

**ADOPTED  
VALE ROYAL BOROUGH  
LOCAL PLAN  
FIRST REVIEW**

**WRITTEN STATEMENT**

**Approved by  
Vale Royal Borough Council  
on 4th June 2001**

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## WHAT IS A LOCAL PLAN?

In Britain, the framework of land use is largely provided by the town and country planning system. Its purpose is to:

- regulate the development and use of land in the public interest;
- balance the needs of development and conservation;
- secure the most efficient and appropriate use and development of land;
- to contribute to the objective of ensuring that development and growth are sustainable.

Development Plans play a key role in achieving these aims. These comprise:

- (i) Structure Plans in which County Councils set out key strategic policies for a County as a framework for local planning; and
- (ii) Local Plans in which District Councils set out more detailed policies to guide development in their areas including proposals for specific sites.

Local Plans have a number of key functions:

- to interpret strategic policies contained in the Structure Plan at a detailed local level;
- to provide policy guidelines for the consideration of planning applications;
- to provide a framework for co-ordinating development by public authorities;
- to give the public the opportunity to comment upon and become involved in the resolution of local planning issues.

### **The Vale Royal Borough Local Plan First Review**

It is a legal requirement that all Local Authorities prepare a single up to date Local Plan to provide complete and comprehensive coverage for its area. It is also vital that Local Plans are kept up to date and regularly reviewed to take account of changing circumstances.

The Vale Royal Borough Local Plan First Review will put forward the policies and proposals of the Borough Council in respect of all land use planning within the Borough, up to and including the year 2006. For the purposes of land availability monitoring the end date of the Local Plan is taken as March 2006. In calculating the employment and housing requirements for the Local Plan to meet the provisions of the Structure Plan, a base date of September 1999 has been used. For the period up to 2011 the requirement is taken from the Cheshire Replacement Structure Plan. This document is intended to update and replace existing Local Plan coverage in the Borough, namely the Borough Local Plan adopted in 1992.

## THE FORM AND CONTENT OF THE PLAN

The Local Plan is divided into two distinct sections - the written statement (this document) and several maps.

### The Written Statement

This comprises an Introduction and a Plan Strategy which set out the framework within which the Plan has been prepared and the aims and objectives of the Borough Council, followed by sections each relating to a specific topic, namely:

- General Strategy
- The Natural Environment
- The Built Environment
- Housing
- Industry and Employment
- Recreation and Tourism
- Transportation
- Shopping
- Public Services
- Pollution, Hazards and Contaminated Land
- Rural Enterprises
- After Use of Mineral Workings

Each section contains a brief introduction to the topic and a summary of the relevant aims and issues being considered, followed by the actual policies and proposals. The policies and proposals are typed in bold, upper case lettering for easy identification and are each given a reference number e.g.

#### GS 1

#### **SUFFICIENT LAND WILL BE PROVIDED TO...**

Beneath each policy is a brief explanation about why that particular policy has been included in the Local Plan. These reasons and explanations are typed in lower case to distinguish it from the policy and other text of the section.

e.g. To ensure that the demand for housing, employment and services in the Borough...

Below the Reasons and Explanations, the source of the policy is explained under Policy Derivation.

The policies in the Local Plan are concerned with the future use of land in Vale Royal and with measures for the improvement of the physical environment and the management of traffic. The Plan does not, therefore give a land use zoning for every plot of land within the Borough. Instead it is concerned with areas where change is likely to occur and areas within which certain policies will apply.

There are three types of policy in the Local Plan:

- Policies which are intended to control the development of land. These policies may apply to the whole plan area or just a part.
- Policies which allocate specific sites where certain types of development will be permitted.

- Policies which make proposals for development by public authorities such as the County Council, e.g. new schools.

The Written Statement also contains a glossary to explain technical terms and abbreviations, an index and appendices of supporting technical information.

### The Maps

The Local Plan contains a Proposals Map at a scale of 1:25,000 for the whole of the Borough together with a number of Inset Plans for the two towns of Northwich and Winsford and other villages and a Regional Employment site. A List of Plans is included at the back of this document.

The Inset Plans show those sites which are allocated for development and areas within which specific policies apply. All policies and proposals contained in the Written Statement are shown on these Plans which have been produced on an Ordnance Survey Base, at a scale of 1:10,000 or 1:2,500.

Proposals for the town centres of Northwich and Winsford are shown on Town Centre Inset Plans.

## HOW TO INTERPRET THE POLICIES

Please bear in mind the following points when reading the policies:

- The Local Plan is designed to be read as a whole.
- Policies are not listed in a priority order.
- Many development proposals will need to be considered in relation to policies in more than one chapter. A proposal for a mixed use development in the general strategy section would also be considered in relation to the appropriate policies for each separate element of it.
- In some instances a conflict may be apparent between a general policy and a policy that relates to a smaller geographical area. In this case, the policy for the smaller area prevails.

## RELATIONSHIP TO OTHER PLANS

The Vale Royal Borough Local Plan has been prepared taking account of a number of relevant Statutory Local Plans. These are detailed below.

### The County Structure Plan

All Local Plans must conform to the provisions of the approved Structure Plan in operation at the time and to be certified as so doing by the County Council. The Cheshire Replacement Structure Plan has been prepared by Cheshire County Council and became operative in October 1999, following its approval by the Secretary of State for the Environment. The Plan aims to shape the pattern of development and promote the conservation of the Environment in Cheshire up to 2011.

The Local Plan will refer to the policies of the Cheshire Replacement Structure Plan where they are relevant to the Vale Royal area.

### **The Cheshire Minerals Local Plan**

The County Council is the Planning Authority for all mineral matters within the County and has produced a Minerals Local Plan which was adopted by the County Council in 1994.

The Plan identifies those areas within the County where development for mineral extraction will normally be allowed.

### **Cheshire Waste Disposal Local Plan**

The County Council is responsible for deciding all planning applications for waste disposal activities in Cheshire. The Waste Disposal Local Plan was adopted by the Cheshire Council in 1999. The Plan has policies for the location of waste disposal facilities.

### **Jodrell Bank Radio Telescope Consultation Zone**

Since 1973 the Borough Council has been required under a direction of the Secretary of State for the Environment, to consult the University of Manchester on certain applications within a 6 mile radius of the Lovell Radio Telescope at Jodrell Bank.

This direction has been taken into account in deciding allocations and developing appropriate policies for controlling development insofar as it affects the Plan Area. The policy of restricting development in the Consultation zone is included within this Local Plan and the County Structure Plan.

### **Frodsham, Helsby and Lordship Marshes**

The Secretary of State for the Environment, in approving the Cheshire County Structure Plan (1979) indicated that features of the Frodsham, Helsby and Lordship Marshes give rare potential for the location of certain large scale industry of national importance. His view is that development should be permitted only in exceptional circumstances. The Cheshire Replacement Structure Plan, approved by the Secretary of State in October 1999 retains a presumption against development except for agricultural purposes (EMP4). In addition, the Secretary of State has directed that all applications for planning permission in respect of the Frodsham, Helsby and Lordship Marshes be referred to him instead of being dealt with by the Borough Council.

### **Neighbouring Authorities**

This Local Plan has also taken account of the plans of neighbouring authorities, where relevant, to ensure that there is no conflict between the policies of the relevant documents.

The documents considered were as follows:

- The Warrington Local Plan
- The Congleton Local Plan
- The Macclesfield Local Plan
- The Crewe and Nantwich Local Plan
- The Halton Local Plan
- The Ellesmere Port and Neston Local Plan
- The Chester District Local Plan

## THE LOCAL PLAN PROCESS - WHAT HAPPENS NEXT

### 1. Draft Local Plan - Publicity and Public Participation

Having decided to review its adopted Borough wide Local Plan, the Borough Council first prepared and published a Draft Local Plan which has been the subject of public participation. At this time publicity is given to the content of the Plan, comments are invited and consultations are carried out with various organisations and bodies.

The Council will then look at the Plan in the light of the comments received and make whatever amendments are considered necessary.

### 2. Certification

The Borough Council then has to seek to obtain a certificate from Cheshire County Council to show that the Local Plan conforms generally with the Cheshire Replacement Structure Plan.

### 3. Deposit of the Local Plan

The Local Plan is now placed "on deposit" for a six week period during which time formal objections or supporting representations can be made. Whilst negotiations and possible modifications may then take place, if there are any valid objections which are not withdrawn or resolved, the Secretary of State for the Environment will be asked to appoint an Independent Inspector to hold a public local inquiry.

### 4. Public Local Inquiry

At the Inquiry those people/organisations with objections to the Local Plan are given the opportunity to make their case known. The Inspector will consider each objection and recommend to the Council how it should respond to each objection.

The Council must consider the Inspector's report and decide what action to take on the recommendations and give reasons for the Council's decisions.

### 5. Modifications

If the Council decides to modify the Plan, it must publish these modifications and invite any objections to them. If any objections raise new issues and objectors wish to be heard, a further Local Plan Inquiry may be necessary.

The Borough Council will then give notice of its disposition to adopt, and progress to formal adoption of, the Local Plan. Once adopted the Plan will supersede the existing Vale Royal Borough Local Plan.

## CONTEXT

### The Plan Area:

Vale Royal Borough lies at the heart of Cheshire and adjoins all other Cheshire districts.

Northwich and Winsford are the principal towns in the Borough, although Northwich is surrounded by a number of large villages such as Barnton, Cuddington, Davenham, Hartford, Lostock Gralam, Rudheath, Weaverham and Wincham. In the north of the Borough is the small town of Frodsham, the large village of Helsby, and in the west is the large village of Tarporley. Much of the remainder of the Borough is rural in character with agriculture and forestry still being important activities.

Figure 2 shows the 45 Parishes which together constitute Vale Royal Borough. The Local Plan First Review covers the whole of the Borough.

## Setting

The Borough has good road links to the motorway network, Manchester International Airport and the conurbations via the A556(T), A49(T), A51(T), A54, A559, A56 and A533. The M6 and M56 pass through the east and north of the Borough respectively. Local rail links, namely the Liverpool-Crewe and Manchester-Chester lines serve the Borough and access to the Inter-City network is available at Hartford. Figure 2 shows the Borough in its setting.

The River Weaver is navigable as far as Winsford but little commercial traffic uses the waterway to Northwich. The Trent and Mersey and Shropshire Union canals are used for recreational purposes.

## 1975-1985: The “District Philosophy” and Four District Plans

In 1975, in response to the planning issues raised in the 1960s and 1970s, Vale Royal District Council produced a “District Philosophy”. This reflected closely the strategy of the County Structure Plan being prepared at the time, and aimed to guide new housing and industrial development towards Northwich and Winsford, whilst restricting development elsewhere. In particular, new development was resisted in the Green Belt (covering north and west Vale Royal) and throughout the open countryside. In addition, the “District Philosophy” aimed to protect the character of the Borough’s villages.

Following the approval of the County Structure Plan in 1979, the former District Council prepared four District Plans, which together covered the whole of Vale Royal. These were all formally adopted by 1982, and reflected the principles of the “District Philosophy”.

The primary aims of the “District Philosophy” and the four District Plans were achieved, with significant new housing and industrial development being completed in Winsford and Northwich. Outside the main towns development generally was restricted, new development being aimed primarily towards local needs for housing and jobs. Measures to protect and enhance the urban and rural environments were carried out, for example through such action as the designation of conservation areas; derelict land reclamation; tree planting and other enhancement schemes.

## 1985-1996: The Borough-Wide Local Plan

In 1985 a Review was commenced, in response to changing circumstances. Foremost amongst these changes was a worsening economic climate, although legislative changes and the emergence of a Structure Plan Alteration were also significant. The Review produced one Borough-wide Local Plan, to replace the four District Plans.

Introduced in the Borough-wide Local Plan was the concepts of a five year supply of housing land, and employment policies intended to mitigate the effects of industrial decline. Policies for the control of industrial and business development in the villages and open countryside were eased. More housing land was identified in the larger villages, and additional sites were allocated to cater for new housing demand around Northwich.

The Structure Plan Alteration generally maintained the previous Structure Plan strategy, but restricted development further in Frodsham, Helsby and Tarporley. The new Borough Local Plan reflected this Structure Plan Alteration, allowing only existing commitments, small groups of houses and infill in these settlements. Policies within the Green Belt remained restrictive.

The Vale Royal Borough Local Plan, covering the period 1986 to 1996, was approved by the Council in 1988, and following consultation and a Public Inquiry and the resulting modifications, it was finally adopted in 1992.

Over the Borough Local Plan's life, new business and retail parks were developed in Northwich and Winsford and some of the previously less attractive sites, such as at Wincham, have now seen development. In the larger villages, small new employment areas were developed whilst other existing sites were expanded. In the rural areas some additional employment was created in converted farm buildings, although the majority of farm conversions continued to be for residential use.

Midway through the Local Plan period, a full replacement Structure Plan, "Cheshire 2001", was prepared by the County Council. This Cheshire Replacement Structure Plan was formally approved by the Secretary of State in 1992, and covers the period to 2001. It is necessary to now take the Borough Local Plan forward to 2006 and beyond, to provide guidance for development control decisions and provide developers and the public with some certainty as to the policies and proposals which affect land in which they have an interest.

### **1996-2006: The Borough Local Plan First Review**

In the period prior to the Borough Local Plan's adoption in 1992, and since, there have been a number of changes which significantly affect the preparation and content of Local Plans. These are as follows:

- (i) Following the 1990 Town and Country Planning Act and the 1991 Planning and Compensation Act, Planning Authorities are required to determine planning applications in accordance with the Development Plan. This places considerably more emphasis on the Local Plan in determining planning applications than had previously been the case. The enhanced importance of the Local Plan makes it essential that the Local Plan is regularly reviewed and kept up-to-date if it is to fulfill its legislative role in guiding development control decisions and giving recognition to national planning policies, regional guidance and the provision of approved structure plans.
- (ii) A number of new Planning Policy Guidance Notes (PPGs) have now been introduced by Central Government. These significantly alter the policy context which guides Local Plan policies. In particular, the new PPGs reflect increasing concern about environmental sustainability, concerns which must be reflected through all policies and proposals which make provision for development whilst adequately protecting the long-term future of the natural and built environments.
- (iii) The Town and Country Planning Act 1990 widens the required subject matter of Local Plans. They must now include policies for the conservation of natural beauty and the amenity of land, the improvement of the physical environment and the management of traffic, in addition to development and use of land.
- (iv) The Department of the Environment has produced both a good practice guide for Development Plans and a recommended procedure for the environmental appraisal of emerging plans. Through these publications, Local Authorities are encouraged to adopt a more systematic approach to Local Plan preparation. In particular, Local Authorities are urged to clarify their aims and objectives, to assess the environmental impact of the resulting policies, and to develop a framework against which the success of policies can be tested.

The Local Plan First Review, which covers the period 1996-2006, reflects the above changes. In addition, it must be in conformity with the Replacement Structure Plan, "Cheshire 2011" for the period up to 2011.

## **The Cheshire Replacement Structure Plan “Cheshire 2011”**

The new Replacement Structure Plan - ‘Cheshire 2011’ was adopted in October 1999 and sets out the strategic planning policies for Cheshire County.

Its general locational strategy is to concentrate the bulk of new development in or on the edge of Cheshire’s towns. In Vale Royal, Winsford and Northwich are identified as such towns.

Of the 31,000 new dwellings to be accommodated in Cheshire between 1996 - 2011, Vale Royal is allocated 8,200. New housing development will be provided primarily in or on the edge of Northwich and Winsford. In the rural areas housing development will be limited.

In terms of employment land, 200 ha is to be made available in Vale Royal in the Plan period, comprising existing sites and new development opportunities. Two strategic employment sites are identified in Vale Royal and Northwich is identified as a town where principal employment sites will be located to take advantage of the Borough’s excellent location in respect of Manchester Airport, the National Motorway Network and National and Regional Rail network.

The importance of town centres at Northwich and Winsford is recognised for shopping and other activities. The Plan places emphasis on managing demand for travel. Improvements to the transport network will be necessary to facilitate and encourage greater use of walking, cycling and public transport, to remove traffic from sensitive areas and to provide access to new development.

A Green Belt is maintained across the northern part of Vale Royal, north of Northwich, with its broad extent increased through the addition of Frodsham, Helsby and Lordship Marshes.

## **Regional Planning Guidance for the North West**

The Regional Planning Guidance for the North West was published in May 1996. This guidance provided the strategic context for the Structure Plan (Cheshire 2011).

The guidance emphasises the need to regenerate urban areas and to channel some development away from the Mersey Belt towards the West Coast Mainline and the M6. It also considers that the present Green Belt should be maintained up to 2011 with the urban areas of the region accommodating all new development.

The Local Plan Review is generally consistent with the contents of the Draft Regional Planning Guidance.

The RPG is currently being reviewed and will include a planning strategy for the North West to 2021.

## **Environmental Appraisal**

As required by PPG 12 “Development Plan and Regional Planning Guidance”, the Local Plan Review has been the subject of an environmental appraisal. This has taken as its foundation the need to protect and enhance the environmental resources of the Borough.

The contents of the appraisal are contained within a separate document entitled “The Vale Royal Borough Local Plan First Review Deposit Draft - An Environmental Appraisal”. This can be obtained from the Planning Policy Services Section of the Development Services Directorate of the Borough Council. The address for all correspondence is to be found on page *i* of the Deposit Draft Review Local Plan.

## Supplementary Planning Guidance

Within the pre-Deposit Consultation Draft of the Local Plan First Review, the Borough Council included Supplementary Planning Guidance (SPG) for: 'Outdoor Space Standards for New Dwellings', 'Provision of Public Recreation Space in New Housing Development', 'House Extensions - A Design Guide', 'The Conversion of Old Rural Buildings - A Design Guide'.

These have all been adopted, and the Borough Council considers the SPG to be a material consideration in deciding planning applications (ref PPG -12).

## ENVIRONMENTAL APPRAISAL

The policies of the Plan have been subject to a check against a number of environmental criteria. This is to assess how far the planning policies are succeeding in meeting the aims and objectives of "sustainable development". "Sustainability" is not a new concept but has in recent years been used more frequently, as a result of increased awareness and concern about the environmental impact of human activities on our earth. There have been many definitions put forward but the most widely used came from the World Commission on Environmental Development in 1987 in a report referred to as the "Brundtland Report". It defined sustainable development as:

"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

A number of reports have been produced by the UK Government expressing its commitment to sustainable development. As part of this approach, Councils are now encouraged to undertake an environmental appraisal of their planning policies and in 1993, to assist this process, the Department of the Environment published a guide to best practice entitled "The Environmental Appraisal of Development Plans". In the light of this the plan policies have been assessed against a range of criteria under three headings:

- Global Environment
- Use of Natural Resources
- Local Environment

The full appraisal can be found with a separate document entitled "The Vale Royal Borough Local Plan First Review Deposit Draft - An Environmental Appraisal" published in 1996. At the end of each chapter is an appraisal summary which draws from that document. The appraisal is not based as an exact science but is intended as a checking mechanism - to assess whether policies to facilitate new jobs, homes and services, a key component of sustainable development, have been formulated with proper regard to environmental impacts.

## INTRODUCTION

The strategy of the Local Plan sets out the broad framework to be used to guide development decisions in the Borough in the period 1996 to 2006. It provides the focus for the detailed policies and proposals in the Local Plan which themselves implement the strategy, whilst at the same time making sure that the plan works towards a common set of aims and objectives.

## THE STRATEGY - AIMS AND OBJECTIVES

The Borough Council has agreed as part of its Corporate Strategy that in the provision of all its services, its main aim should be to ensure that the people of Vale Royal enjoy a high quality of life.

The Borough Local Plan is an important policy document of the Council and should therefore reflect the Council's principal aim.

The way in which this aim will be achieved can be broken down into a number of major objectives that make up the main themes of the Local Plan. These are not in any order of importance.

These will be achieved by a number of policy objectives which are listed below each major objective.

The objectives have guided policy development and are reflected throughout the various chapters of the Local Plan.

The Council's corporate aim relating to quality of life is translated into the policies and proposals of the Plan. These reflect many economic, environmental and social themes of sustainable development, expressed in Vale Royal's Local Agenda 21. The Plan therefore provides a framework to make land use decisions which deliver sustainable development.

In respect of economic considerations, the Plan makes provision for a wide range of employment opportunities.

