

# DISLEY PARISH COUNCIL

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November 2019

## **Cheshire East Council Local Plan – Site Allocations and Development Policies Consultation**

### **Disley Parish Council Statement**

**(Updated from September 2019)**

#### **Overview**

The Cheshire East Council Strategic Local Plan sets out a future allocation of houses to be built across Cheshire East to meet housing needs over the next 30 years. Cheshire East Council has consulted on a draft Site Allocations and Development Policies Document (SADPD) as a further stage of the Local Plan which proposes in more detail future housing allocations across 13 Local Service Centres in Cheshire East, of which Disley and Newtown is one.

This consultation was a formal stage in the preparation of the SADPD and was carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Full details of the consultation are set out in the [Statement of Representations Procedure \(PDF, 103 KB\)](#) available at: <https://cheshireeast-consult.objective.co.uk/file/5460747>

Whilst the Parish Council is reluctant to see further large-scale housing development within the Disley and Newtown area, if more housing is a legal requirement of the Local Plan to 2030, the Council would want the opportunity to influence where this is located.

As part of the process to identify potential housing sites across Local Service Centres, Cheshire East Council put out a “Call for Sites” in 2017 inviting developers and landowners to put forward proposals. Consequently, Disley Parish Council submitted three areas of land in Parish Council ownership for potential housing use or for safeguarding for housing use within the Local Plan period to 2030 or beyond to 2045. All the sites submitted by developers and landowners, including the Parish Council, were located within the Green Belt except land at the Greystones Allotment site in Newtown.

The Publication Draft SADPD has been published and representations were invited prior to its submission for examination by a planning inspector. Consultation on the Publication Draft SADPD took place between 19<sup>th</sup> August and 5pm on 30<sup>th</sup> September 2019 and all responses to the consultation are currently being considered. One of the sites put forward by the Parish Council – the Greystones Allotment site on the A6 in Newtown – has been identified by Cheshire East as being suitable for future development. Cheshire East’s current assessment proposes that this site could accommodate up to 20 dwellings.



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## **Disley & Newtown Neighbourhood Plan**

Disley Parish Council has made full reference to the Disley and Newtown Neighbourhood Plan, which was formally adopted by Cheshire East Council in July 2018. This sets out policies in relation to allotments and air quality to ensure that developments do not lead to an unacceptable deterioration of air quality. The full Neighbourhood Plan is available at: <http://disleyparishcouncil.org.uk/neighbourhood-plan/> but the relevant sections relating to allotments and air quality are as follows:

### **Disley Neighbourhood Plan Policy CF2 – Allotments**

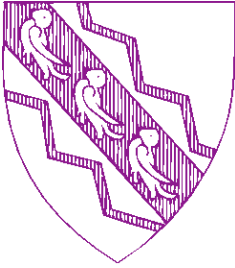
*The enhancement and expansion of existing and the development of new allotments will be supported. Proposals that result in harm to or loss of allotments in Disley and Newtown will not normally be permitted unless:*

- A. *A replacement provision is made, of at least equivalent quality, where it would be located at reasonable convenience for the existing plot holders, or*
- B. *Where clear and significant social, economic and environmental community benefits could be derived from the proposal*

### **Disley Neighbourhood Plan Policy AQ1 – Air Quality**

*Proposals for major development (as defined in the Town and Country Planning (Management Procedures) (England) Order 2010) must be accompanied by appropriate evidence that demonstrates that the proposed development would not lead to:*

- (a) *further deterioration of the air quality in any parts of Disley and Newtown where the air quality already does not meet the legal requirements for air quality, or*
- (b) *deterioration of the air quality in any part of Disley and Newtown such that the air quality of such part ceases to meet the legal requirements for air quality. It must be satisfactorily demonstrated that any development which would have consequences for the Air Quality Management Area, is consistent with the current Cheshire East Air Quality Strategy and Air Quality Action Plan.*



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## Greystones Allotment site

With regard to this future proposal, the Parish Council would like to highlight the following points in relation to the use of this land.

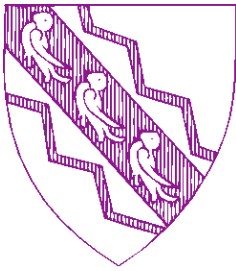
- Disley Parish Council has received the following legal advice:

*“The Small Holdings & Allotment Act 1908 permits a local authority including a Parish Council to dispose of surplus or unsuitable allotment land. However, this statutory power is qualified by the provisions of The Allotments Act 1925 which provides that where an Authority has purchased or appropriated land for allotments and it then wishes to sell, use or dispose of the land for purpose other than allotments, then it cannot do so without first obtaining the consent of the Secretary of State. In this case the Parish Council’s predecessor purchased the land from the Right Honourable Thomas Wodehouse Baron Newton by a Conveyance dated 18<sup>th</sup> April 1921 in which the consideration was stated to be a payment of £200.00. Therefore, if the Parish Council wishes to sell this land, it must first obtain Secretary of State consent.*

