical relationship to the settlement, which is considered of a scale that can be accommodated within the settlement under criterion (1)(j).

The Site is a well contained site surrounded by built development and physical features. It is a logical infill site that is capable of coming forward for housing in the early part of the plan period. Given its size, it will make a significant contribution to meeting identified housing needs. It should therefore be allocated for housing within the emerging Local Plan.

Summary

The Landowners respectively ask the Council to account for their comments when progressing with the Local Plan. In particular, the Council must plan for its significantly higher LHN figure (at the very least) by taking a pragmatic approach to allocating land for housing to address current and historic supply challenges.

We have demonstrated that the Site is suitable for residential development and deliverable. The Site represents sustainable development and can be brought forward in the early part of the plan period. The Sites represents a significant opportunity to deliver much needed attractive new homes in a logical, sustainable location on the edge of Sandbach.

We would welcome the opportunity to meet with relevant officers at the Council to discuss any matters to help assist with the next stage of the emerging Local Plan. Please do not hesitate to contact me should you have any questions.

Yours faithfully

[redacted]

Clover Long
Associate Director
BSc (Hons) MSc MRTPI

Annex 1: Location Plan


Barlow Wood
Littlemore
A533
Boyd Close
Emrys Close
Morgan Road
Lee Place
Other Sports Facility
ud Green
Booth Lane
A533
Hollybank Farm
The Lodge
Cemetery
Mill Lane
Warmingham Lane
London Road
Elm Tree Lane
Green Road
Play Space
Playing Field
Eva Street
King Street
The Avenue
George Str
Wrenmead
Dean
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