The Local Plan also takes into account social considerations to make sure that all groups in society can benefit from its proposals. There are therefore policies on disabled access, the protection of open space and recreational facilities, the provision of affordable housing and ensuring development is accessible by a choice of transport mode.

The third key theme is environmental protection and enhancement. There are a wide range of policies which seek to counter any decline in biodiversity. These include the protection of specific nature conservation sites and minimising air pollution (including greenhouse gases) from transport through minimising the need to travel and encouraging the use of more sustainable transport modes. The Plan seeks to enhance both the natural and built environment of the Borough.

The Local Plan Strategy has accepted that the Cheshire Replacement Structure Plan approved in 1999 provides the strategy context for all planning decisions in Vale Royal.

## ROLES OF THE LOCAL PLAN

Before the strategy of the Local Plan is described it is important to set out the purpose of the policies and proposals.

These are as follows:

To create a vision of the future land use of the Borough.

To protect the Borough's natural and man made assets.

To provide a working planning document for development control.

To inform all those interested in Vale Royal what development proposals are likely in particular areas.

To promote schemes that cannot be directly implemented through development control or Council spending e.g. building new roads or controlling pollution.

In addition the Local Plan will need to embody the Council's own Action Plan for sustainable development - Local Agenda 21 and will therefore seek to embrace the principles of sustainable development.

## MAJOR AIM FOR THE BOROUGH COUNCIL

**TO ENSURE THAT THE PEOPLE OF VALE ROYAL ENJOY A HIGH QUALITY OF LIFE**

### Major Objective 1.

**To generate employment opportunities by increasing economic activity within the Borough.**

#### Policy Objectives

1. To allocate a range of sites for business uses, general industry, warehousing, leisure and tourism sites, to help widen the Borough's economic base and develop its economy, and to meet the requirements of industry and commerce.
2. To improve the attractions of existing employment areas for existing and new businesses.
3. To provide for opportunities for new employment - generating activities in the rural areas of the Borough to improve the rural economy.
4. To allocate sites in locations suitable for high quality mixed development schemes.
5. To improve accessibility within Vale Royal and improve transport links between the Borough and surrounding areas.
6. To ensure that town centres continue to operate as viable and sustainable centres for the provision of employment.
7. To use derelict land wherever possible to provide suitable sites for employment use.
8. To make sure that sites proposed for employment use are compatible with and sensitive to surrounding land use.
9. To ensure that opportunities are available within the Borough to enable the retention and where appropriate expansion of local companies.

**Major Objective 2.**

**To conserve, enhance and facilitate the enjoyment of the Borough's built heritage and natural environment.**

**Policy Objectives**

1. To preserve and where appropriate enhance the listed buildings and Conservation Areas in the Borough.
2. To respond to the legacy of former industrial sites and mineral workings where dereliction and contamination are particular problems.
3. To improve the condition/appearance of areas where neglect, poor design, dereliction and inappropriate land use create an unattractive environment.
4. To make sure that all new development contributes to the physical enhancement of Vale Royal by being of a high design, layout and landscaping, and being appropriate to its surroundings, particularly the major development sites.
5. To protect sites of ecological, archaeological (including industrial archaeological), geomorphological, historic and landscape value.
6. To protect all important open space within settlements from development.
7. To create an open space network in the two towns and largest villages of the Borough.
8. To promote tree planting by identifying areas for The Mersey Forest in particular in association with new development.
9. To require landscaping schemes for new development.
10. Create and restore and encourage the management of landscape areas and wildlife habitats.
11. Protect the best and most versatile agricultural land.
12. To counter any decline in biodiversity.

**Major Objective 3.**

**To establish, promote and implement policies and practices which protect and raise the standard of health and quality of life of people within the Borough.**

**Policy Objectives**

1. To ensure that new industrial development does not create unacceptable pollution and reduces the level of pollution where possible.
2. To resist development that may cause land, air, water, noise or light pollution.
3. To ensure that unsuitable development does not take place on contaminated land.
4. To resist development which increases risks to life and health to an unacceptable level.
5. To ensure that new development is located so as not to increase the risks from existing sources of pollution.
6. To promote the concept of "secured by design" in all developments.
7. To encourage cycling as a transport mode and to provide safe routes for cyclists.
8. To encourage walking as a transport mode and provide safe and convenient routes for pedestrians.

9. To promote traffic calming and pedestrianisation of streets.
10. To provide and protect open space for amenity and recreation.
11. To ensure that centres of employment, town centres, recreational, tourism and cultural facilities are accessible to all sections of the community.
12. To improve access for people with disabilities, the elderly and the less mobile sections of the community.

## **Major Objective 4.**

### **To protect and re-vitalise town centres**

#### **Policy Objectives**

1. To allocate sites for new shopping developments in Northwich and Winsford town centres.
2. To resist out of town centre shopping developments which will adversely affect the vitality and viability of existing town centres.
3. To maintain a variety of shopping in town and village centres.
4. To improve the attractiveness of existing centres by environmental improvements, pedestrianisation, provision for cyclists, traffic calming, adequate servicing and ensuring that all hard and soft landscaping is of a good design and well maintained.
5. To improve access to town centres to all modes of transport for all people and put forward appropriate new road schemes and traffic calming measures.
6. To consider a variety of ways of limiting the expected increase in vehicles coming into town centres.
7. To exploit the development opportunities presented by sites next to waterways in or adjacent to town centres.
8. To promote leisure and tourism use on and adjacent to the waterways.
9. To take full account of the stability problems in Northwich town centre in considering where new development should be located.

## **Major Objective 5.**

### **To ensure the provision of suitable recreational, leisure and cultural facilities and services.**

#### **Policy Objectives**

1. To protect important existing and potential open spaces and amenity land from development.
2. To allocate land for new recreation facilities in areas of recognised deficiency.
3. To encourage the full use of existing recreational facilities.
4. To promote the Northwich Community Woodlands as part of the Mersey Forest and as an important recreational, leisure and cultural resource in Vale Royal, Cheshire and the North West.
5. To promote the Lion Salt Works as a major salt heritage centre.

6. To promote the increased use of the Borough's waterways for recreation and tourism.
7. To create an open space network within the two large towns and larger villages.
8. To promote Vale Royal as a tourist destination.
9. To ensure the provision of an eighteen hole municipal golf course in Winsford.
10. To ensure that adequate open space and children's play space is provided in new housing development.
11. To promote the restoration of the Anderton Boat Lift.

### **Major Objective 6.**

**To ensure that there is an adequate supply of housing to meet the needs arising in Vale Royal.**

#### **Policy Objectives**

1. To ensure that there are a range of sites available for housing development.
2. To concentrate new housing provision in or on the edge of the two principal towns and the largest villages in the Borough.
3. To ensure there is an adequate supply of affordable housing for local people of the Borough.
4. To ensure that housing density is compatible in terms of appearance, design, layout and with the nature of the site and character of the surrounding area.
5. To protect open space and amenity areas within residential areas.

### **Major Objective 7.**

**Planning for sustainable development and helping to reduce global warming.**

#### **Policy Objectives**

1. **Conserving land resources.**
  - (i) To sustain a long term Green Belt boundary.
  - (ii) To protect important open space in all settlements from development.
  - (iii) To encourage the development of brownfield land rather than greenfield land, particularly where that land is currently derelict or has been reclaimed.
  - (iv) To protect sites of ecological, archaeological, geological, historical and landscape values.
  - (v) To encourage the location of new development which makes best use of all transport modes, and is adjacent to other uses.
2. **Conserving energy resources.**
  - (i) To encourage energy efficient building design and site layouts through planning and design briefs for all major new developments.
  - (ii) To encourage the recycling of waste products and materials.
  - (iii) To encourage the provision of renewable energy schemes.

### 3. Reducing the need to travel

- (i) To encourage the location of new development which is accessible to a variety of transport modes.
- (ii) To encourage a mix of uses on large development sites, particularly in or near town centres.
- (iii) To provide opportunities for travel by different transport modes in large development schemes.

## THE LOCAL PLAN STRATEGY

Essentially the Local Plan Strategy gives broad guidance on the location of development and the general requirements for development, and outlines those strategic constraints to development.

The Council's main aim as interpreted by the strategy of the Local Plan is to ensure a continued balance between development which will bring investment and new jobs into the area, improved facilities, a range of good quality housing, and the protection and enhancement of the area's natural and built environment.

### Future Development

The requirement for Vale Royal set out in the approved Structure Plan for new housing implies a rate of development similar to that in the past. For employment the current Structure Plan proposes an increase in development significantly above previous rates to ensure that a range of sizes and types of site can be provided, to increase the quality of new sites and to take advantage of the Borough's central location and excellent communication links to Manchester Airport and the rest of the region.

In view of the District's central location within the County, the Local Plan recognises that Vale Royal has a significant role to play in attracting new development into Cheshire. At the same time it is important that the amount of new development is appropriate to the size and character of individual settlements and does not harm the existing assets of the Borough. The Plan aims to ensure that development is directed to appropriate areas where both new housing and employment opportunities can be provided.

The strategy proposes that the majority of future development should continue to be concentrated in or on the edge of the towns of Winsford and Northwich. In these towns where existing levels of investment in facilities are high, there is some scope to use derelict and underused land and premises and there are opportunities to travel other than by using the private motor car. It is inevitable, that some open land will be needed to provide sites for new housing and employment opportunities. Where such sites are identified they will need to meet specific criteria. This applies in particular to Regional Employment Sites.

Where new development takes place, the Local Plan aims to ensure that such development also brings local benefits such as improved infrastructure and facilities and the creation of new landscapes. New housing will be expected to contribute to meeting local needs.

Within the two towns, new development will be required to be in scale and character with the existing settlement pattern and take account of locally important environmental constraints.

Town centres will continue to play a central role in the provision of services and new shopping development and be a focus for public transport. Out of town centre shopping

development will be strictly controlled. New employment opportunities will be provided through the development and redevelopment of existing industrial areas, by using reclaimed and derelict land and by the establishment of new 'business parks' and regional employment sites in the Borough.

Outside the towns, the Local Plan will allow for some growth in the largest villages to satisfy local needs and provide a variety of housing sites and to maintain essential services of a scale appropriate to the settlement.

In some ways, the settlement of Frodsham may be regarded as a town, indeed it has a Town Council. However, for the purposes of the Local Plan Strategy, it is not regarded as a town in policy terms in the same way as Northwich and Winsford where the bulk of new development is to be concentrated.

The level and scale of developments considered appropriate for Frodsham, an inset settlement in the Green Belt, is similar to the other large villages except that Frodsham, like Weaverham, is constrained by the North Cheshire Green Belt.

Therefore in the context of the Local Plan, Frodsham appears among the list of larger villages, rather than as a town in the relevant policy chapters together with the appropriate policy for the settlement.

The development of a balanced and efficient transport system is also a crucial element to the strategy with an emphasis on measures to improve road safety, alleviate congestion, and promote the use of alternative transport modes to the motor car, particularly for journeys to work and into town centres.

It will also be the aim of the Plan to ensure that where appropriate new development provides opportunities to encourage journeys to be made other than by the motor car.

Where improvements to the road network are necessary and no feasible alternative to accommodating private car traffic is available, use will be made of joint public/private sector funding to carry out such improvements.

## **Development Constraints in Rural Areas**

A significant part of the Borough is comprised of countryside, the retention, protection and enhancement of which is an important issue for the Local Plan in the future planning of the Borough.

The countryside is a valuable resource for agriculture, recreation, nature conservation and as a source of rural employment. In addition, it is also an important element in maintaining the character and separate identities of the Borough's towns and villages.

The Local Plan also re-affirms the Borough Council's commitment to maintaining the strategic aims of the North Cheshire Green Belt to restrict urban sprawl, safeguard the countryside, prevent the coalescence of towns and assist in urban regeneration both in Cheshire towns and in the conurbations.

The Plan area also contains a number of other designated areas which impose constraints to development including Areas of Special County Value for Landscape, high grade agricultural land and the Jodrell Bank Consultation Zone.

Development is also restrained in a number of villages because of environmental considerations, particularly where it is necessary to conserve their character, to avoid development encroaching into the countryside and to restrict the number of people living in such settlements when their employment is elsewhere.

Similarly within and between settlements there are Areas of Significant Local Environmental Value which the Local Plan aims to protect from development to retain their open character, and retain the separate identities of individual settlements.

## **Improving the Quality of the Environment**

The Local Plan provides a framework for the protection and enhancement of both the built and natural environment throughout the Borough. Where new development is proposed the quality of the environment in particular should not be allowed to deteriorate; the development should benefit the area as a whole.

The policies of the Local Plan are designed to encourage and assist the enhancement of the environment through the conversion, improvement and re-development of land and buildings particularly the land within settlements, especially where it will result in the re-use of neglected, vacant or derelict land and buildings. This development will directly assist the regeneration of those areas and bring wider benefits from investment and improved infrastructure and in addition can reduce development pressure in the countryside.

## **Policy Approaches**

The policy approaches outline the scale and type of development the Local Plan envisages for the towns, villages and rural areas.

### **Northwich**

Northwich and its satellite villages represents the largest centre of population and employment within the Borough.

The town will continue to be a focal point for large scale development, although some developments may have to wait until the subsidence problems are resolved. There will be an emphasis on the redevelopment of particular existing industrial areas and the use of vacant land. The town is generally constrained by the North Cheshire Green Belt on its northern side and to the south the flood plain of the River Dane an Area of Special Local Value, prohibits development. Within the urban areas important open spaces will be protected from development.

Whilst much of the new residential developments will continue to be accommodated at Kingsmead, the Local Plan does provide some scope for new housing in some of the larger villages where there is access to public transport.

Improvements to traffic circulation in the town will be a high priority with the provision of facilities for pedestrians, cyclists and public transport. The vitality and viability of the town centre will be protected through the concentration of retailing and other uses on sites accessible to public transport.

Outside the town, at the edge of the urban area there will be a need for new employment sites accessible to the road network and to public transport. New railway stations will be required.

### **Winsford**

Whilst not constrained by Green Belt the town of Winsford is surrounded by attractive countryside which includes in particular the River Weaver and the Flash.

New housing development will be located to permit access to existing and proposed employment sites and to take advantage of public transport facilities. Some expansion of the town centre is anticipated to take in surrounding areas which both have a town centre function and can provide new sites for town centre development to enhance the vitality and viability of the centre.

Some new employment sites for a range of activities will be located to take advantage of the Davenham bypass and the Crewe-Liverpool railway line.

A priority at Winsford in the Local Plan is the provision of an 18 hole golf course.

## Larger Villages

Outside the Northwich area, the expansion of Frodsham and the villages of Helsby and Weaverham is constrained by Green Belt policies and in the case of Tarporley by other rural restraint policies.

Whilst it is likely that some development will take place within the settlements on for example former industrial sites, it is important that local employment opportunities remain and are strengthened. Development pressure within such settlements should not be at the expense of open space.

## The Rural Area

Any housing development will generally be restricted to limited infilling in appropriate villages. There will be provision for some small scale new development and some small scale expansion of existing businesses, in scale with the settlement and opportunities for existing businesses to adapt to changing circumstances.

The aim will be to encourage development which can help to meet local housing and employment needs and help to support existing facilities and services, and to restrict further out-commuting for employment, but providing local jobs.

## SELECTION OF SITES

All the sites which are allocated for development in the Local Plan have been identified following a systematic analysis and assessment of a larger number of potential development areas within and around the edge of existing settlements.

In selecting sites for development the Borough Council has taken account of the following considerations:-

- Ensuring that development avoids the Green Belt, areas of landscape, nature conservation, or archaeological value, substantial areas of high quality agricultural land and areas of local amenity value.
- Ensuring that new development makes the best possible use of available infrastructure in terms of roads, public utilities, drainage, schools, public transport services and other facilities or makes a contribution to the improvement of the area's infrastructure.
- Utilising derelict or underused land for housing and employment wherever practicable and appropriate.
- Ensuring that the character and separate identity of existing settlements is safeguarded.
- Ensuring that a variety of sites are provided in locations which are attractive to developers provided this does not compromise other objectives of the Local Plan.
- Ensuring that sites are relatively free from external constraints.
- Ensuring that development is generally related in scale and location to existing development and takes account of existing patterns of settlement and surrounding land uses.
- Taking advantage of opportunities for mixed development schemes and locating development sites to encourage a reduction in the number of separate trips made, especially by private car, and the use of other transport modes.

## GS1

**SUFFICIENT LAND WILL BE PROVIDED TO SATISFY DEMAND FOR NEW HOUSING, EMPLOYMENT AND SERVICES ARISING IN THE BOROUGH UP TO 2006 SUBJECT TO THE STRATEGIC POLICIES SET OUT IN THE CHESHIRE REPLACEMENT STRUCTURE PLAN.**

### Reasons and Explanations

- (i) Provision for housing, employment and services in the period up to 2006 allows for the needs likely to arise within the Borough and also allows for modest growth through in-migration.
- (ii) Within the Borough, development should continue to be concentrated where: levels of investment are high; there is scope for journeys to be made other than by private car; there is scope for environmental improvement; where there is the potential to use derelict and vacant land and re-use existing buildings and developed land that have become redundant and where the loss of natural resources is minimised. Such scope continues to be provided largely within or on the edge of the towns of Northwich and Winsford.
- (iii) For the purpose of calculating the policy requirements of the Structure Plan for the Local Plan, a base date of September 1999 has been used. In addition the housing and employment land requirements in the Local Plan now reflect the contents of the Cheshire Replacement Structure Plan - Cheshire 2011.

## GS2

**NEW DEVELOPMENT FOR HOUSING, EMPLOYMENT AND SERVICES IN THE BOROUGH WILL GENERALLY BE CONCENTRATED IN OR ON THE EDGE OF THE TOWNS OF NORTHWICH AND WINSFORD, INCLUDING THE LARGER VILLAGES OF ANDERTON, BARNTON, CUDDINGTON, DAVENHAM, HARTFORD, LOSTOCK GRALAM, LOWER MARSTON, LOWER WINCHAM, MOULTON, RUDHEATH, HIGHER WINCHAM, AND WEAVERHAM. THE OTHER LARGER VILLAGES, TARPORLEY, FRODSHAM AND HELSBY ARE ALSO SUITABLE FOR FURTHER DEVELOPMENT.**

### Reasons and Explanations

- (i) To conform with the strategic aims of the Cheshire Replacement Structure Plan to concentrate development in or on the edge of the towns of the County.
- (ii) To maximise the use of existing infrastructure and services.
- (iii) To safeguard the rural areas and villages from a scale of development inappropriate to that location.
- (iv) To protect areas of high landscape quality.
- (v) To minimise the loss of vulnerable ecological resources.
- (vi) To provide access to services without the need to use the private car.

### Policy Derivation

Cheshire Replacement Structure Plan (2011) Policies GEN1, IND2, HOU2

## GS3

**THE NORTH CHESHIRE GREEN BELT EXTENDS ACROSS THE NORTHERN PART OF THE BOROUGH, ITS BOUNDARIES BEING DEFINED ON THE PROPOSALS MAP.**

**WITHIN THE GREEN BELT PLANNING PERMISSION WILL NOT BE GIVEN EXCEPT IN VERY SPECIAL CIRCUMSTANCES, FOR THE ERECTION OF NEW BUILDINGS UNLESS IT IS FOR THE FOLLOWING PURPOSES:**

- (i) **AGRICULTURE AND FORESTRY (REF POLICIES H10, RE3, RE4, RE7)**
- (ii) **ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION (REF POLICIES RT1, RT15, RT18-RT19, RE9, MW4) FOR CEMETERIES AND FOR OTHER USES OF THE LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT (REF POLICY PS1) AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND WITHIN THE GREEN BELT;**
- (iii) **LIMITED EXTENSION, ALTERATION OR REPLACEMENT OF EXISTING DWELLINGS (REF POLICIES H10, H18, H17, H21)**
- (iv) **LIMITED INFILLING IN EXISTING VILLAGES (REF POLICY H10) AND LIMITED AFFORDABLE HOUSING FOR COMMUNITY NEEDS (REF POLICY H2)**
- (v) **LIMITED INFILLING OR REDEVELOPMENT OF MAJOR EXISTING DEVELOPED SITES (REF POLICY E10 FOR EXISTING EMPLOYMENT SITES AND POLICY PS5 FOR REDUNDANT INSTITUTIONAL SITES)**

**PROPOSALS WHICH INVOLVE A MATERIAL CHANGE IN THE USE OF LAND OR ENGINEERING AND OTHER OPERATIONS AS SET OUT IN THE STATUTORY DEFINITION OF DEVELOPMENT WILL BE ALLOWED PROVIDED THEY MAINTAIN THE OPENNESS OF THE GREEN BELT AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN THE GREEN BELT.**

#### **Reasons and Explanations**

- (i) To conform with the Cheshire Replacement Structure (2011).
- (ii) To check the unrestricted sprawl of large built-up areas as part of the North Cheshire Green Belt, the Green Belt boundaries shown on the Proposals Map perform the strategic roles of helping:
  - To prevent neighbouring towns from merging into one another;
  - To preserve the setting and special character of historic towns;
  - To assist in safeguarding the countryside from encroachment;
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- (iii) Openness in terms of this policy generally means freedom from built development. Any development which reduces the openness of the Green Belt as a whole will not be acceptable under the terms of the policy.
- (iv) The boundaries have been drawn to enable a long term Green Belt boundary to be established so as to avoid short term amendments.
- (v) The Borough Council is not identifying any areas of safeguarded land between the urban areas and the Green Belt since it is confident that there is sufficient land outside the Green Belt to accommodate foreseeable future development needs.
- (vi) To conform with PPG2 "Green Belts".