*The consent may be given unconditionally or subject to such conditions as the Secretary of State thinks fit but may not be given unless the Secretary of State is satisfied that adequate provisions will be made for allotment holders displaced by the action of the Council or that such provision is either unnecessary or not reasonably practicable. Whether or not “adequate provision” is made is determinable by reference to the reasonable needs of any displaced allotment holders and in this respect an allotment holder need not be offered the same standard of provision which he or she previously enjoyed.*

*If the consent of the Secretary of State is obtained and the land sold then the proceeds of any sale must be used in acquiring, adapting and improving other land used for allotments and any surplus remaining may then be applied for any purpose for which capital money may be utilised. This is a provision of Section 32(2) of the Small Holdings & Allotments Act 1908 (as amended).”*

- Disley Parish Council would fully realise its responsibilities to provide alternative allotments for its residents. The Parish Council owns various land assets in the vicinity that could be considered for allotment use should any development go ahead. These include areas of Newtown Playing Fields, land adjacent to the Springfield Allotments site and land on Lower Greenshall Lane.



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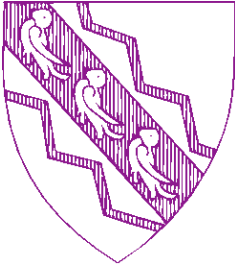
- The Parish Council believes that enforced developments within the village should provide direct benefits for residents and that any revenue arising from land sales would be better being reinvested in the community by the Council, rather than being passed to developers.
- Should the Greystones Allotment site appear in the approved Cheshire East Strategic Plan, the Parish Council would make the land available for development within the Plan period.
- Cheshire East Council has suggested that it may be possible to access the Greystones allotment site directly from the A6.
- Disley Parish Council hosted a consultation meeting with Disley allotment holders on 14th September 2017 and subsequently sent a letter to all allotment holders on 18th September 2017 outlining the Council's proposed submission of the Greystones site in response to the "Call for Sites." Copies of this letter are available by request from the Parish Council. Disley Parish Council will hold further consultation with allotment holders following the adoption of the Local Plan (expected in summer/autumn 2020).
- The Parish Council has been liaising directly with the Disley & Newtown Allotments Association, who have received no official approach from Greystones plot holders regarding the proposals and are happy for the Council to liaise directly with the interested plot holders.
- Disley's housing allocation under the Local Plan to 2030 is proposed to be 245 dwellings. As of 31/03/2019 the total completions and commitments amounted to 232 dwellings.

## **Safeguarded Land**

*Policy PG4: Safeguarded Land* in Cheshire East's Strategic Plan defines safeguarded land as, "land between the existing urban area and the inner boundary of the Green Belt that may be required to meet longer-term development needs stretching well beyond the period of the Local Plan." A fuller explanation and justification are available on the Cheshire East website at: [www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan)

## **Cloughside Farm**

In its response to the Draft Site Allocation Development Policy Consultation in March 2019, the Parish Council fully supported residents' concerns that land at Cloughside Farm, off Redhouse Lane, was not suitable to be classed as future safeguarded land due to the poor access to the site, which would have led to an increased negative impact on the immediate local community. The Council's formal response to Cheshire East in relation to land at Cloughside Farm is below:



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## **Response – Safeguarded land DIS 2 – “Cloughside Farm”**

In terms of the site allocation proposal identifying safeguarded land at Cloughside Farm put forward in the draft SADPD, the Parish Council has taken account of the views of residents who have raised a considerable number of justified reasons why this land is unsuitable for future development. There are particular concerns about the access road, Redhouse Lane, as this is already suffering from increased traffic due to current developments. The residents' responses listed in the SADPD Consultation Outcome Report do not just concern the protection of the green belt at this location.

Therefore, the Parish Council fully supports the residents' concerns in this case, namely that the Cloughside Farm site is not considered suitable to be classed as future safeguarded land due to the poor access to the site which would lead to an increased negative impact on the immediate local community.

In response to pressure from residents and Disley Parish Council this site was removed from the list of proposed future safeguarded land.

## **Land off Jackson's Edge Road**

Subsequently, a further site in Disley has been presented by landowners and identified by Cheshire East Council as an area of proposed “safeguarded land” for development beyond 2030. This land lies off Jacksons Edge Road/Lymewood Drive and is designated as 2.43 ha. This land is not allocated for development at the present time and for clarity, it is *not* in the ownership of Disley Parish Council.

Disley Parish Council responded to this draft consultation on 30<sup>th</sup> September 2019, taking into account the considerable number of justified reasons presented by residents as to why the land off Jackson's Edge Road is unsuitable for future development. The Parish Council's response is available to view on the Homepage of the Council website at:

<https://disleyparishcouncil.org.uk/> .