#### **Policy Derivation**

PPG2 - "Green Belts"

Cheshire Replacement Structure Plan (2011) Policy GEN2

## Existing Villages in the Green Belt

### GS4

THE VILLAGES OF ACTON BRIDGE, ALVANLEY, ANTROBUS, COMBERBACH, CROWTON, DELAMERE, GREAT BUDWORTH, HIGHER WHITLEY, KINGSLEY, LITTLE LEIGH, NORLEY, SUTTON WEAVER WILL BE WASHED OVER BY THE GREEN BELT. CERTAIN VERY LIMITED DEVELOPMENT WILL BE ALLOWED AS FOLLOWS; HOUSING (REF POLICIES H8 AND H9), EMPLOYMENT (REF POLICIES E10), SHOPPING (REF POLICIES STC13 AND STC14), RECREATION AND TOURISM (REF POLICIES GS7 AND RT10-RT13).

THE FOLLOWING VILLAGES WILL BE INSET IN THE GREEN BELT: FRODSHAM, HELSBY, HIGHER WINCHAM, WEAVERHAM. LIMITED DEVELOPMENT WILL BE ALLOWED IN ACCORDANCE WITH THE FOLLOWING POLICIES: HOUSING (REF POLICY H6), EMPLOYMENT (REF POLICY E8), SHOPPING (REF POLICIES STC1, STC3, STC7-STC10), RECREATION AND TOURISM (REF POLICY RT7)

### Reasons and Explanations

- (i) To conform with the advice of PPG2 "Green Belts".
- (ii) The washed over villages are those where some very limited development in scale with the character of the village, and the level of existing facilities and services is appropriate.
- (iii) The inset villages are those settlements where limited new development or the expansion of development within the village, in scale with the character of the settlement and level of existing services and facilities is appropriate.

### Policy Derivation

PPG 2 "Green Belts"

Cheshire Replacement Structure Plan (2001) Policy ENV3

## Changes to the North Cheshire Green Belt

### GS5

THE FOLLOWING CHANGES TO THE NORTH CHESHIRE GREEN BELT BOUNDARY ARE PROPOSED AND SHOWN ON THE PROPOSALS MAP.

- (i) LAND AT ANDERTON CONCRETE WORKS, NEW ROAD, HOUGH LANE, ANDERTON IS EXCLUDED FROM THE GREEN BELT.

### Reasons and Explanations

- (i) The Borough Council considers that in view of the developed nature of the site, this land should be excluded from the Green Belt. It is therefore unnecessary to keep this land permanently open.
- (ii) The realigned Green Belt boundary is well defined, follows an existing hedge line which essentially defines the edge of the built up area.
- (iii) This amendment to the Green Belt boundary will not lead to the encroachment of development into the surrounding countryside.
- (iv) The site received planning consent for housing development in April 1996 as a Departure to the Development Plan justified on the basis of exceptional circumstances, i.e. the removal of a non-conforming noisy industrial use. The site has now been developed fully.

**(ii) LAND COMPRISING THE FRODSHAM, HELSBY AND LORDSHIP MARSHES AS SHOWN ON THE PROPOSALS MAP IS INCLUDED WITHIN THE NORTH CHESHIRE GREEN BELT.**

**Reasons and Explanations**

- (i) This land has been safeguarded as a possible future site for large scale industry of national importance since 1979 when the Secretary of State confirmed the area's potential in approving the Cheshire County Structure Plan. His view was that development should only be permitted in exceptional circumstances. The Cheshire Replacement Structure Plan (1992) retained a presumption against development except for agricultural purposes (EMP4). In addition all planning applications on the marshes were to be referred to the Secretary of State instead of being dealt with by the Borough Council.
- (ii) There is now increasing international recognition of the value of estuaries in nature conservation terms and the Mersey Estuary in particular which now has the status of a Ramsar site and special protection area. The Marshes lying within the Estuary zone and the Ramsar designation should not now be considered for large scale industry.
- (iii) In addition the Marshes represents a major open area between the heavy industrial sites at Ellesmere Port and Runcorn and therefore perform the function of separating large built up areas. Their openness is essential to this function.
- (iv) The Manchester Ship Canal is an important strategic waterway that needs to be maintained by regular dredging to ensure that it remains navigable and for drainage purposes. The Borough Council recognises the importance of the canal deposit grounds located in the Frodsham, Helsby and Lordship Marshes to the continued maintenance works required to the Canal.

**(iii) LAND AT DALGETY, WINCHAM LANE, LOWER WINCHAM BE EXCLUDED FROM THE GREEN BELT**

**Reasons and Explanations**

- (i) A very substantial part of this site is occupied by a large and prominent industrial building. Physically, visually and functionally it now forms part of the large industrial complex to the south.
- (ii) The site no longer contributes to the openness of the Green Belt and no longer performs a Green Belt function.
- (iii) The form and bulk of the existing development on this site creates the exceptional circumstances necessary to change the Green Belt boundary.

**Policy Derivation**

PPG12 "Green Belts"

**The Open Countryside**

**GS6**

**THE CHARACTER AND APPEARANCE OF THE OPEN COUNTRYSIDE WILL BE PROTECTED. OPEN COUNTRYSIDE IS DEFINED AS ALL PARTS OF THE BOROUGH WHICH LIE OUTSIDE OF SETTLEMENT POLICY BOUNDARIES BUT EXCLUDING THE LAND IN THE NORTH CHESHIRE GREEN BELT SHOWN ON THE PROPOSALS MAP NOTWITHSTANDING THAT THERE EXIST BUILDINGS SINGLY AND IN GROUPS WITHIN THE OPEN COUNTRYSIDE.**

## Reasons and Explanations

- (i) It is the Strategic Policy of the Cheshire Replacement Structure Plan to limit development in the rural parts of the County and to direct most new development for housing, employment and commercial purposes to the towns of the County.
- (ii) The Borough Local Plan provides for most forms of development to be accommodated within existing settlements. This does not mean that development of all land within towns and villages will be acceptable. Policies in this Local Plan for the protection of the character, environmental qualities and amenities of the towns and villages will be used to assess the suitability of development proposals for individual sites.
- (iii) The variety of form and character of towns and villages of Vale Royal means that some settlements will be capable of accommodating a wider range of development than others. The Policies of this Local Plan indicate the range of development which are appropriate to each of the towns and villages for which Settlement Policy Boundaries are identified. These Policies apply within the areas as shown on the Proposals Map.
- (iv) The Settlement Policy Boundaries show the extent of the area in which the range of developments appropriate in a particular locality may be permitted within the aims of the Plan.

### Policy Derivation

Cheshire Replacement Structure Plan (2011) Policy GEN1

## Change of Use/Conversion of Rural Buildings in the Green Belt and Open Countryside

### GS7

**THE PREFERRED REUSE OF RURAL BUILDINGS WILL BE USES WHICH ACCOMMODATE OR BENEFIT LOCAL RURAL COMMERCE AND BUSINESS OR GENERATE WEALTH FOR THE LOCAL COMMUNITY. THE NEED TO ACCOMMODATE LOCAL BUSINESS AND COMMERCE WILL BE A MATERIAL CONSIDERATION IN DETERMINING PLANNING APPLICATIONS FOR THE CONVERSION OF RURAL BUILDINGS. APPLICATIONS FOR CONVERSIONS OF RURAL BUILDINGS WILL BE REQUIRED TO MEET CRITERIA (i) TO (ix) OF THE POLICY WHILST APPLICATIONS FOR CONVERSIONS TO RESIDENTIAL USE WILL NEED TO MEET CRITERIA (i) TO (xiii).**

#### GENERAL CRITERIA:

- (i) THE PROPOSAL DOES NOT LEAD TO UNACCEPTABLE LEVELS OF TRAFFIC, A REDUCTION IN RESIDENTIAL AMENITY OR A DETRIMENTAL IMPACT ON THE BUILT OR NATURAL ENVIRONMENT.**
- (ii) THE APPLICANT MUST SHOW THAT THE BUILDING TO BE CONVERTED IS STRUCTURALLY SOUND AND OF PERMANENT AND SUBSTANTIAL CONSTRUCTION. AGRICULTURAL BUILDINGS BUILT WITHIN 4 YEARS OF THE PROPOSED CHANGE OF USE ARE DEALT WITH IN RE5 WITH AN ADDITIONAL POLICY, BUT SHOULD ALSO MEET THE CRITERIA IN THIS POLICY.**
- (iii) THE APPLICANT MUST SHOW THAT THE BUILDING CAN BE BROUGHT BACK INTO USE WITHOUT COMPLETE OR MAJOR RECONSTRUCTION.**

- (iv) WHERE RELEVANT THE APPLICANT SHOULD PROVIDE DETAILS OF ANY PROTECTED SPECIES, EG. BATS WHICH PRESENTLY INHABIT THE BUILDING.
- (v) THE DESIGN OF THE CONVERSION SHOULD NOT INVOLVE SIGNIFICANT EXTERNAL CHANGE NOR EXTENSION NOR THE CONSTRUCTION OF ADDITIONAL BUILDINGS AND SHOULD RESPECT THE ORIGINAL STYLE, BULK, DESIGN AND FORM OF THE BUILDING AND WHERE POSSIBLE SHOULD USE LOCAL STYLES AND MATERIALS OR THEIR EQUIVALENTS TO ENSURE THE BUILDING IS IN KEEPING WITH THE RURAL CHARACTER OF THE AREA.
- (vi) ALTERATIONS TO THE CURTILAGE OF THE BUILDING TO PROVIDE CAR PARKING SHOULD USE ORIGINAL STYLES AND FINISHES SUCH AS, FOR EXAMPLE, COBBLES.
- (vii) THE OVERALL APPEARANCE OF THE BUILDING AND ITS CURTILAGE SHOULD NOT BE DETRIMENTAL TO EITHER THE VIEWS INTO THE SITE OR THE CHARACTER AND OPENNESS OF THE AREA.
- (viii) IN THE CASE OF BUILDINGS OF ARCHITECTURAL MERIT OR HISTORIC INTEREST, THE CONVERSION SHOULD PRESERVE BOTH THE INTERNAL AND EXTERNAL FEATURES OF THE BUILDING AND ITS SETTING. PERMITTED DEVELOPMENT RIGHTS MAY BE REMOVED WHERE IT IS CONSIDERED THAT FURTHER ALTERATIONS TO A BUILDING OF ARCHITECTURAL MERIT OR HISTORIC INTEREST WOULD BE LIKELY TO HAVE AN UNACCEPTABLE IMPACT ON IT OR ITS WIDER SETTING.
- (ix) THE CONVERSION DOES NOT LEAD TO DISPERSAL OF ACTIVITY ON SUCH A SCALE TO PREJUDICE TOWN AND VILLAGE VITALITY.

IN ADDITION FOR RESIDENTIAL CONVERSIONS IT WILL BE NECESSARY TO MEET THE FOLLOWING CRITERIA:

- (x) THE BOROUGH COUNCIL WILL REQUIRE THE APPLICANT TO PROVIDE EVIDENCE THAT THE BUILDING IS NOT REQUIRED FOR THE NEEDS OF LOCAL COMMERCE, TOURISM OR INDUSTRY FOLLOWING THE MARKETING OF THE PROPERTY FOR SUCH USES FOR 12 MONTHS AT AN APPROPRIATE PRICE. THE BOROUGH COUNCIL MAY EXCEPTIONALLY RELAX THE REQUIREMENT FOR THE MARKETING EXERCISE IF THE PROPOSAL FOR RESIDENTIAL CONVERSION IS A SUBORDINATE PART OF A SCHEME FOR BUSINESS REUSE.
- (xi) PERMITTED DEVELOPMENT RIGHTS MAY BE REMOVED WHERE IT IS CONSIDERED THAT FURTHER ALTERATIONS TO A BUILDING OF ARCHITECTURAL MERIT OR HISTORIC INTEREST WOULD BE LIKELY TO HAVE AN UNACCEPTABLE IMPACT ON IT OR ITS WIDER SETTING.
- (xii) THE BOROUGH COUNCIL WILL NEED TO BE ASSURED THAT ANY SUCH PROPOSALS WILL NOT HAVE A DETRIMENTAL EFFECT ON: THE BUILDING, IN TERMS OF THE CHANGES CONSIDERED NECESSARY TO ACCOMMODATE RESIDENTIAL DEVELOPMENT AND THE ASSOCIATED SERVICES AND FACILITIES;  
  
ITS SETTING IN THE COUNTRYSIDE, IN TERMS OF NOISE, TRAFFIC AND THE IMPACT OF PARKED CARS, GARDENS AND ASSOCIATED RESIDENTIAL CLUTTER.

**(xiii) THE BOROUGH COUNCIL WILL ONLY ALLOW PROPOSALS INVOLVING MORE THAN 10 UNITS WHERE:**

**THIS IS REQUIRED TO SECURE THE ECONOMIC REUSE OF A LISTED BUILDING OR LOCALLY IMPORTANT BUILDINGS.**

**WHERE THERE ARE OVERRIDING BENEFITS IN TERMS OF IMPROVEMENTS TO THE APPEARANCE OF THE BUILDING.**

**Reasons and Explanations**

- (i) In order to ensure new development is sustainable and does not promote large numbers of private car trips it is the policy of both the Structure Plan and this Plan to concentrate development in urban areas and generally discourage development in isolated locations. However, residential conversions of rural buildings, have to a degree, undermined this policy and some of these developments have been of a substantial scale.
- (ii) This policy seeks to ensure that conversions bring economic benefit to the rural area in which they are situated. PPG7 "The Countryside - Environmental Quality and Economic and Social Development" clearly states that many rural areas lack suitable workspace and the reuse of existing buildings has an important role to play in meeting this demand. The PPG makes it clear that such uses can encourage new enterprise and provide jobs needed whilst "residential conversions have a minimal impact on the rural economy". Accordingly in order to ensure the future of the rural economy reuse of rural buildings for tourist accommodation and employment uses should be given precedence over residential use, although there will be continue to be pressure for residential use.
- (iii) The conversion of rural buildings to residential use will often have a detrimental effect on both the building being converted and its setting. If a more comprehensive range of uses are considered it will be possible to match the needs of the rural community and the scope of the building itself.
- (iv) Buildings of architectural merit or historic interest are those which are listed by the Secretary of State for National Heritage under Section 1 of the Town and Country Planning Act (1990).

**Policy Derivation**

PPG2 - "Green Belts"

PPG7 - "The Countryside - Environmental Quality and Economic and Social Development"

**Areas Affected by Former Underground Rock Salt Mining in Northwich**

**GS8**

**NEW BUILDING DEVELOPMENT IN THE AREA KNOWN TO HAVE BEEN AFFECTED BY FORMER UNDERGROUND ROCK SALT MINING AS SHOWN ON THE PROPOSALS MAP WILL NOT BE ALLOWED UNLESS EVIDENCE CAN BE PRODUCED TO SHOW THAT THE SITE AND ITS SURROUNDINGS WILL NOT BE DETRIMENTALLY AFFECTED TO A MATERIAL DEGREE BY UNDERGROUND CONDITIONS.**

**EXCEPTIONS TO THIS MAY BE ALLOWED IN RESPECT OF BOTH MINOR EXTENSIONS TO RESIDENTIAL PROPERTY, MINOR EXTENSIONS TO RETAIL AND OTHER COMMERCIAL PROPERTY AND OTHER DEVELOPMENT WHERE THE DEVELOPER IS PREPARED TO DELAY THE DEVELOPMENT UNTIL AFTER**

**INVESTIGATIONS HAVE BEEN CARRIED OUT AND IT HAS BEEN DEMONSTRATED TO THE SATISFACTION OF THE BOROUGH COUNCIL THAT PEOPLE AND PROPERTY WOULD NOT BE PUT AT RISK.**

**Reasons and Explanations**

- (i) To ensure that new developments are not put at risk of subsidence because of the underground conditions within the area to the north of Northwich.
- (ii) The Borough Council is undertaking investigatory work on the Barons Quay; Witton Bank; Pennys Lane and Neumann's Witton Street mines which extend under a number of ownerships and for which it would be impractical and potentially unsafe to ask individual applicants to undertake investigations of the mines. It is anticipated that the investigations will be completed by Spring 1996.
- (iii) Until such time as the mines have been demonstrated to be stable; or that they have been stabilised by being filled or that the ground has been stabilised following the collapse of the mines, it is considered that new building development would put people and property at greater risk.
- (iv) The Council's policy is, with the landowners affected, to actively seek ways in which the necessary financial resources including assistance from Government agencies can be provided to stabilise the abandoned rock salt mines. In this regard, an application has been made for grant assistance to English Partnerships under the Land Stabilisation Programme. The objective is to secure the long term future for both existing uses and for any redevelopment of the land within Northwich town policy boundary. In view of the complexity of the issues to be resolved the Council recognise that this is unlikely to be achieved in the short-term, but it is confident that the problems will be resolved within the Plan period.

**Policy Derivation**

PPG14 - "Development on Unstable Land"

MPG12 - "Treatment of Disused Mine Openings and Availability of Information on Mined Ground"

**GS9**

**NEW DEVELOPMENT FOR COMMERCIAL AND RETAIL USES AND BUILDINGS ON SITES OUTSIDE THE NORTHWICH TOWN CENTRE POLICY BOUNDARY WILL NOT BE ALLOWED IF THE USES AND BUILDINGS ARE THOSE WHICH WOULD OR COULD BE EXPECTED TO LOCATE WITH THE NORTHWICH TOWN CENTRE.**

**Reasons and Explanations**

- (i) Until such times as the future stability of the town centre can be assured and consequently new developments permitted within the town centre, the authority wish to ensure that future vitality and viability of the town centre is not threatened by developments occurring elsewhere.
- (ii) The dispersal of town centre uses outside the town centre is contrary to Central Government advice.
- (iii) The policy will be reviewed once the further investigations of the mines in Northwich Town Centre have been completed.

**Policy Derivation**

PPG 6 "Town Centres and Retail Developments"

## Areas of special development opportunity

There are particular areas within the Borough where there is potential for significant change and development over the next ten years and beyond but where there is some uncertainty about the form and nature of development that may take place. Simple land use allocations would therefore not be a suitable way of dealing with these area's circumstances in the Local Plan.

The following area is shown on the Local Plan proposals maps and policies state what the Council wishes to see achieved on the site taking account of the potential of the area and other relevant policies of the Local Plan. The Council may in partnership with developers produce Development Briefs for these sites.

### Land North and West of Weaver Way, Northwich

#### GS10

**THE SITE IS ALLOCATED FOR MIXED USES INCLUDING RETAIL, HOUSING, LEISURE/RECREATION, PUBLIC OPEN SPACE. ANY PROPOSAL FOR THE SITE MUST OPEN UP THE RIVER FRONTAGE (REF. POLICIES H2.05 AND STC2.2).**

#### Reasons and Explanations

- (i) This is a major site in Northwich Town Centre next to the River Weaver. The Council would wish to see the site developed for town centre uses such as housing, shopping, recreation and leisure taking full advantage of the river.
- (ii) This site has tremendous potential to attract town centre uses but presently is underused and comprises uses which would be better located elsewhere. To develop the site will require highway improvements, the retention and incorporation of a Listed Building, improved access to the riverside, the linking of the site via pedestrian routes to the rest of the town centre, and the creation of a high quality built environment.

#### Policy Derivation

PPG12 - "Development Plans"

## ENVIRONMENTAL APPRAISAL

### Global Environment

The requirement for new development generally to be located within or adjacent to Northwich and Winsford will minimise journey distances and also allow a greater number of journeys to be undertaken by alternatives to the private car such as public transport, cycling or walking. This is intended to minimise transport emissions. Similarly, it is intended that by allowing limited development in villages they may become more self sufficient to minimise the need to travel. The potential for less environmentally damaging rail transport as an alternative to road transport is provided through allocating employment sites adjacent to rail lines. Industrial emissions will occur as a result of new development through the production of construction materials. Certain industrial developments may also give rise to emissions.

With new development, particularly large scale development there can be a threat to biodiversity although other policies within the Plan seek to protect significant habitats and features.

### Use of Natural Resources

Air quality will be affected through new development although policies controlling its location are aimed to minimise this. Development will also inevitably impact upon water quality, use mineral and land resources and result in waste production. Policies require the management of these effects in the interests of sustainability, for example, through such controls over new development in the Green Belt and open countryside. The Council will seek to achieve no net loss of "environmental capital".

### Local Environment

New development poses a potential threat to local nature conservation although significant habitats and features will be required to be retained or if not (and if appropriate) their loss mitigated by replacement elsewhere. The development of allocated "greenfield" sites will result in the loss of open countryside and potential landscape intrusion. Sites of special development opportunity and development within built up areas will reduce development pressures on previously undeveloped sites.



## INTRODUCTION

This section of the Local Plan sets out the principles and policies that will be used to guide development in the interests of conservation of the natural environment.

A major objective of the Local Plan is to ensure effective conservation of the environment including the protection and enhancement of its natural heritage, while making adequate provision for development and economic growth. The aim is to pursue policies which make sure that development and conservation can be compatible.

The policies in this Local Plan advocate a sustainable approach to development recognising that environmental considerations need to be a key part of all decision making concerning land use.

The varied geology and past history of Vale Royal has endowed the Borough with a variety of habitats which support a great diversity of wildlife. These habitats can be threatened by development, pollution and certain types of agricultural practice.

Nature conservation is an important part of the Council's corporate policies as set out in the Vale Royal Green Charter. The main objectives are reflected by and encompassed in the policies and proposals of the Local Plan. It is anticipated that a Nature Conservation Strategy will be produced to further develop the Local Plan policies to promote and secure landscape enhancement and the conservation and creation of habitats and to support the efforts of environmental interest groups in managing such areas.

### Protection of the Nature Conservation Resource

#### NE1

**IN DETERMINING PLANNING APPLICATIONS FOR DEVELOPMENT AND WHEN CONSIDERING ITS OWN DEVELOPMENT SCHEMES THE COUNCIL WILL TAKE INTO FULL ACCOUNT THE EFFECT ON WILDLIFE, VEGETATION AND GEOLOGICAL/GEOMORPHOLOGICAL FEATURES. THE COUNCIL WILL REQUIRE THE FOLLOWING, WHERE IT IS KNOWN OR SUSPECTED THAT THE SITE IS IMPORTANT FOR NATURE CONSERVATION:**

- (i) A SITE INVESTIGATION TO IDENTIFY ANY FEATURES OF NATURE CONSERVATION IMPORTANCE, INCLUDING GEOLOGICAL/ GEOMORPHOLOGICAL FEATURES;**
- (ii) PROPOSALS FOR THE PROTECTION AND MANAGEMENT OF FEATURES OF NATURE CONSERVATION IMPORTANCE IDENTIFIED FOR RETENTION DURING AND AFTER DEVELOPMENT;**

**(iii) PROPOSALS FOR COMPENSATING FOR ANY NATURE CONSERVATION FEATURES UNAVOIDABLY DAMAGED OR DESTROYED DURING THE DEVELOPMENT PROCESS;**

**AND WILL NEGOTIATE WITH DEVELOPERS TO SECURE AN AGREEMENT TO SAFEGUARD THE NATURE CONSERVATION RESOURCE IF THE COUNCIL WOULD OTHERWISE HAVE BEEN MINDED TO REFUSE PERMISSION, INCLUDING MEASURES OF MITIGATION SUCH AS HABITAT CREATION OR IMPROVEMENT ON, OR IN THE LOCALITY OF THE DEVELOPMENT SITE.**

**SUCH DEVELOPMENT PROPOSALS MAY REQUIRE TO BE ACCOMPANIED BY AN ENVIRONMENTAL ASSESSMENT.**

**Reasons and Explanations**

- (i) Where it is known or suspected that a site is of nature conservation importance, the Council will expect development proposals to include a detailed appraisal of the nature conservation resource present and how it will be protected, enhanced within the site or replaced as appropriate on site or on another site. In considering applications for such development proposals, the Council will seek to ensure that there is no net loss of the nature conservation resource as a result of development.
- (ii) The policy applies both to designated areas and other land where conservation value should be maintained.
- (iii) Applications will not normally be refused on nature conservation grounds alone. This is provided the development can be subject to conditions that will effectively limit its impact on wildlife habitats or important physical features, including where appropriate measures for mitigation and compensating provision.
- (iv) Proposals for compensating provision are likely to only be appropriate for habitats of more recent origin where there might be a reasonable expectation of creating a habitat of equal value.
- (v) The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and DOE Circular 2/99 gives guidance as to the circumstances when an Environmental Assessment is required for a particular development proposal.

**Policy Derivation**

PPG9 "Nature Conservation"

**Designated Sites of International and National Nature Conservation Importance**

**NE2**

**DEVELOPMENT PROPOSALS WILL NOT BE ALLOWED WHICH WOULD DAMAGE OR DESTROY ANY OF THE FOLLOWING SITES, SHOWN ON THE PROPOSALS MAPS:**

- (i) ANY SITE OF INTERNATIONAL IMPORTANCE INCLUDING RAMSAR SITES, EXISTING OR PROPOSED SPECIAL PROTECTION AREAS (SPAs), POTENTIAL SPECIAL AREAS OF CONSERVATION (SACs);**
- (ii) ANY EXISTING OR PROPOSED SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI) NOT INCLUDED IN (i);**
- (iii) GEOLOGICAL CONSERVATION REVIEW SITES (GCRS).**

**Reasons and Explanations**

- (i) These sites are of particular recognised nature conservation importance at an international or national level and should be protected from harmful development proposals, as the conservation of such sites is vital to the preservation of wildlife heritage. As such it is essential that Local Planning Authorities should ensure that they have the maximum amount of information on the site and the likely effects of development, before they reach any decision that could affect the site.
- (ii) Where a specific proposal would impinge directly or indirectly on any of these sites, it will be the applicant's responsibility to show that the value of the site would not be damaged, degraded or otherwise changed detrimentally by any works connected with the proposal.
- (iii) This Policy covers statutory and non statutory designated sites as at May 1995. Any additional sites which may be identified after this date will also be protected by this policy as soon as they are proposed for designation.

**Policy Derivation**

PPG9 "Nature Conservation"

Cheshire 2011 Replacement Structure Plan Policy R1

**Designated Sites of Local and Regional Nature Conservation Importance****NE3**

**DEVELOPMENT WHICH WOULD DAMAGE OR DESTROY THE NATURE CONSERVATION VALUE OF ANY OF THE FOLLOWING SITES, SHOWN ON THE PROPOSALS MAP, WILL ONLY BE PERMITTED WHERE THE IMPORTANCE OF THE DEVELOPMENT OUTWEIGHS THE VALUE OF THE SITE, OR WHERE A REPLACEMENT HABITAT OF SIMILAR ENVIRONMENTAL VALUE CAN BE PROVIDED ON SITE OR IN THE LOCALITY:**

- (i) **LOCAL NATURE RESERVES**
- (ii) **SITES OF BIOLOGICAL IMPORTANCE (SBIs) GRADE A, B OR C**
- (iii) **REGIONALLY IMPORTANT GEOLOGICAL SITES (RIGS) WHERE THE IMPORTANCE OF THE DEVELOPMENT OUTWEIGHS THE VALUE OF THE EXISTING SITE, THEN EVERY PRACTICAL STEP SHOULD BE TAKEN TO PROVIDE A REPLACEMENT HABITAT OF SIMILAR ENVIRONMENTAL VALUE ON SITE OR IN THE LOCALITY.**

**Reasons and Explanations**

- (i) This policy covers non-statutory sites designated as at May 1995. Additional sites subsequently identified will be protected by the policy once proposed for designation.
- (ii) These sites will also include significant national assets of local value which should be protected and nurtured especially in urban areas where they can contribute to the overall protection and provision of open space.
- (iii) In very exceptional cases if there is a loss or damage to nature conservation features because of other overriding policy considerations, measures of mitigation, and where possible, the creation of new features/habitats will be required provided there is no net loss of the conservation resource.

**Policy Derivation**

PPG 9 "Nature Conservation"

Cheshire 2011 Replacement Structure Plan Policy R1

## Threatened Habitats

### NE4

**PONDS, IMPORTANT HEDGEROWS, WETLANDS, ANCIENT SEMI-NATURAL WOODLANDS, HEATHLANDS, MOSSLANDS AND SPECIES-RICH GRASSLANDS WILL BE PROTECTED. PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT THAT ADVERSELY AFFECTS THEM UNLESS EITHER:**

- (a) THE FEATURES WILL BE PROTECTED FROM HARM OR RECREATED ELSEWHERE; OR**
- (b) THE IMPORTANCE OF THE DEVELOPMENT OUTWEIGHS THE VALUE OF THE FEATURES.**

**THE CONSERVATION AND MANAGEMENT OF THESE THREATENED HABITATS WILL BE ENCOURAGED.**

### Reasons and Explanations

- (i) The protection of a range of habitats ensures diversity in the local environment and will help protect Cheshire's landscape features.
- (ii) Wildlife conservation is just as important in areas not specifically designated in sustaining the abundance and diversity of the Borough's wildlife.
- (iii) Wetlands and ponds are especially important in providing wildlife habitats. Cheshire as a whole contains perhaps a quarter of the nation's stock of ponds and the Mersey Estuary provides wetland habitats of international importance.
- (iv) There may be limited occasions when these habitats can be recreated elsewhere but in general the developer should seek to retain them on site, and indicate to the Council how they will be protected.
- (v) Important hedgerows are those which form part of a wildlife corridor and/or link to woodlands or tree belts or wildlife features, define the edge of the built-up area, run alongside transport corridors, form significant features in the urban/rural landscape and are of historical landscape significance not covered by the Hedgerow Regulations.

### Policy Derivation

PPG9 "Nature Conservation"

Cheshire 2011 Replacement Structure Plan Policy R1

## Endangered Species

### NE5

**WHERE A PLANNING APPLICATION FOR DEVELOPMENT IS SUBMITTED AND WHERE THE PRESENCE OF SPECIES OF FLORA AND FAUNA LISTED AS PROTECTED BY LAW IS KNOWN OR SUSPECTED, THE DEVELOPER WILL NEED TO PROVIDE FULL DETAILS AS TO THE EFFECT OF THE PROPOSAL ON THE SPECIES AND ITS HABITAT. WHERE DEVELOPMENT IS PERMITTED, THE COUNCIL WILL REQUIRE THE DEVELOPER TO TAKE STEPS TO SECURE THE PROTECTION OF SUCH FLORA AND FAUNA.**

**Reasons and Explanations**

- (i) The deliberate killing, injury or taking of or disturbance to protected species, destruction of places used by such species for shelter or protection is an offence under the Wildlife and Countryside Act 1981.
- (ii) The presence of a protected species is a material consideration in deciding a planning application which, if carried out, would be likely to result in harm to that species or its habitat. Suitable precautions can be required through conditions attached to planning consents to ensure that if development is permitted the species is safeguarded.
- (iii) The protection and conservation of rare and endangered species will help maintain biodiversity in Vale Royal.
- (iv) Examples of protected species includes bats and great crested newts.

**Policy Derivation**

PPG9 "Nature Conservation"

**Wildlife Corridors and Green Wedges****NE6**

**DEVELOPMENT WITHIN OR ADJACENT TO WILDLIFE CORRIDORS AND GREEN WEDGES AS DEFINED ON THE PROPOSALS MAPS WILL NOT BE ALLOWED IF IT DESTROYS OR SERIOUSLY IMPAIRS THEIR VALUE FOR NATURE CONSERVATION, AMENITY, RECREATION, LANDSCAPE, OR OTHER PURPOSES, BUT WILL BE ALLOWED IF IT PRESERVES OR ENHANCES THEIR VALUE THROUGH APPROPRIATE NATURAL LANDSCAPING, PROVIDED THERE ARE NO OTHER OBJECTIONS TO THE PROPOSALS.**

**Reasons and Explanations**

- (i) Wildlife corridors link sites together and encourage the movement of plant and animal species so as to prevent species isolation. The policy aims to maintain a network of green spaces within the urban areas of the Borough and to link them to the countryside. These can include roadside verges and planting schemes, railway lines, canal and river corridors, other water courses, footpath routes and old field boundaries. Wildlife corridors are the most effective means of enhancing wildlife diversity within the Borough's built-up areas. They can also have a value as a buffer between incompatible uses and provide an important visual amenity such as a visual break in an otherwise built-up area.
- (ii) Wildlife corridors together with green wedges can provide valuable amenity and landscape features and also valuable recreational access routes for pedestrians, cyclists, and horseriders.
- (iii) Corridors can be damaged or rendered unviable by a reduction in their width or by complete severance. The reduction in size of green wedges can reduce their importance.
- (iv) Opportunities will also arise through development proposals to enhance or extend the network of wildlife corridors and green wedges.
- (v) These areas can be of value for their existing or potential role as part of the Mersey Forest.

**Policy Derivation**

PPG9 "Nature Conservation"

## Protection and Enhancement of Landscape Features

### NE7

PROPOSALS FOR DEVELOPMENT SHOULD RECOGNISE FEATURES OF LANDSCAPE QUALITY SUCH AS WALLS, TREES, HEDGEROWS, STREAMS AND PONDS ON, OR IN THE IMMEDIATE VICINITY OF, THE SITE ON WHICH IT IS TO TAKE PLACE. WHEREVER POSSIBLE THESE FEATURES SHOULD BE RETAINED AND INCORPORATED INTO THE LAYOUT OR IF THEY ARE TO BE UNAVOIDABLY LOST OR DAMAGED, THEY SHOULD BE REPLACED ELSEWHERE ON SITE OR OFF SITE PROVIDED THE HABITAT CAN BE SUCCESSFULLY RECREATED. IN THE DESIGN AND ARRANGEMENT OF BUILDINGS, STRUCTURES, LANDSCAPING AND OTHER WORKS, ALL PROPOSALS SHOULD MAINTAIN OR IMPROVE THE QUALITY AND VARIETY OF THE LANDSCAPE IN WHICH THE DEVELOPMENT OCCURS.

#### Reasons and Explanations

- (i) Trees, hedgerows and other features are valuable in visual terms as well as for nature conservation. The retention and protection of such features is important in helping to retain the character of the locality and to enhance the visual quality of the new development and its setting.
- (ii) Reference should also be made to policy NE17.

#### Policy Derivation

PPG12 "Development Plans"  
PPG9 "Nature Conservation"

## Provision and Enhancement of Landscape in New Development

### NE8

APPLICATIONS FOR NEW DEVELOPMENT WHERE APPROPRIATE SHOULD INCLUDE A LANDSCAPE SCHEME WHICH AIMS TO:

- (i) ACHIEVE AN APPROPRIATE BALANCE BETWEEN THE OPEN SPACE AND BUILT FORM OF DEVELOPMENT IN RELATION TO THE CHARACTER OF THE SURROUNDING AREA;
- (ii) ENHANCE THE QUALITY OF THE LAYOUT, SETTING AND DESIGN OF THE DEVELOPMENT;
- (iii) PROTECT AND MANAGE WHERE APPROPRIATE VALUABLE ECOLOGICAL AND LANDSCAPE FEATURES;
- (iv) PROVIDE EFFECTIVE SCREENING TO NEIGHBOURING USES WHERE APPROPRIATE;
- (v) PROVIDE GOOD QUALITY LANDSCAPE TREATMENT TO ALL SITE BOUNDARIES THROUGH THE PROVISION OF PLANTED LANDSCAPE BUFFERS USING LOCALLY NATIVE SPECIES, PARTICULARLY WHERE THE SITE ABUTS THE EDGE OF THE BUILT AREA, OR A TRANSPORT CORRIDOR;
- (vi) UTILISE PLANT SPECIES WHICH ARE IN SYMPATHY WITH THE CHARACTER OF EXISTING VEGETATION IN THE GENERAL AREA AND AT THE SPECIFIC SITE;

**(vii) MAKE SATISFACTORY PROVISION FOR MAINTENANCE AND AFTERCARE OF NEW PLANTING AND RETAINED TREES, BOTH DURING CONSTRUCTION AND ONCE DEVELOPMENT IS COMPLETE;**

**AND MEET WHERE APPROPRIATE THE REQUIREMENTS OF POLICY BE1 AND POLICIES NE1, NE2 AND NE3 AS APPROPRIATE TO THE SITE.**

**Reasons and Explanations**

- (i) The Borough Council is committed to ensuring the provision of high quality landscaping as an integral feature of new development. Existing trees and other natural habitats are a valuable asset on any development site. They improve its appearance and help new buildings blend in with their surroundings. On large sites in particular tree planting can contribute to the development of The Mersey Forest.
- (ii) Good landscaping will also contribute to the quality of the Borough's environment and the quality of life of its residents. It will also contribute to the enhancement of the Borough's nature conservation resource.
- (iii) Tree survey and assessment at the design stage before any site works begin will assist in the correct choice of trees to be retained, treated or removed. Trees on development sites may be easily damaged during construction. Therefore the Borough Council, in assessing proposals for the development of sites with trees and hedgerows, will seek to secure their protection and enhancement where at all possible.

**Policy Derivation**

PPG12 "Development Plans and Regional Planning Guidance"  
 PPG9 "Nature Conservation"  
 Circular 36/78 "Trees and Woodlands"  
 The Mersey Forest Plan

**Trees and Woodland**

**NE9**

**DEVELOPMENT WILL NOT BE ALLOWED WHICH WOULD NECESSITATE THE FELLING OF OR WOULD ENDANGER TREES, GROUPS OF TREES, WOODLANDS, TREES PROTECTED BY A TREE PRESERVATION ORDER, OR IDENTIFIED AS ANCIENT WOODLANDS OR IN A CONSERVATION AREA WHERE THESE MAKE A CONTRIBUTION TO THE CHARACTER OF A SITE OR LOCALITY, OR TO NATURE CONSERVATION UNLESS THE REMOVAL OF ONE OR MORE TREES WOULD:**

- (i) BE IN THE INTERESTS OF GOOD ARBORICULTURAL PRACTICE; OR**
- (ii) THE DESIRABILITY OF THE PROPOSED DEVELOPMENT OUTWEIGHS THE AMENITY VALUE OF THE PROTECTED TREES.**

**WHERE THE COUNCIL PERMIT THE REMOVAL OF ONE OR MORE TREES WHICH MAKE A CONTRIBUTION TO THE CHARACTER OF A SITE OR LOCALITY IT MAY REQUIRE THAT NEW TREES BE PLANTED OF LOCALLY NATIVE SPECIES ON OR NEAR THE SITE.**

**TREES THAT ARE TO BE RETAINED AS PART OF A DEVELOPMENT SHOULD BE PROTECTED FROM DAMAGE DURING THE COURSE OF THAT DEVELOPMENT.**

## Reasons and Explanations

- (i) The existing tree cover is a scarce resource and a valuable amenity of the Borough.
- (ii) Woodlands in particular are an important but declining feature of our countryside and must be conserved and maintained.
- (iii) The Borough Council will consider the desirability of declaring Tree Preservation Orders. Where necessary, conditions will be imposed on planning consents to secure the protection of existing trees and reinforce selective replacement by the planting of new locally native trees to maintain and enhance the environment.

### Policy Derivation

PPG12 "Development Plans and Regional Planning Guidance"

## NE10

**ANY PROPOSALS FOR THE ESTABLISHMENT OF AREAS OF MULTIPURPOSE WOODLAND ON DERELICT AND UNDER USED LAND ACROSS THE WHOLE OF VALE ROYAL REQUIRING PLANNING PERMISSION AND MEETING THE OBJECTIVES OF THE MERSEY COMMUNITY FOREST WILL BE ALLOWED PROVIDED THAT:**

- (i) THE TREE PLANTING RELATES TO THE SURROUNDING ENVIRONMENT;**
- (ii) THE PLANTING OF NATIVE SPECIES IS ENCOURAGED, WHERE APPROPRIATE;**
- (iii) ACCOUNT WILL BE TAKEN OF ANY EXISTING NATURE CONSERVATION VALUE OF THE SITE SO AS TO AVOID DAMAGE TO THAT VALUE**

**AND THERE IS NO CONFLICT WITH OTHER POLICIES OF THE LOCAL PLAN.**

**THE FOLLOWING SITES ARE ALLOCATED FOR MULTI-PURPOSE WOODLAND AND SHOWN ON THE PROPOSALS MAPS. DEVELOPMENT WHICH WOULD PREJUDICE THE USE OF THESE AREAS WILL NOT BE ALLOWED**

- (i) LAND TO SOUTH AND SOUTH EAST OF ANDERTON LIFT;**
- (ii) FUREY WOODLAND**

## Reasons and Explanations

- (i) A significant part of the Mersey Community Forest area lies within Vale Royal.
- (ii) New woodlands can provide a number of benefits to the Borough in the form of improvements to visual amenity, opportunities for informal recreation, education and can encourage the conservation of wildlife. It will also improve the local climate, reduce pollution and create a healthier environment.
- (iii) Tree planting is also a valuable method of environmental improvement and a way of reclaiming derelict land.
- (iv) Vale Royal Borough Council will continue to support the aims of the Mersey Forest, encouraging planting on private land and the development of a varied landscape.
- (v) Where new multipurpose woodland involves the provision of associated facilities such as car parking, toilets, the creation of a new access, recreational facilities such as changing rooms, these developments should not conflict with other policies in the Local Plan.
- (vi) Reference should also be made to policies BE17 - BE19.

### Policy Derivation

PPG2 "Green Belts"

The Mersey Forest Plan

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## Areas of Special County Value

### NE11

**THE AREAS OF SPECIAL COUNTY VALUE IDENTIFIED BECAUSE OF THEIR HIGH LANDSCAPE QUALITY ARE DEFINED ON THE PROPOSALS MAP AND ARE DESCRIBED AS:**

- WEAVER VALLEY
- HELSBY AND FRODSHAM HILLS
- DELAMERE/UTKINTON

**IN DESIGNATED AREAS OF SPECIAL COUNTY VALUE, BECAUSE OF THEIR LANDSCAPE QUALITY, THEIR ARCHAEOLOGICAL, HISTORIC OR NATURE CONSERVATION IMPORTANCE, DEVELOPMENT WHICH PRESERVES OR ENHANCES THE CHARACTER OR FEATURES FOR WHICH THE ASCV HAS BEEN DESIGNATED WILL BE ALLOWED.**

#### Reasons and Explanations

- (i) Areas of Special County Value are designated in Policy R2 of the Cheshire 2011 Replacement Structure Plan. Cheshire contains many areas of great importance because of their landscape quality or other features of value. They should be protected from unsuitable development. The Local Plan identifies the boundaries. Development proposals will, however, be examined against the full range of Structure and Local Plan policies.
- (ii) Proposals for development having a more than local impact within an Area of Special County Value may be required to be accompanied by an Environmental Impact Statement.

#### Policy Derivation

PPG12 "Development Plans"  
Cheshire Replacement Structure Plan 2011 Policy R2  
Department of Environment Circular 15/88

## Areas of Significant Local Environmental Value

### NE12

**AREAS OF SIGNIFICANT LOCAL ENVIRONMENTAL VALUE, AS DEFINED ON THE PROPOSALS MAP ARE AREAS HAVING A SPECIAL VALUE TO THE BOROUGH BECAUSE OF THE CONTRIBUTION THEY MAKE TO THE CHARACTER OF THE DISTRICT AND THE TOWNS AND VILLAGES WITHIN IT.**

**WITHIN THESE AREAS DEVELOPMENT WILL ONLY BE PERMITTED WHERE THERE IS NO UNACCEPTABLE HARM TO THE VALUE OF THE AREA.**

#### Reasons and Explanations

- (i) Whilst the Areas of Special County Value are significant in the countywide context, there are other areas in the Borough which are of importance in a more local way. In order to maintain the attractiveness of the Borough, it is important that these should be recognised.

#### Policy Derivation

PPG12 "Development Plans"

**A. THE FOLLOWING AREAS OF SIGNIFICANT LOCAL ENVIRONMENTAL VALUE ARE IDENTIFIED ON THE PROPOSALS MAP AND ARE DESCRIBED AS:**

**Reasons and Explanations**

- (i) Extensive Areas of Significant Local Environmental Value have been identified and are detailed in SPG5. Other areas need to be considered and may be included in subsequent modifications to the Plan

**1. THE FRODSHAM, HELSBY AND LORDSHIP MARSHES:**

**Reasons and Explanations**

- (i) The marshes are of importance because they are the only significant open area between the heavy industry of Ellesmere Port and Halton. They provide a setting for the Frodsham and Helsby Hills and are an important landscape feature themselves and are of international importance to migrating and wintering birds and have considerable bird breeding interest.
- (ii) The Manchester Ship Canal is an important strategic waterway that needs to be maintained regularly to ensure that it remains navigable. The Borough Council recognise the importance of the canal deposit grounds located in the Frodsham, Helsby and Lordship Marshes to the continued maintenance works required to the Canal.

**Reasons for Designation**

- (i) Frodsham and Helsby are the nearest settlements in Vale Royal to the Marshes and the sharp contrast between the edge of the Sandstone Ridge and the low lying marshes providing a setting for these settlements.
- (ii) Much of the land adjacent to the Mersey Estuary is 'urban' in nature and with the exception of Ince Bank, the Marshes provides a distinctive area of open land and offer relief from the heavy industry of surrounding Ellesmere Port and Halton. The Marshes are also important for nature conservation and are of international importance to migrating and wintering birds.
- (iii) As the Marshes can be easily viewed from the Sandstone Ridge to the south, even a relatively small amount of development could have an adverse impact on the landscape due to the lack of trees and woodland and its essentially open character.

**2. THE OPEN LAND BETWEEN THE FOLLOWING VILLAGES:**

**FRODSHAM AND HELSBY;  
NORTHWICH AND LOSTOCK GRALAM;  
NORTHWICH AND WINNINGTON;  
HARTFORD AND WEAVERHAM;  
HARTFORD AND CUDDINGTON;  
HARTFORD AND LEFTWICH (WEAVER VALLEY);  
LEFTWICH AND RUDHEATH (DANE VALLEY);  
DAVENHAM AND MOULTON;  
DAVENHAM AND LEFTWICH;  
CUDDINGTON AND DELAMERE PARK;  
CUDDINGTON AND WEAVERHAM;  
DAVENHAM VILLAGE AND LEFTWICH GRANGE (KINGSMEAD); AND  
WINSFORD AND MOULTON VILLAGE.**

## Reasons and Explanations

- (i) It is important to keep the gaps between the villages in order to maintain the identity and integrity of the villages, and because these are attractive areas of countryside in their own right. Such areas are also important elements in the formation of the character of an area by giving relief to developed areas acting as environmental buffers, forming or allowing an important view.
- (ii) These gaps may also be important as wildlife havens linking to wildlife corridors especially in the vicinity of urban areas, permitting the free passage of birds and animals between various areas.
- (iii) The extent of these gaps is defined by the existence of strong physical features, such as roads, railways, built development and tree belts.

## Reasons for Designations

- (i) Certain areas of the countryside are under particular pressure from urban development, especially between existing settlements.
- (ii) To maintain the identity and integrity of the settlements of the Borough it is important that “green gaps” are maintained between them. Where a gap is narrow or under pressure to be developed it is necessary to prevent development which would be detrimental to their value as environmental buffers or an important view.
- (iii) The Council is concerned to resist the continued outward expansion of the town as well as to avoid town cramming. This approach seeks to retain the individual identities of those larger villages which could be construed to comprise Greater Northwich by preserving large or smaller gaps between Northwich and the larger villages and between the villages themselves.

### Frodsham and Helsby

- (i) The ASLEV is an important gap between the settlements of Frodsham and Helsby and provides the means by which this locally important landscape can be controlled.

### Northwich and Lostock Gralam

- (i) Lostock Gralam is a separate community to Northwich and it is important to maintain a gap between the two to maintain the identity of the settlements.
- (ii) The gap is relatively small and even a small amount of development could result in the coalescence of Northwich and Lostock Gralam.

### Northwich and Winnington

- (i) The ASLEV provides a gap between Northwich and Winnington in order to prevent the settlements’ coalescence.

### Hartford and Cuddington

- (i) There is considerable pressure for development around both Hartford and Cuddington and there is a need to maintain the openness of the area in order to protect valuable countryside.
- (ii) Because of this openness the landscape is particularly sensitive to change and thus should be protected to safeguard this character.

### Hartford and Weaverham

- (i) The ASLEV forms an important gap between Hartford and Weaverham and assists in preventing the coalescence of these settlements.

Hartford and Leftwich (Weaver Valley)

- (i) The ASLEV forms an important gap between the settlements of Hartford and Leftwich and the expanding Leftwich Grange (Kingsmead).
- (ii) The ASLEV plays an important role in maintaining the views across the River Weaver Valley.
- (iii) The area is under particular pressure for further housing development. The ASLEV prevents the erosion of this important gap and assists in the prevention of the coalescence of the settlements.

Leftwich and Rudheath (Dane Valley)

- (i) Development pressures within the ASLEV threaten the existence of the environmental buffer between Leftwich and Rudheath.
- (ii) The area is important as it provides vital open space and a recreational function along the River Dane.

Davenham and Moulton

- (i) Development in the past has led to the villages of Davenham and Moulton almost coalescing. In order that the identity and integrity of the two villages are maintained it is essential that the gap between the settlements is protected.
- (ii) The land to the south of Davenham forms part of the very narrow gap between the southern extent of Davenham and the village of Moulton.
- (iii) This narrow gap is sensitive as from the edge of Moulton the southern edge of Davenham is clearly visible.

Davenham and Leftwich

- (i) This ASLEV ensures that an environmental buffer remains between Davenham and the A556/Leftwich.
- (ii) The construction of the Davenham By-pass has bisected the land and any further development would reduce its effectiveness as a green wedge.

Cuddington and Delamere Park

- (i) This ASLEV provides a strategic gap between Cuddington and Delamere Park. It protects the identity of each settlement and prevents their coalescence.

Cuddington and Weaverham

- (i) The topography of the landscape slopes down from Cuddington to Weaverham and offers views across the landscape that need to be protected by an ASLEV.

Davenham Village and Leftwich Grange (Kingsmead)

- (i) The function of this ASLEV is to provide an environmental buffer between the development at Leftwich Grange and Davenham village.

Winsford and Moulton

- (i) The village of Moulton and the industrial town of Winsford are very different areas and should be kept separate to maintain their identity.

### 3. SENSITIVE AREAS WITHIN VILLAGES/TOWNS

#### FRODSHAM:

- HOWEY LANE
- TOP ROAD/MANLEY ROAD

#### HELSEBY:

- CHESTER ROAD/VICARAGE LANE
- ALVANLEY ROAD/OLD CHESTER ROAD

#### Reasons and Explanations

- (i) These sensitive areas have been defined because they contribute significantly to the setting and character of the villages. Much of the character will be destroyed if unsympathetic development or redevelopment was permitted. Bellemont Road is now included within an Area of Special County Value.
- (ii) These areas should be afforded special recognition and protection.

#### Reasons for Designations

- (i) Frodsham and Helsby are important historic settlements at the base of the Sandstone Ridge. It is important that the character of these settlements is not lost and their identity is maintained.
- (ii) There are certain areas within these settlements that typify the village character and where development or redevelopment would be particularly detrimental to the setting of the village.
- (iii) In these areas it is necessary to provide additional protection over the current planning policy and therefore ASLEVs have been designated to protect the following features:

##### Howey Lane, Frodsham

- (i) The designation area is covered by many trees, upon which there are Tree Preservation Orders. The ASLEV is also adjacent to a Grade B SBI.

##### Top Road/Manley Road, Frodsham

- (i) The area contains a number of roadside hedgerows and deciduous trees that are covered by Tree Preservation Orders.

##### Chester Road/Vicarage Lane, Helsby

- (i) The area is typified by an abundance of deciduous trees most of which are covered by Tree Preservation Orders.
- (ii) The area has a particularly dense coverage of trees and a low density of residential properties that are set in large grounds.

##### Alvanley Road/Old Chester Road, Helsby

- (i) The majority of the ASLEV is well wooded containing many Tree Preservation Orders. The area is also typified by large detached dwellings and the listed buildings of St Paul's Church and Alvanley House.

#### **4. THE HISTORIC ORCHARDS IN THE PARISHES OF ACTON BRIDGE AND KINGSLEY AS SHOWN IN APPENDIX 8**

##### **Reasons for Designation**

- (i) The number and variety of orchards within the Parishes of Acton Bridge and Kingsley make a significant contribution to the character of the settlement.
- (ii) The orchards range in size from a large number of trees in rows to small groups, often the remains of larger orchards.
- (iii) Recently the number and variety of orchards in Cheshire have declined and the traditional crafts, wildlife havens and attractive landscapes have been lost.
- (iv) These orchards should therefore be afforded the protection of an ASLEV designation to ensure their continued contribution to the character of the settlements.

##### **River Corridors**

###### **NE13**

**IN THE WEAVER VALLEY AS DEFINED BY THE AREA OF SPECIAL COUNTY VALUE FOR LANDSCAPE AS SHOWN ON THE PROPOSALS MAPS, DEVELOPMENTS WHICH WILL HARM THE NATURE CONSERVATION, ARCHAEOLOGICAL, RECREATION OR LANDSCAPE VALUE OF THE VALLEY WILL NOT BE ALLOWED.**

##### **Reasons and Explanations**

- (i) The River Weaver Valley is an important asset to the Borough of Vale Royal for landscape, recreational and nature conservation reasons.
- (ii) As part of the Mersey Basin Campaign, the Weaver Valley Initiative, a partnership of public, private and voluntary sectors, has been set up to raise awareness of, and identify opportunities for developments as well as environmental improvements on the length of the River Weaver between Winsford and the Mersey Estuary.
- (iii) The valley of the river is also an important area of open space linking Northwich and Winsford.
- (iv) The Council will support proposals which will result in the conservation and enhancement of the natural elements of the river environment, result in landscape improvements or which promote public access and water based or waterside recreation in the Weaver Valley.
- (v) This policy is applied to the area of the Weaver Valley contained within the boundary of the Area of Special County Value for landscape.

##### **Policy Derivation**

Weaver River Valley Initiative,  
Mersey Basin Campaign  
Cheshire 2011 Replacement Structure Plan Policy R2  
Environment Agency Guidance Notes on Development Plans

###### **NE14**

**IN THE DANE VALLEY AS DEFINED ON THE PROPOSALS MAPS DEVELOPMENTS WHICH WILL HARM THE CONSERVATION, GEOMORPHOLOGICAL, RECREATION, OR LANDSCAPE VALUE OF THE VALLEY WILL NOT BE ALLOWED.**

## Reasons and Explanations

- (i) Part of the Dane Valley is an Area of Significant Local Environmental Value (see Policy NE12).
- (ii) The River Dane is important in Landscape and Geomorphological terms and to safeguard its special features a corridor of protection is put forward in the Local Plan.
- (iii) This policy applies to the area of the Dane Valley that is contained within the boundaries of the River Dane Floodplain.

### Policy Derivation

Environment Agency Guidance Notes on Development Plans

## Protection of The Floodplain

### NE15

**IN AREAS AT RISK FROM FLOODING, AS SHOWN ON THE PROPOSALS MAPS, NEW DEVELOPMENT, THE INTENSIFICATION OF EXISTING DEVELOPMENT OR LAND RAISING WILL NOT BE ALLOWED UNLESS APPROPRIATE FLOOD PROTECTION AND MITIGATION MEASURES WHICH ARE REQUIRED WILL BE PROVIDED AS PART OF THE DEVELOPMENT. AT SITES SUSPECTED OF BEING AT RISK FROM FLOODING, BUT FOR WHICH THERE IS NOT ADEQUATE FLOOD RISK INFORMATION, DEVELOPERS WILL BE REQUIRED TO CARRY OUT DETAILED TECHNICAL INVESTIGATIONS TO EVALUATE THE EXTENT OF THE RISK AND TO IMPLEMENT ANY NECESSARY AGREED MEASURES. WITHIN THAT PART OF THE NORTHWICH TOWN CENTRE DESIGNATED BY THE ENVIRONMENT AGENCY AT RISK OF FLOODING, NEW DEVELOPMENT/REDEVELOPMENT SHOULD BE BUILT WITH FLOOR LEVELS AT OR ABOVE +12.90M AOD.**

## Reasons and Explanations

- (i) New development, redevelopment and land doming (usually associated with landfill) can have significant implications for flood risk. Within the floodplain, new developments may be liable to flooding and may increase the risk of flooding in other areas by reducing the storage capacity of the floodplain and increasing surface water run off.
- (ii) Where it is known that a floodplain is important for nature conservation value, the effects of any development on this value will be assessed.
- (iii) Areas of floodplain are defined by the Environment Agency.
- (iv) In part of the Northwich Town Centre, the Environment Agency recommended that new development/redevelopment should be built with floors at or above +12.90 AOD. This level comprises a 1 in 100 year theoretical flood level, plus 600mm freeboard allowance to account for uncertainty in calculation, seasonal variations in river channel and floodplain roughness due to vegetation, wind and vehicle generated waves.
- (v) The Council recognises the Manchester Ship Canal Company's important role in maintaining the Canal and will take full account of this when assessing proposals for specific works within the Frodsham, Helsby and Lordship Marshes.

### Policy Derivation

Environment Agency Guidance Notes on Development Plans  
Circular 30/92

## Surface Water Run Off

### NE16

**IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENTS WHICH INCREASE THE RATE AND/OR VOLUME OF SURFACE WATER RUN OFF, THE BOROUGH COUNCIL WILL TAKE ACCOUNT OF ANY ADVERSE IMPACTS SUCH AS AN INCREASED RISK OF FLOODING, RIVER CHANNEL INSTABILITY OR DAMAGE TO HABITATS. WHERE SUCH PROPOSALS ARE GRANTED PLANNING CONSENT, THEY MUST INCLUDE APPROPRIATE ATTENUATION MEASURES. DEVELOPERS WILL BE EXPECTED TO COVER THE COSTS OF ASSESSING SURFACE WATER DRAINAGE IMPACTS AND OF ANY APPROPRIATE MITIGATION WORKS, INCLUDING LONG TERM MAINTENANCE.**

#### Reasons and Explanations

- (i) New developments often result in an increase in the rate and/or volume of surface water run off as permeable surfaces are replaced by impermeable surfaces such as roofs, drives and roads. This can result in an increased risk of flooding downstream, increased pollution, silt deposition, damage to watercourse habitats and river channel instability.
- (ii) The developer will be expected to provide the Council with an assessment of the surface water run off implications of new development proposals. New development will only be permitted where the Council is satisfied that suitable measures to mitigate the adverse impact of surface water run off are included as an integral part of the development. Where appropriate, development should include provision for the long term management/maintenance of such measures (e.g. the maintenance of balancing ponds, and the establishment of reed beds). Where new or improved surface water outfall structures are needed to accommodate new development, they should be of an environmentally sympathetic design to minimise danger to bankside habitats.

#### Policy Derivation

Environment Agency Guidance Notes for Development Plans  
Circular 30/92 "Development and Flood Risk"

## Watercourses

### NE17

**THE COUNCIL IN CONSULTATION WITH THE ENVIRONMENT AGENCY, WILL SEEK TO ENSURE THAT ALL WORKS IN, UNDER, OVER OR ADJACENT TO WATERCOURSES ARE APPROPRIATELY DESIGNED AND IMPLEMENTED AND THAT THE LIKELY IMPACT OF DEVELOPMENT PROPOSALS HAVE BEEN ADEQUATELY ASSESSED. WHERE A WATERCOURSE IS TO BECOME PART OF A DEVELOPMENT SITE IT WILL BE NECESSARY TO RETAIN AN UNDEVELOPED BUFFER STRIP ON EITHER SIDE OF THE WATERCOURSE WHICH IS PHYSICALLY AND VISIBLY LINKED TO THE WATERCOURSE.**

**PROPOSALS SHOULD AVOID THE CULVERTING OF WATERCOURSES EXCEPT WHERE:**

- (a) **THE BENEFITS OF CULVERTING SUBSTANTIALLY OUTWEIGH THE LOSS OF THE OPEN WATERCOURSE; OR**
- (b) **THE MAJORITY OF THE WATERCOURSE IS ALREADY CULVERTED; OR**
- (c) **HIGHWAYS CROSS THE WATERCOURSE, SUCH CROSSINGS TO BE KEPT TO A MINIMUM.**

**Reasons and Explanations**

- (i) Uncontrolled works in the vicinity of watercourses can lead to an increased risk of flooding, erosion of beds and banks of watercourses; increased danger to the public; restricted access for maintenance and damage to the water environment and the associated river corridor.
- (ii) The Council, in consultation with the Environment Agency, will assess the environmental impact of such proposals on the water environment and will require mitigation measures to balance any adverse impacts. The integrity and continuity of existing watercourses will be protected within development proposals.
- (iii) The culverting of watercourses will not be allowed as this results in a break in the continuity of the river corridor and may also have serious implications for safety, maintenance and flooding. The granting of planning permission for works specified in the policy does not remove the need to obtain relevant statutory consents/licences from the Environment Agency. It is the policy of the Environment Agency to refuse culverting proposals.

**Policy Derivation**

Environment Agency Guidance Notes for Development Plans

**Mersey Estuary Zone****NE18**

**WITHIN THE MERSEY ESTUARY ZONE, AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL ONLY BE ALLOWED:**

- (i) **PROVIDED IT DOES NOT ADVERSELY AFFECT THE OPEN LANDSCAPE, WILDLIFE HABITATS AND RECREATIONAL OPPORTUNITIES OF THE AREA; OR**
- (ii) **WHERE THERE IS A SPECIFIC NEED FOR THE DEVELOPMENT TO BE LOCATED IN THIS AREA, THAT CANNOT BE ACCOMMODATED IN DEVELOPED AREAS OF THE COAST OR INLAND, WHERE THAT NEED OUTWEIGHS ANY HARM THAT WOULD BE CAUSED TO THE OPEN LANDSCAPE, WILDLIFE HABITATS AND RECREATIONAL OPPORTUNITIES.**

**Reasons and Explanations**

- (i) PPG20 'Coastal Planning' advises that Development Plans should establish a coastal zone that sets out the planning framework for coastal planning and management. This Policy sets the framework and defines an estuary zone for part of Vale Royal. It does not override other policies e.g. Green Belt.
- (ii) The framework give local planning policies a coastal context and allows an integrated approach for the planning and management of estuaries.
- (iii) In the estuary zone, designated internationally important nature conservation sites are protected under Policy NE2.
- (iv) The Borough Council has supported and participated in the Mersey Estuary Management Plan which is an advisory plan aiming to improve the strategic planning and management of the estuary. The conclusions are a material consideration in the determination of planning applications.

**Policy Derivation**

PPG20 "Coastal Planning"

## IMPLEMENTATION

The conservation and enhancement of the natural environment of Vale Royal will comprise a partnership between the Borough Council, other organisations, voluntary groups and private individuals and landowners. The Borough Council will implement Local Plan policies for the protection of the natural environment through the action of the development control system, the designation of sites and the appropriate design and implementation of Borough schemes and proposals. Indirectly the Borough Council will support these policies through the provision of grants and advice to other bodies and groups.

The Borough Council will consider the extension of measures to protect the natural environment through designating further Conservation Areas or extending existing ones, designating Areas of Significant Local Environmental Value, making Tree Preservation Orders or establishing Local Nature Reserves. Support will also be given to bodies responsible for the designation of sites under the other categories of protection with sites considered appropriate for designation being forwarded to such bodies for identification.

Advice on environmental issues, and the wide variety of grant schemes and initiatives facilitating environmental conservation and improvement is available from the Borough Council. Details of grants funded by the Borough Council and those offered by other local and national bodies is held within a grants directory at the Council. Environmental enhancement works in Conservation Areas, Council owned sites and other locations may be funded through initiatives such as the Small Schemes budget contributing on a 50:50 basis to minor works of improvement, and the Capital Programme for more significant improvement schemes. The Borough Council also provides a grant towards the activities and operation of the British Trust for Conservation Volunteers, the Special Landscapes Project and the Macclesfield and Vale Royal Groundwork Trust. The Borough Council offers a number of grants towards local environmental conservation and improvement schemes such as the Parish Tree Planting Scheme, and the Farm Tree Planting scheme which extends to woodlands and ponds.

The Borough Council will seek to ensure that policies contained within the Plan reflect and enhance the Vale Royal Green Audit and Green Charter. These documents illustrate the commitment of the Borough Council to environmental issues to protect the local environment (both natural and built) and reflect the Council's vision for the future.

Regard will be had to the Borough wide Local Agenda 21 statement, formally adopted in December 1995, in the policies of the Local Plan. The aims of the statement seek to introduce sustainability and public awareness of environmental consequences within all areas of development, a strategy which will be taken into account by the Local Plan.

The following bodies may also be involved in the implementation of the policies of the Plan.

- (a) The Ministry of Agriculture, Fisheries and Food administer a range of Agri-Environmental grant schemes for farmers.
- (b) The Forestry Authority offer grant aid for the establishment and management of forests and woodland. Under the Woodland Grant Scheme, two groups of grants are available. Establishment grants are designed to help with planting, restocking and natural regeneration. Management Grants assist with maintaining and improving woodlands.
- (c) English Nature provide a framework and guidance for the conservation of wildlife and natural features in the country. Advice and grants to Local Authorities and community groups are available to initiate local schemes for environmental improvement and stewardship. The Rural Action Scheme, jointly funded with the Countryside Agency, aims to encourage rural communities to develop projects

which lead to an improved environment. Within this, Vale Royal Borough Council is a partner in the Rural Action Network. The Community Action for Wildlife Scheme encourages nature conservation projects within towns, whilst the Schools Grant Scheme offers wildlife opportunities within school grounds. Some sites in recognition of their importance for nature conservation have been designated by English Nature as SSSIs, SPAs and Ramsar sites. It is also possible for the Council with English Nature to establish Local Nature Reserves.

- (d) The Cheshire Wildlife Trust identifies and manages areas of nature conservation interest within the county, and provides advice and assistance in conservation matters to public and private bodies and individuals. Certain SBI/SSSI designated areas within Cheshire are under the ownership and management of the Trust.
- (e) The British Trust for Conservation Volunteers focus on the introduction and implementation of practical conservation projects. The Vale Royal Midweek Group undertake activities such as coppicing, fencing, footpath improvements and the erection of information signs, thereby managing and conserving the local countryside for the wider population.
- (f) The Cheshire Special Landscapes Project aims to promote and secure the conservation and improvement of Cheshire's landscape, placing focus on the conservation and enhancement of the designated Areas of Special County Value. Vale Royal Borough Council is a funding partner of the project and also has representation on the Special Landscapes Steering Group therefore being directly involved in the planning and management of the natural environment and Areas of Special County Value in the Borough.
- (g) The Vale Royal Environment Network (VREN) links over 40 organisations in Vale Royal concerned for our local and global environment. The network supports its members' work by sharing information, skills and resources and co-ordinating environmental awareness initiatives locally.
- (h) The Environment Agency was formed on the 1 April 1996 to merge the expertise of the National Rivers Authority, Her Majesty's Inspectorate of Pollution, the Waste Regulation Authorities and several smaller units from the Department of the Environment (Now the Department of the Environment, Transport and the Regions). They are responsible for providing environmental protection and management, combining the regulation of land, air and water with the aim of safeguarding and enhancing the environment, and offer a 'one stop shop' for all business activities who need now only deal with one regulator instead of three. They have published a Local Environment Agency Plan (LEAP) for the Weaver/Dane area. A LEAP is the Agency's integrated local management plan for identifying and assessing, prioritising and solving local environmental issues related to its functions. The outcome is an action plan to improve the local environment, which will be undertaken through partnership.
- (i) The Mersey Forest Project Team in conjunction with Vale Royal Borough Council, the Countryside Agency and the Forestry Authority provide a range of services to help implement the Mersey Forest Plan in Vale Royal. Advice, training, education and sponsorship, all aimed at promoting appropriate woodland planting and management taking into account existing conservation features are provided by the Project Team. Implementation of projects is carried out by a wide range of organisations including the Borough Council.
- (j) The Cheshire Landscape Trust is a registered charity working in the broad field of environmental education and community development. It co-ordinates the Cheshire Tree Warden Scheme in the Vale Royal area. The Trust will remain a partner with the Borough Council in its Local Agenda 21 activities and has jointly pioneered innovative work to develop and sustain Local Agenda 21 at the parish and town level.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

The implementation of these policies will have no significant effect on transport or industrial emissions or the use of energy/fossil fuels. The policies are designed to protect the natural environment which will help to maintain and enhance biodiversity. Overall they will have a positive effect on the global environment. Safeguarding existing trees and vegetation and promoting further planting will assist the absorption of carbon dioxide (a “greenhouse” gas) from the atmosphere.

### **Use of Natural Resources**

The thrust of policies is to ensure that new development does not result in a “net loss of environmental capital”. The implementation of these policies will not in themselves have any adverse effect on the use of natural resources and, moreover, will protect water, mineral and land resources. It is expected, particularly with the Mersey Community Forest initiative, that there will be a net increase in tree cover within the Borough.

### **Local Environment**

The policies can be identified as having a positive effect on the local environment. Sites of local conservation and landscape value are specifically safeguarded from damaging developments, both within urban and rural areas. Opportunities for additional public access may arise, however, this may need to be limited or prevented in the case of sensitive nature conservation sites.

# THE BUILT ENVIRONMENT

## chapter 4

### INTRODUCTION

The built environment of the Borough varies widely between its towns, villages and rural areas. In all these areas the achievement of high standards of design will be sought to improve, maintain or enhance the built fabric of the Borough.

With such distinct differences in the built environment throughout the Borough some of the policies will be more appropriate in some areas than in others. However, the principle behind them, that of achieving good quality design, will be consistently sought.

The Borough contains 24 Conservation Areas and over 700 Listed Buildings. In addition there are other areas including many archaeological sites and over 30 Scheduled Ancient Monuments which have special character and identity. They are a finite and non-renewable resource and their future survival depends on how the buildings and land are used and managed, on appropriate maintenance and repair and on alterations which minimise the loss of historic fabric and on land uses which do not adversely affect other important historic sites. This section contains policies concerned with the preservation of buildings, structures and their settings which are important to the local environment.

The Borough Council will keep the designation of Conservation Areas under review and bring forward enhancement schemes as resources allow. Designated Conservation Areas as at October 1994 are shown on the Proposals Map.

The policies of the Local Plan are generally reflective of the relevant policies in the Heritage and Conservation Section of the Cheshire Replacement Structure Plan.

### General Requirements for New Development

The Borough Council is committed to making sure that all development contributes to the physical enhancement of Vale Royal in that it should be of a high standard of design, layout and landscaping and appropriate to its surroundings.

This section also includes the key policies for the control of development which will be applied by the Borough Council to all development proposals in Vale Royal.

### Safeguarding and Improving the Quality of the Environment

#### BE1

**TO SAFEGUARD THE QUALITY OF THE EXISTING BUILT ENVIRONMENT, ALL DEVELOPMENT WILL BE EXPECTED TO ACHIEVE A HIGH STANDARD OF DESIGN, LAYOUT AND LANDSCAPING. IT SHOULD BE COMPATIBLE WITH THE CHARACTER AND APPEARANCE OF NEARBY BUILDINGS AND THE AREA GENERALLY AND SHOULD BE LOCALLY DISTINCTIVE.**

**WHERE OPPORTUNITIES ARE AVAILABLE, THE COUNCIL WILL SUPPORT DEVELOPMENTS THAT WILL SECURE IMPROVEMENTS TO THE AREA.**

**ALL DEVELOPMENT WILL BE ASSESSED AGAINST THE FOLLOWING CONSIDERATIONS; WHERE THEY ARE RELEVANT TO THE DEVELOPMENT:**

- (i) IT SHOULD NOT HAVE A DETRIMENTAL EFFECT ON THE AMENITIES OF THE PEOPLE LIVING NEARBY.**
- (ii) IT SHOULD NOT HARM THE CONSERVATION OR PROTECTION AND WHERE APPROPRIATE ENHANCEMENT OF FEATURES OR AREAS OF PARTICULAR HISTORIC, ARCHAEOLOGICAL, NATURE CONSERVATION, GEOLOGICAL OR GEOMORPHOLOGICAL, LANDSCAPE OR AMENITY VALUE.**
- (iii) IT SHOULD RESPECT FORM, SITING, SCALES, LAYOUT AND DESIGN OF SURROUNDING BUILDINGS AND THEIR SETTINGS, USE APPROPRIATE MATERIALS AND AT LEAST MAINTAIN THE CHARACTER AND APPEARANCE OF THE BUILT ENVIRONMENT.**
- (iv) IT SHOULD TAKE INTO ACCOUNT THE NEED FOR ENERGY EFFICIENCY BY MEANS OF BUILDING TYPE, ORIENTATION AND LOCATION.**
- (v) IT SHOULD INCORPORATE ADEQUATE ARRANGEMENTS FOR ACCESS, SERVICING AND IN PARTICULAR PROVISION SHOULD BE MADE FOR SAFE VEHICULAR ACCESS AND EGRESS ARRANGEMENTS AND SAFE PEDESTRIAN ACCESS.**
- (vi) THERE SHOULD BE ADEQUATE PROVISION FOR AMENITY AND OPEN SPACE.**
- (vii) IT SHOULD NOT GENERATE SUFFICIENT TRAFFIC TO CAUSE NUISANCE OR DANGER NOR REQUIRE ANY MAJOR IMPROVEMENT OF THE ROAD NETWORK AND PARKING PROVISION AT UNACCEPTABLE PUBLIC EXPENSE (REF POLICY T21). IN ADDITION A TRAFFIC IMPACT ASSESSMENT MAY BE REQUIRED.**
- (viii) IT SHOULD HAVE ACCESS TO PUBLIC TRANSPORT AND WHERE POSSIBLE ACCESS TO THE EXISTING RAIL NETWORK (REF POLICY T1).**
- (ix) IF UTILITY SERVICES ARE REQUIRED THEY SHOULD BE AVAILABLE OR CAPABLE OF BEING PROVIDED AT ECONOMIC COST.**
- (x) IT SHOULD NOT PREJUDICE THE LONG TERM PLANNING OF THE AREA.**
- (xi) IT SHOULD NOT PREJUDICE THE DEVELOPMENT OF MINERAL RESOURCES.**
- (xii) IT SHOULD NOT INCREASE LAND, AIR, NOISE OR WATER POLLUTION TO UNACCEPTABLE LEVELS.**
- (xiii) IT SHOULD NOT USE THE BEST AND MOST VERSATILE AGRICULTURAL LAND UNLESS THERE IS NO OTHER SUITABLE SITE FOR THE PARTICULAR PURPOSE.**
- (xiv) IT SHOULD NOT ADVERSELY AFFECT THE OPERATION OF IMPORTANT RECREATIONAL AND TOURIST FACILITIES.**
- (xv) ON SITES WHICH HAVE PREVIOUSLY BEEN DEVELOPED, NEW DEVELOPMENT PROPOSALS SHOULD MAKE USE OF EXISTING SUITABLE BUILDING MATERIALS WHEREVER POSSIBLE FOR APPROPRIATE USES IN ORDER TO RE-USE RECYCLABLE MATERIALS AND REDUCE THE AMOUNT OF IMPORTED MATERIALS.**

## Reasons and Explanations

- (i) This policy summarises the key material considerations to be taken into account by the Borough Council when considering proposals for all new development and changes of use within the Borough. The criteria referred to are amplified and made more specific in later chapters of the Local Plan.
- (ii) The Borough Council will refer to its Development Control Policy Guidelines and Supplementary Planning Guidance when considering applications for new development. These are listed in the Appendix as Background Documents.

### Policy Derivation

PPG1 "General Policy and Principles"  
 PPG12 "Development Plans and Regional Planning Guidance"  
 Cheshire Replacement Structure Plan 2011 Policy GEN3  
 Cheshire County Council Housing Design Aid 1996

## Sewerage Infrastructure

### BE2

**NEW DEVELOPMENT WILL NOT BE PERMITTED UNLESS FOUL SEWERS AND SEWAGE TREATMENT WORKS OF ADEQUATE CAPACITY AND DESIGN ARE AVAILABLE OR WILL BE PROVIDED IN TIME TO SERVICE THE DEVELOPMENT. DEVELOPMENT PROPOSALS INCORPORATING INDEPENDENT SEWAGE TREATMENT FACILITIES WILL NOT BE ALLOWED IF A CONNECTION TO EXISTING MAIN SEWERAGE IS PRACTICABLE.**

### Reasons and Explanations

- (i) Many existing sewerage systems and treatment works require improving, extending or replacement. Unless additional infrastructure is provided, further demands placed on existing facilities may result in pollution of watercourses. Therefore development should only take place where existing infrastructure is adequate, or where new facilities will be provided to accommodate the new demand.
- (ii) Sewage should whenever possible be disposed of via a recognised water treatment facility so as to reduce the possibility of environmental health nuisance and waste water pollution.

### Policy Derivation

PPG 12 "Development Plans and Regional Planning Guidance"  
 PPG 23 "Planning and Pollution Control"  
 Circular 16/91 "Planning Obligations"  
 Cheshire Replacement Structure Plan (2001) Policy ENV2  
 NRA Guidance

## Water Supply

### BE3

**DEVELOPMENT WILL NOT BE ALLOWED IF IT INCREASES THE REQUIREMENTS FOR WATER UNLESS ADEQUATE WATER RESOURCES EITHER ALREADY EXIST OR WILL BE PROVIDED IN TIME TO SERVE THE DEVELOPMENT AND CAN DO SO WITHOUT DETRIMENT TO EXISTING ABSTRACTIONS, TO WATER QUALITY, FISHERIES, AMENITY, NATURE CONSERVATION OR TO RECREATION.**

## Reasons and Explanations

- (i) The development of water resources for public water supply is becoming increasingly difficult in some areas, especially for developments which are major users of water.
- (ii) North West Water Ltd and the Environment Agency has a duty to ensure that providing water for new development does not have a detrimental impact on existing users, nature conservation or recreation.

### Policy Derivation

PPG1 "General Policy and Principles"  
PPG12 "Development Plans and Regional Planning Guidance"  
PPG9 Nature Conservation Circular 16/91 Planning Obligations  
Cheshire Replacement Structure Plan (2011) Policy GEN7

## Design for Safety and Crime Prevention

### BE4

**ALL DEVELOPMENT PROPOSALS MUST ENSURE THAT THE DESIGN AND LAYOUT OF BUILDINGS AND SPACES INCLUDING ROADS AND FOOTPATHS TAKES INTO ACCOUNT THE NEED TO PROVIDE FOR PUBLIC SAFETY AND DETER VANDALISM AND CRIME**

### Reasons and Explanations

- (i) Public safety and security should be considered as an integral part of the initial design of development schemes, buildings and the external environment.
- (ii) Opportunities to minimise vandalism and increase public safety can often be achieved by close attention to the design and layout of new buildings and public spaces and the associated landscaping.
- (iii) Location, lighting and materials along with careful attention to detail can help to reduce the potential for crime.
- (iv) Where appropriate the Council will seek the views of the Police Architectural Liaison Officer.

### Policy Derivation

PPG1 "General Policy and Principles"  
PPG12 "Development Plans and regional Planning Guidance"  
Circular 5/94 "Planning Out Crime"

## Access and Parking for People with Impaired Mobility -

The relevant policy is located within the Transport Section of the Local Plan as policy T22.

## Planning Obligations - Social, Community and Recreational Facilities

### BE5

**WHERE PROPOSALS FOR NEW HOUSING, COMMERCIAL AND INDUSTRIAL DEVELOPMENT ARE PUT FORWARD, THE BOROUGH COUNCIL WILL SEEK TO NEGOTIATE WITH DEVELOPERS TO PROVIDE FOR MEETING IN FULL, OR CONTRIBUTING TOWARDS THE COST OF, SOCIAL, RECREATIONAL AND COMMUNITY FACILITIES WHERE THE NEED FOR SUCH FACILITIES ARISES DIRECTLY FROM THE DEVELOPMENT CONCERNED AND TO SAFEGUARD FEATURES OF NATURE CONSERVATION INTEREST.**

**PROVISION SHOULD BE IN PROPORTION TO THE SCALE AND NATURE OF THE INDIVIDUAL DEVELOPMENT. IT MAY BE ON-SITE OR CONTRIBUTIONS MAY BE MADE TO THE PROVISION OF FACILITIES ELSEWHERE BUT ONLY IF THEIR LOCATION CAN ADEQUATELY SERVE THE DEVELOPMENT SITE.**

**EXCEPTIONALLY, THERE MAY BE OCCASIONS WHERE IT WILL BE NECESSARY FOR DEVELOPERS TO BEAR THE COSTS OF THE SUBSEQUENT MAINTENANCE OF SOME ASPECTS OF THE DEVELOPMENT.**

**WHERE SUCH PROVISION CANNOT BE SECURED THROUGH THE IMPOSITION OF CONDITIONS, AGREEMENTS WILL BE SOUGHT UNDER SECTION 106 OF THE ACT TO MEET THE TERMS OF THIS POLICY.**

*[Note: For Reasons and Explanations refer to policy BE6]*

## **Planning Obligations - Infrastructure Policy**

### **BE6**

**THE COUNCIL WILL SEEK TO NEGOTIATE WITH DEVELOPERS TO ENSURE THAT THEIR PLANNING APPLICATIONS INCLUDE PROVISION FOR THE DIRECT INFRASTRUCTURE REQUIREMENTS OF THE DEVELOPMENT. THIS MAY INCLUDE ON-SITE OR OFF-SITE FACILITIES DIRECTLY RELATED TO THE PROPOSED USE.**

#### **Reasons and Explanations**

- (i) Both policies seek to ensure that the impact of a particular development on local services and facilities is borne wholly or in part by the developer. Planning obligations will be sought from developers to make it binding on them to provide or contribute towards the reasonable cost of the physical infrastructure required by their developments (e.g. roads), and elements of social infrastructure (e.g. shops, school site, community facilities, open space) which will be needed by future residents. Planning obligations will also be sought where necessary to secure the retention, enhancement or replacement of features of nature conservation interest. In appropriate circumstances commuted sum payments will be sought from developers for the future maintenance of some aspects of the development.
- (ii) Circular 1/97 sets out the Government's policy for the use of planning obligations. The Circular requires planning obligations to be sought only where they meet five tests. They must be necessary to make the proposal acceptable in land-use planning terms, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.
- (iii) Exceptionally, commuted maintenance payments will be required. Such exceptions include where additional highway works are an essential prerequisite to the granting of planning permission and an agreement is entered into under s.278 of the Highways Act 1980 (which specifically provides for maintenance payments); in the case of funding for public transport, revenue support of services for a limited period; and, in the case of small areas of open space, recreational facilities, children's play space, woodland or landscaping principally of benefit to the development itself rather than to the wider public. Payments, and their timescale, will be related in scale and kind to the development proposed.

#### **Policy Derivation**

PPG12 "Development Plans"

Circular 16/91 Planning Obligations

Cheshire Replacement Structure Plan (2011) Policy GEN3

## Historic Environment - Listed Buildings

### BE7

**PROPOSALS FOR THE DEVELOPMENT OF LAND WHICH RESULT IN DECAY, DESTRUCTION OR DAMAGE TO BUILDINGS AND STRUCTURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OR THEIR SETTINGS INCLUDING ANY CURTILAGE BUILDINGS WILL NOT BE ALLOWED.**

#### Reasons and Explanations

- (i) The setting of a Listed Building is very often as important in the environment as the building itself.
- (ii) The Council considers it vital to protect such buildings and their settings from unsympathetic and detrimental development.

#### Policy Derivation

PPG15 "Planning and the Historic Environment"  
Cheshire Replacement Structure Plan (2011) Policy GEN3

## Alterations/Extensions to Listed Buildings

### BE8

**THE ALTERATION OR EXTENSION OF A LISTED BUILDING WILL ONLY BE ALLOWED IF IT IS DEMONSTRATED THAT THE PROPOSAL WOULD NOT HAVE A DETRIMENTAL EFFECT ON THE STRUCTURE, CHARACTER, APPEARANCE OR SETTING OF THE BUILDING.**

#### Reasons and Explanations

- (i) In considering applications for development involving Listed Buildings the Council will need to be satisfied that their special architectural or historic interest is preserved.
- (ii) This policy applies to both alterations and extensions and to the impact of any changes on the setting of the building.
- (iii) The Borough Council will seek to ensure that full details accompany such applications in order that the full effects of any proposal can be assessed.

#### Policy Derivation

PPG15 "Planning and the Historic Environment"  
Cheshire Replacement Structure Plan (2011) Policy GEN3

## Changes of use to Listed Buildings

### BE9

**THE COUNCIL WILL ONLY PERMIT CHANGES OF USE OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST FROM THAT FOR WHICH THEY WERE ORIGINALLY DESIGNED, IF:**

- (i) **THE ALTERNATIVE USE IS NECESSARY TO ENSURE THE LONG TERM PRESERVATION OF THE BUILDINGS; AND**

- (ii) **THE DEVELOPMENT PROPOSED PRESERVES THE CHARACTER (FABRIC AND INTERIOR) OF THE BUILDING; AND**
- (iii) **THE PROPOSED USE DOES NOT ADVERSELY AFFECT THE ENVIRONMENTAL SETTING OF THE BUILDING; AND**
- (iv) **THE ALTERNATIVE USE IS A MORE APPROPRIATE USE THAN THE ORIGINAL USE.**

#### **Reasons and Explanations**

- (i) The Borough Council will give consideration to permitting alternative uses for Listed Buildings if this is necessary to ensure the building's long term survival. Changes of Use can help to ensure the survival of buildings and contribute to sustainable development by ensuring that a stock of buildings is maintained.
- (ii) Any conversion should not entail altering the materials, details or proportions of the building in such a way as to adversely affect the original features or character or its setting.
- (iii) The Borough Council will seek to ensure that applicants provide adequate information to allow full assessment of the effects of any proposal.
- (iv) The Council will take full account of the desirability of securing long term economic uses within Listed Buildings. This consideration will be balanced against the effect of any changes proposed uses would entail in the special architectural and historic interest of the building or area in question.

#### **Policy Derivation**

PPG15 "Planning and the Historic Environment"

### **Listed Buildings and Archaeology**

#### **BE10**

**WHERE A LISTED BUILDING IS ALSO A SCHEDULED ANCIENT MONUMENT OR IT IS KNOWN OR SUSPECTED THAT EITHER IT HAS INTRINSIC ARCHAEOLOGICAL INTEREST OR STANDS ON GROUNDS CONTAINING ARCHAEOLOGICAL REMAINS, THE DEVELOPER, IN PUTTING FORWARD PROPOSALS FOR DEVELOPMENT, WILL BE REQUIRED TO PROVIDE AN APPROPRIATE ASSESSMENT OF THE ARCHAEOLOGICAL IMPLICATION OF THE PROPOSAL TO ACCOMPANY THE APPLICATION. ADEQUATE ARRANGEMENTS SHOULD BE MADE BY THE DEVELOPER AND AGREED BY THE COUNCIL TO RECORD ANY REMAINS THAT WOULD BE LOST AS A RESULT OF PLANNING CONSENT.**

#### **Reasons and Explanations**

- (i) The policy recognises that some listed buildings and their settings may stand in grounds containing archaeological remains.

#### **Policy Derivation**

PPG15 "Planning and the Historic Environment"

## Demolition Control of Listed Buildings

### BE11

CONSENT WILL NOT BE GRANTED FOR THE TOTAL OR PARTIAL DEMOLITION OF ANY LISTED BUILDING, UNLESS THE COUNCIL IS SATISFIED THAT EVERY POSSIBLE EFFORT HAS BEEN MADE TO REPAIR THE BUILDING AT REASONABLE COST, TO CONTINUE THE PRESENT USE OR TO FIND A SUITABLE NEW VIABLE USE. WHERE A SITE LIES WITHIN A CONSERVATION AREA FURTHER CONSIDERATION MUST ALSO BE GIVEN TO POLICY BE12.

#### Reasons and Explanations

- (i) Government advice on Listed Buildings states that there should be a presumption in favour of their preservation unless a strong case can be made otherwise.
- (ii) The Council where appropriate will require the developer to submit detailed structural, marketing and financial information to support proposals for the site, the existing building and the proposed development.

#### Policy Derivation

PPG15 "Planning and the Historic Environment"

## Historic Environment - Conservation Areas

### BE12

WITHIN DESIGNATED CONSERVATION AREAS LISTED BELOW, AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT SHOULD PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.

ALVANLEY  
BARTINGTON  
BOSTOCK GREEN  
CUDDINGTON  
DAVENHAM  
EATON  
FRODSHAM  
GREAT BUDWORTH  
HARTFORD  
HIGHER WHITLEY  
KINGSLEY  
LITTLE BUDWORTH  
LOWER PEOVER  
LOWER WHITLEY  
MARSTON (LION SALTWORKS)  
NORTHWICH (TOWN CENTRE)  
ONSTON  
OVERTON  
SANDIWAY  
TARPORLEY  
WEAVERHAM (CHURCH STREET/ HIGH STREET)  
WEAVERHAM (WEST ROAD)  
WHITEGATE  
WINSFORD OVER (ST. CHADS)

**DEMOLITION OF A BUILDING WHICH CONTRIBUTES TO THE CONSERVATION AREA WILL NOT BE ALLOWED, UNLESS IT IS INCAPABLE OF REPAIR AT REASONABLE COST AND IS INCAPABLE OF ACCOMMODATING A VIABLE ALTERNATIVE USE. THE COUNCIL MAY IMPOSE CONDITIONS TO ENSURE THAT DEMOLITION SHOULD NOT TAKE PLACE UNTIL THE CONTRACT FOR THE WORKS OF REDEVELOPMENT HAS, IN ACCORDANCE WITH APPROVED PLANS, BEEN LET AND IS DUE TO START.**

**Reasons and Explanations**

- (i) The aim of the policy is not to prevent all new development but to protect Conservation Areas from unsympathetic development which would be contrary to the aim of preserving or enhancing the special architectural and historic merit of these areas, which make an important contribution to the atmosphere of towns and villages.
- (ii) The Borough Council will from time to time review existing designated Conservation Areas and their boundaries, and consider whether further designation of Conservation Areas is required.
- (iii) The Borough Council will use its powers under relevant legislation to achieve sympathetic treatment where alterations or redevelopment are proposed in Conservation Areas and will seek to encourage action to protect areas from decay.
- (iv) The Borough Council will seek to ensure that, as necessary, full details accompany planning applications in Conservation Areas in order that the full effects of any proposal can be assessed.

**Policy Derivation**

PPG15 "Planning and the Historic Environment"  
Cheshire Replacement Structure Plan (2011) Policy ENV3 and R1

**BE13**

**PROPOSALS FOR DEVELOPMENT ON SITES WHICH LIE OUTSIDE THE CONSERVATION AREA BUT WHICH WOULD AFFECT ITS SETTING OR VIEWS IN OR OUT OF THE AREA, WILL BE ALLOWED PROVIDED THEY PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.**

**Reasons and Explanations**

- (i) To protect the setting of the Conservation Area from unsympathetic development or sites outside but materially affecting the character and appearance of the Conservation Area.

**Policy Derivation**

PPG 15 "Planning and the Historic Environment"

**Northwich Conservation Area**

**BE14**

**WITHIN THE NORTHWICH CONSERVATION AREA, AS DEFINED ON THE PROPOSALS MAP, THE DEMOLITION OF ANY OF THE TIMBER FRAMED BUILDINGS WHICH CONTAIN STRUCTURAL OR BUILDING TECHNIQUES WHICH WERE DESIGNED TO REDUCE THE EFFECTS OF SUBSIDENCE WILL NOT BE ALLOWED.**

**UNLESS IT CAN BE SHOWN THAT:**

- (i) **THE BUILDING IS NOT OF INTRINSIC ARCHITECTURAL OR HISTORIC INTEREST AND THAT IT MAKES NO POSITIVE CONTRIBUTION TO THE TOWNSCAPE OR CHARACTER OR APPEARANCE OF THE CONSERVATION AREA; AND**
- (ii) **THE BUILDING IS INCAPABLE OF REPAIR AT REASONABLE COST; AND**
- (iii) **THE BUILDING IS INCAPABLE OF CONTINUING ITS PRESENT OR MOST RECENT USE OR A VIABLE NEW USE; AND**
- (iv) **A SCHEME OF REDEVELOPMENT IS PROPOSED WHICH WILL PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.**

#### **Reasons and Explanations**

- (i) The timber-framed buildings in Northwich which were originally designed or adapted to deal with the problems of subsidence, in that they could be lifted or re-levelled. These buildings have become part of the distinctive local tradition of the town, despite having been substantially altered in some cases.
- (ii) Many of these buildings have intrinsic architectural and historic interest and make an important contribution to the character of the Northwich Conservation Area. In order to protect and enhance the character of the Conservation Area, it is essential to ensure that no timber-framed building of value should be removed unless it is totally unavoidable. Developers must submit full structural, financial and marketing appraisals to justify their proposals. Where demolition is inevitable the site must be redeveloped with a building which enhances the Conservation Area. If a building is removed, every effort should be made to retain any features worthy of protection.
- (iii) The Borough Council will carry out a detailed investigation of timber-framed buildings in Northwich Conservation Area and will issue further guidance notes in due course.

#### **Policy Derivation**

PPG15 "Planning and the Historic Environment"

### **Ancient Monuments/Archaeological Sites**

#### **BE15**

**DEVELOPMENT PROPOSALS WHICH WOULD ADVERSELY AFFECT SCHEDULED ANCIENT MONUMENTS AND OTHER NATIONALLY IMPORTANT ARCHAEOLOGICAL SITES AND MONUMENTS OR THEIR SETTINGS WILL NOT BE ALLOWED.**

### **Other Sites of Archaeological Importance**

#### **BE16**

**DEVELOPMENT PROPOSALS WHICH COULD AFFECT LOCAL ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL IMPORTANCE WILL NOT BE ALLOWED UNLESS IT CAN BE DEMONSTRATED THAT THE PARTICULAR SITE OR MONUMENT WILL BE SATISFACTORILY PRESERVED EITHER IN SITU OR WHERE IT IS NOT FEASIBLE, BY RECORD.**

## Reasons and Explanations

- (i) Archaeological sites are an important part of the cultural heritage of the nation. The most important are legally protected as scheduled ancient monuments. However, there are many other sites of sufficient local or regional significance to merit protection. The preservation of such sites in situ can often be achieved through careful design and layout. It is vital therefore that early consultation takes place between developers and the Council.
- (ii) Where development proposals affect sites of known or suspected archaeological importance, the Council will require the applicant to submit a professional archaeological assessment or evaluation, prior to the determination of the planning application as the basis of assessing the extent and importance of the remains present and the effects of the development on the archaeological resource and to determine the need for any mitigation measures required as a result of the development.
- (iii) Where preservation in situ is impossible, developers must ensure that a proper record of the site is made before development takes place. In this respect the Council will consider the use of planning conditions or legal agreements.
- (iv) The County Council is responsible for identifying and keeping up to date records of all sites and monuments which are of local, regional or national importance.
- (v) For the purpose of this policy archaeological sites include industrial archaeological sites.
- (vi) A list of scheduled ancient monuments is contained in Appendix 4.

### Policy Derivation

PPG16 "Archaeology and Planning"  
Cheshire Replacement Structure Plan (2011) Policy R1

## Historic Parks and Gardens

### BE17

**IN CONSIDERING PROPOSALS WHICH MAY AFFECT THOSE HISTORIC PARKS AND GARDENS AND THEIR SETTINGS, IDENTIFIED ON THE PROPOSALS MAPS, THE BOROUGH COUNCIL WILL HAVE REGARD TO THE FOLLOWING:**

- (i) **THE NEED TO PRESERVE THE CHARACTER AND APPEARANCE OF SUCH HISTORIC PARKS AND GARDENS;**
- (ii) **THE NEED TO PREVENT SUB-DIVISION OF HISTORIC PARKS AND GARDENS, AND**
- (iii) **THE NEED TO CONSERVE FEATURES OF ARCHITECTURAL, ARCHAEOLOGICAL AND HISTORIC INTEREST;**
- (iv) **THE NEED TO RECORD SUCH FEATURES.**

### Reasons and Explanations

- (i) Historic parks and gardens are an important element of the Borough's heritage. Development proposals can affect the garden and its setting and buildings or associated features which make a significant contribution to its character.
- (ii) A list of these parks and gardens is included in Appendix 5.

- (iii) The Borough Council will produce Supplementary Planning Guidance for these areas.

**Policy Derivation**

PPG 15 "Planning And The Historic Environment"

## Advertisements and Signs

### BE18

**IN CONSIDERING APPLICATIONS FOR ADVERTISEMENTS AND SIGNS THE BOROUGH COUNCIL WILL HAVE REGARD TO THE FOLLOWING:**

- (i) **THE NEED TO PROTECT THE CHARACTER OF THE STREET SCENE AND INDIVIDUAL BUILDINGS FROM UNNECESSARILY DOMINANT DISPLAYS. IN PARTICULAR SIGNS ABOVE GROUND FLOOR FASCIA LEVEL AND ON GABLE ENDS OR FLANK WALLS WILL NEED TO BE CAREFULLY DESIGNED SO AS NOT TO DETRACT FROM THE APPEARANCE OF THE BUILDING AND THE STREET SCENE.**
- (ii) **ADVERTISEMENTS SHOULD NOT OBSCURE IMPORTANT ARCHITECTURAL FEATURES SUCH AS CORNICES, PILASTERS OR MOULDINGS.**
- (iii) **THE SIZE AND NUMBER OF SIGNS CURRENTLY IN THE VICINITY.**
- (iv) **EXCESSIVE ILLUMINATION, PARTICULARLY THE USE OF OPEN NEON TUBING OR INTERMITTENT LIGHT SOURCES AND INTERNAL BACKGROUND ILLUMINATION SHOULD BE AVOIDED.**
- (v) **SIGNS SHOULD BE DISCREET, AND IN PARTICULAR THE USE OF HIGHLY GLOSSY MATERIALS OR UNNECESSARILY LARGE LETTERING INCLUDING SYMBOLS AND LOGOS OR THE USE OF LARGE LIGHT BACKGROUNDS SHOULD BE AVOIDED.**
- (vi) **THE EFFECTS ON PUBLIC SAFETY, AND ON THE USE AND OPERATION OF ALL FORMS OF TRANSPORT, INCLUDING THE SAFETY OF PEDESTRIANS.**

### Reasons and Explanations

- (i) Control of advertisements is essential in order to balance the needs of advertisers to attract customers with the requirements to conserve and enhance the town and countryside and to avoid advertisements presenting a threat to public or highway safety.
- (ii) Within Conservation Areas and where Listed Buildings are involved the quality of design will be particularly important (see also Policy BE12). The Borough Council has designated Areas of Special Control for Advertisements. These will be subject to periodic review.

**Policy Derivation**

PPG19 "Outdoor Advertisement Control"

## Advance Directional Advertisements

### BE19

**APPLICATIONS FOR ADVANCE DIRECTIONAL ADVERTISEMENTS, WILL ONLY BE ALLOWED PROVIDED:**

- (i) **THE DESIGN AND THE APPEARANCE OF THE PROPOSED ADVERTISEMENT ARE APPROPRIATE TO ITS SETTING TAKING INTO ACCOUNT THE LOCAL LANDSCAPE CHARACTER.**
- (ii) **THE PROPOSED SIGN WILL NOT BE DETRIMENTAL TO PUBLIC SAFETY EITHER THROUGH ITS SITING OR DESIGN.**
- (iii) **THE ADVERTISEMENT DOES NOT RESULT IN A CLUTTER OF SIGNS IN THE VICINITY WHICH WOULD HAVE AN ADVERSE EFFECT ON ITS SURROUNDINGS. IN SUCH AN EVENT THE BOROUGH COUNCIL MAY AGREE TO OTHER SIGNS PROVIDED THEY ARE ON ONE COMMUNAL NOTICE.**

#### **Reasons and Explanations**

- (i) To prevent an uncontrolled proliferation of unnecessary advertising throughout the Borough and to ensure that such signing does not create a hazard or danger to people in the vicinity.
- (ii) A large part of the rural area of Vale Royal is an Area of Special Control where signs are only allowed where they are necessary for announcement and direction.

#### **Policy Derivation**

PPG19 "Outdoor Advertisement Control"

Policies for shop fronts and fascias are included in the shopping section as Policies STC3 and STC4

### **Telecommunications Development**

#### **BE20**

**PLANNING PERMISSION WILL BE GRANTED FOR TELECOMMUNICATIONS DEVELOPMENT WHERE:**

- (i) **THERE ARE NO MORE SATISFACTORY ALTERNATIVE SITES FOR TELECOMMUNICATIONS AVAILABLE; AND**
- (ii) **THERE IS NO REASONABLE POSSIBILITY OF SHARING OF EXISTING FACILITIES; AND**
- (iii) **IN THE CASE OF RADIO MASTS, THERE IS NO REASONABLE POSSIBILITY OF ERECTING ANTENNAE ON AN EXISTING BUILDING OR STRUCTURE;**
- (iv) **THE PROPOSED DEVELOPMENT IS SITED AND DESIGNED SO AS TO MINIMISE ITS VISUAL IMPACT;**

**SUBJECT TO THERE BEING NO SERIOUSLY DETRIMENTAL IMPACT UPON THE APPEARANCE AND CHARACTER OF THE BUILDINGS AFFECTED, THE AMENITIES OF THE OCCUPIERS OF NEARBY PROPERTIES OR THE CHARACTER AND APPEARANCE OF THE WIDER AREA AND LANDSCAPE.**

#### **Reasons and Explanations**

- (i) Planning Policy Guidance Note 8 sets out the Government's planning policy for telecommunications development. The policy reflects the Government's general policy on telecommunications, which is to facilitate the growth of new and existing systems. PPG8 also says that the Government is fully committed to environmental objectives. The policy allows decisions to be taken on planning applications which balances operational and technical requirement against any harm to the environment or residential amenity. In this respect, the Council will take into account whether the development is proposed by a 'Code Systems Operator' [i.e. a

person who has been granted a license under Section 7 of the Telecommunications Act 1984 (power to license systems) which applies the telecommunications code to him in pursuance of Section 10 of the Act (the Telecommunications Code)] in connection with the establishment or maintenance of a public telecommunications network.

**Policy Derivation**

PPG8 "Telecommunications"  
Cheshire Replacement Structure Plan (2011) Policy GEN3

**Domestic Radio Masts, Aerials and Satellite Dishes**

**BE21**

**WHERE PLANNING PERMISSION IS REQUIRED FOR THE ERECTION OF DOMESTIC MASTS, AERIALS AND SATELLITE DISHES ON RESIDENTIAL PROPERTIES, THESE WILL ONLY BE ALLOWED WHERE THEY ARE LOCATED UNOBTRUSIVELY ON A WALL OF THE DWELLING THAT DOES NOT FACE A PUBLIC HIGHWAY OR UNOBTRUSIVELY IN REAR GARDENS, AND DO NOT RESULT IN ANY UNACCEPTABLE LOSS OF AMENITY FOR ANY ADJACENT OCCUPIER.**

**Reasons and Explanations**

- (i) To minimise the impact of such development and to safeguard the amenities of adjacent residential occupiers.

**Policy Derivation**

PPG 8 "Telecommunications"

**Jodrell Bank**

**BE22**

**WITHIN THE JODRELL BANK RADIO TELESCOPE CONSULTATION ZONE, AS DEFINED ON THE PROPOSALS MAP, DEVELOPMENT WHICH CAN BE SHOWN TO IMPAIR THE EFFICIENCY OF THE JODRELL BANK RADIO TELESCOPE WILL NOT BE ALLOWED.**

**Reasons and Explanations**

- (i) The radio telescopes at Jodrell Bank are of international importance for Radio Astronomy. Their value depends upon being able to receive radio emissions from space with a minimum of interference from electrical equipment. Despite technological advances, protection from local sources of interference is still of utmost importance.
- (ii) The Town and Country (Jodrell Bank Radio Telescope) Direction 1973 requires the Local Planning Authority to consult with the University of Manchester before granting planning permission on any application for development (subject to the exceptions specified in the schedule).

**Policy Derivation**

Cheshire Replacement Structure Plan (2011) Policy GEN5

## Renewable Energy Scheme

### BE23

**IN ASSESSING PROPOSALS FOR RENEWABLE ENERGY SCHEMES, THE COUNCIL WILL HAVE PARTICULAR REGARD TO THE FOLLOWING ISSUES:**

- (i) THE IMMEDIATE AND WIDER IMPACT OF THE PROPOSED DEVELOPMENT INCLUDING NEW BUILDINGS, STRUCTURES, PIPELINES AND OVERHEAD POWER LINES ON THE LANDSCAPE;**
- (ii) THE NEED TO PROTECT FEATURES AND AREAS OF ECOLOGICAL, HISTORICAL AND ARCHAEOLOGICAL INTEREST;**
- (iii) THE MEASURES THAT WOULD BE TAKEN, BOTH DURING AND AFTER CONSTRUCTION, TO MINIMISE THE IMPACT OF THE DEVELOPMENT ON LOCAL LAND USE AND RESIDENTIAL AMENITY;**
- (iv) THE LOCAL AND WIDER BENEFITS THAT THE PROPOSAL MAY BRING;**
- (v) CERTAIN RENEWABLE ENERGY RESOURCES CAN ONLY BE HARNESSSED WHERE THE RESOURCE OCCURS;**
- (vi) POLICY BE1.**

#### Reasons and Explanations

- (i) It is acknowledged that renewable energy sources can potentially contribute to energy needs in a significant and sustainable way.
- (ii) The Council's policy towards developing renewable energy sources must be weighed carefully with its continuing commitment to policies for protecting the local environment.
- (iii) The Council acknowledges the advice in PPG22 that proposals to harness renewable energy can display a variety of factors peculiar to the technology involved. Moreover, such schemes can have particular locational constraints since, in many cases, the resource can only be harnessed where it occurs.
- (iv) The Council will need to consider both the immediate impact of renewable energy projects on the local environment and their wider contribution to reducing emissions of greenhouse gases.

#### Policy Derivation

PPG22 "Renewable Energy"

## Locally Important Buildings

### BE24

**INDIVIDUAL BUILDINGS OR GROUPS OF BUILDINGS, AND STRUCTURES OF ARCHITECTURAL OR HISTORIC INTEREST AND THEIR SETTINGS WILL BE CONSERVED WHEREVER POSSIBLE FROM DECAY, DESTRUCTION, DAMAGE OR DEMOLITION. IN CONSIDERING PROPOSALS WHICH MAY AFFECT SUCH LOCALLY IMPORTANT BUILDINGS AND STRUCTURES, THE BOROUGH COUNCIL WILL HAVE REGARD TO THE FOLLOWING:**

- (i) THE NEED TO RETAIN BUILDINGS OR STRUCTURES WHICH CONTRIBUTE TO AND ENHANCE THE LOCAL TOWNSCAPE OR RURAL CHARACTER (WHICHEVER IS APPROPRIATE);**

**(ii) THE NEED TO CONSERVE INTERESTING OR UNUSUAL FEATURES OR ARCHITECTURAL DETAIL, MATERIALS, CONSTRUCTION OR HISTORIC INTEREST.**

**Reasons and Explanations**

- (i) Locally important non-listed buildings help to sustain a sense of local distinctiveness which is an important characteristic of a sense of place and identity of many communities. They can help maintain an ambience that is an important contribution to economic activity such as tourism.
- (ii) The criteria for the selection of buildings and structures for inclusion on the list of locally important buildings is given in Appendix 6.

**Policy Derivation**

PPG15 "Planning and the Historic Environment"

Conservation Issues in Local Plans- joint publication by English Heritage, Countryside Commission and English Nature

**Conservation Area Character Appraisals**

**BE25**

**THE BOROUGH COUNCIL WILL EVALUATE APPLICATIONS FOR DEVELOPMENT IN CONSERVATION AREAS AGAINST THOSE CHARACTERISTICS WHICH ARE REVEALED IN CONSERVATION AREA CHARACTER APPRAISALS. SIGNIFICANT CONSIDERATION WILL BE GIVEN TO ENSURING THAT DEVELOPMENT PROPOSALS RESPECT, MAINTAIN AND COMPLEMENT THOSE ASPECTS OF THE APPRAISAL WHICH DEFINE THE LOCAL DISTINCTIVENESS OF THE AREA, IN PARTICULAR THESE ELEMENTS WILL INCLUDE:**

- **THE PREVAILING TOWNSCAPE OF THE AREA;**
- **DOMINANT BUILDING STYLES, MATERIALS AND DETAILS;**
- **IMPORTANT SPACES AND LANDSCAPE WITHIN THE AREA;**
- **VIEWS INTO AND OUT OF THE CONSERVATION AREA;**
- **UNIQUE CHARACTERISTICS OF THE AREA.**

**Reasons and Explanations**

- (i) To ensure that new development maintains the local distinctiveness of the existing Conservation Areas.
- (ii) To reduce uncertainty for those considering investment or development in the area.
- (iii) Conservation Area Character Appraisals will be undertaken as described in the Appendices to the Local Plan.

**Policy Derivation**

PPG15 "Planning and the Historic Environment"

Conservation Area Practice, English Heritage

Conservation Area Character Appraisals (draft), English Heritage

## IMPLEMENTATION

The Borough Council will implement policies for the appropriate development and conservation of the built environment of Vale Royal through the operation of the development control system, the designation of areas for special protection and paying due regard to the presence of listed structures in all development proposals. Proposals for new development, redevelopment or demolition of buildings will be assessed against national and local guidelines laid down in the Planning Policy Guidance Notes, the Local Plan and Structure Plan. This process will enable important and historic settings and buildings within the Borough to be safeguarded from inappropriate development and ensure that development imposes no harmful effects on adjacent sites. Furthermore the Borough Council will endeavour to investigate any unauthorised development and make sure that all development requiring planning permission seeks to obtain planning consent.

In addition, the Borough Council will consider the desirability of extending protective measures including the use of Article 4 Directives to remove permitted development rights to certain areas or through the designation of further Conservation Areas or extending existing ones, or requesting the Secretary of State to include specific buildings or structures in the statutory list of buildings of architectural or historic interest.

The Borough Council and County Council have their own separate budgets for historic building grant aid purposes. Modest discretionary grants are available from the Borough Council for the repair and maintenance of historic buildings which meet eligibility criteria, and from the County Council for Grade I and II\* buildings in Conservation Areas.

Other bodies are also involved in activities to preserve and enhance the built environment. English Heritage provides grants for Historic Buildings and Monuments, Conservation Areas, Buildings at Risk and Churches. Historic Buildings and Monuments considered to be of outstanding national interest (ie Grade I or II \* Listed Buildings) are given grants for repairs. Conservation Area grants are offered towards the cost of repairing historic buildings which contribute to the character of the area and for associated environmental improvements. Buildings at Risk grants are only available if a historic building lies in a Conservation Area. Normally only churches listed as Grade I or II\* will be eligible for the Church Grant covering major repairs only.

The Borough Council will seek to protect and preserve sites of archaeological interest through the identification of sites of importance, and the control of development on such sites through the action of the development control system. Consultation will be undertaken with the County Archaeological Office and English Heritage for advice and assessments on such sites, and the potential impact of development on them and the archaeological remains present. Governmental guidance for archaeology and planning as contained within Planning Policy Guidance Notes will be taken into account in considering applications for development. Potential developers will be encouraged to consult with the Borough Council and other interested bodies early with regard to an application for development and in some cases to submit an archaeological evaluation with any application.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

The policies generally do not directly facilitate new development but set out the environmental safeguards (predominantly other than those relating to the natural environment) which proposals should take account of. The effect on emissions and energy/fossil fuel use by allowing new development is dealt with within the Environmental Appraisal of other chapters, for example, Industry and Employment and Housing. The need for new buildings to be designed and sited with energy efficiency in mind will assist in minimising fossil fuel use and therefore emissions. Renewable energy schemes may assist in reducing power station emissions and also the use of fossil fuels. New telecommunications development may have a similar effect in reducing the need to travel.

### **Use of Natural Resources**

The policies seek to limit the effect of new development on natural resources. The reuse of existing buildings will help to reduce the use of undeveloped land elsewhere. Renewable energy if they displace the use of fossil fuels in energy production will benefit air quality.

### **Local Environment**

Policies relating to general standards for all new development and those relating to conservation areas and listed buildings are expected to have a positive effect on the quality of the built environment. The character and appearance of open countryside should be safeguarded by requiring development to be sensitively designed and sited. Because of their particular locational requirements new telecommunications development and renewable energy schemes may have an adverse effect on the visual amenity of rural areas. The Borough's built heritage is also expected to be safeguarded and enhanced through policies covering conservation areas, listed buildings and significant archaeological sites.

## INTRODUCTION

Vale Royal Borough is a mixture of urban and rural areas, with Green Belt land in the north of the Borough, which restricts development.

This chapter concerns residential development, which is the main user of land in the built environment. Policies concern the scale of development for housing which will take place during the Plan period including the allocation of land for development. Policies also seek to control the standard and design of development, including extensions and conversions.

Land needs to be made available for future residential development because more households are moving into the North West of England, including Vale Royal and social and demographic changes are taking place. Household composition is changing; for example, the proportion of single person households increased from 18% in 1981 to 22.5% in 1991; this trend is expected to continue. The result will be smaller average household sizes and a corresponding need for more dwellings.

The policies will ensure that there are a range of sites available for housing development, including affordable housing for local people, whilst concentrating provision in and on the edge of the two towns and the largest villages in the Borough. Open space and amenity areas within settlements will be protected from future development.

In addition to the policies contained within this chapter, reference should also be made to Chapter 4 'Housing Policies' of the Cheshire Replacement Structure Plan.

### Policies to Govern the Supply of Housing Land

#### H1

**LAND WILL BE MADE AVAILABLE IN THE BOROUGH TO ALLOW ABOUT 5470 NEW DWELLINGS TO BE BUILT BETWEEN 1996-2006. IN ADDITION TO EXISTING PLANNING PERMISSIONS AND SITES IDENTIFIED IN THE PLAN, LAND FOR HOUSE BUILDING WILL INCLUDE REDEVELOPMENT SITES AND OTHER WINDFALL SITES WHICH MAY RESULT FROM THE IMPLEMENTATION OF OTHER POLICIES OF THIS PLAN. THE BOROUGH COUNCIL WILL ENSURE THAT A MINIMUM OF FIVE YEARS SUPPLY OF LAND FOR HOUSE BUILDING IS AVAILABLE IN THE BOROUGH.**

#### Reasons and Explanations

- (i) This is the scale of demand forecast to arise in the Borough in the period of the Plan, it accords with the relevant policy in the Adopted Cheshire Replacement Structure Plan 2011. A summary of the Housing Land Calculation can be found in Appendix 2.

- (ii) The provision of land for housing will be met by existing sites with planning permission; the allocation of specific sites and other smaller sites made available through the policies of the Local Plan. The figure will include infill sites, conversions, sub-divisions and the contribution made by mobile homes to satisfy demand in the area. The Residential Land Availability Background Paper lists all sites which contribute to the supply of housing.
- (iii) The take up of housing land will be carefully monitored and additional land will be identified through the Development Plan process, where necessary, to maintain a five year supply.
- (iv) To meet the requirements for housing land supply, as set out in Planning Policy Guidance Note 3: "Housing".
- (v) Windfall sites can include conversions, infilling, small groups or large groups (where policies allow this) as well as redevelopment sites.
- (vi) To ensure a continuous supply of houses, to satisfy the requirement arising in the Borough.
- (vii) To enable the building industry to plan to meet these needs.

#### **Policy Derivation**

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) HOU1

## **Housing Allocations**

### **H2**

**THROUGH ITS ALLOCATIONS, THE COUNCIL WILL CONCENTRATE NEW HOUSING DEVELOPMENT WITHIN AND ON THE EDGE OF NORTHWICH AND WINSFORD, INCLUDING THE LARGER VILLAGES OF ANDERTON, BARNTON, CUDDINGTON, DAVENHAM, HARTFORD, LOSTOCK GRALAM, LOWER MARSTON, LOWER WINCHAM, MOULTON, RUDHEATH, HIGHER WINCHAM AND WEAVERHAM.**

**THE FOLLOWING SITES ARE ALLOCATED FOR RESIDENTIAL DEVELOPMENT AND ARE SHOWN ON THE PROPOSALS MAP (THE NUMBER OF UNITS SHOWN IS ONLY AN ESTIMATE OF THE NUMBER OF UNITS TO BE BUILT WITHIN THE PLAN PERIOD):**

#### **A. NEW ALLOCATIONS**

**H2.01 FOREST ROAD, CUDDINGTON (6.88HA) 150**

**H2.02 GRANGE FARM, HARTFORD (18.8HA) 300**

**H2.03 LAND OFF HOLLANDS ROAD, NORTHWICH (0.35HA) 25**

**H2.04 WATER STREET (0.56) 30**

**H2.05 LAND NORTH AND WEST OF WEAVER WAY, NORTHWICH (4.6HA) 50**

**H2.06 HARGREAVES ROAD, NORTHWICH (1.1HA) 30**

**H2.07 LAND EAST OF WAYS GREEN, WINSFORD (3HA) 80**

**H2.08 LAND OFF ROEHURST LANE, WINSFORD (3.24HA) 80**

#### **B. ALLOCATIONS BROUGHT FORWARD FROM ADOPTED VALE ROYAL**

**BOROUGH LOCAL PLAN WITHOUT THE BENEFIT OF PLANNING APPROVAL  
(AS AT END OF SEPTEMBER 1999):**

H2.09	LAND MAIN STREET, FRODSHAM (1.04HA)	25
H2.10	LOWER ROBIN HOOD LANE, HELSBY (0.85HA)	20**
H2.11	DELAMERE STREET/WHITBY'S LANE, WINSFORD (1.78HA)	44
H2.12	EAST OF OVER SQUARE, WINSFORD (0.53HA)	13
H2.13	GRANGE LANE, WINSFORD (0.73HA)	18
H2.14	BAKER'S LANE, WINSFORD (0.57HA)	14
H2.15	REMAINDER STATION ROAD (E), WINSFORD (2.42HA)	67

**\*\*NB: THIS SITE DOES NOT CONTRIBUTE TO THE HOUSING LAND SUPPLY AND IS NOT INCLUDED WITHIN THE CALCULATIONS, DUE TO UNCERTAINTIES ABOUT ITS DEVELOPMENT POTENTIAL.**

**REFERENCE SHOULD ALSO BE MADE TO POLICIES GS10 AND GS12 IN THE GENERAL STRATEGY CHAPTER, WHICH IDENTIFY 'AREAS OF SPECIAL DEVELOPMENT OPPORTUNITY' WHICH WILL BE 'MIXED USE' SITES, INCORPORATING RESIDENTIAL DEVELOPMENT.**

**Reasons and Explanations**

- (i) In accordance with the Plan's locational strategy in policy GS1, allocations for new housing development are concentrated within, or on the edge of Northwich and Winsford.
- (ii) For information, other large sites with 10 or more dwellings yet to be completed at the end of March 1996 will be available in a separate Background Paper, along with a summary of the Borough Council's housing land supply. A full set of housing land supply information can be found in the Borough Council's separate housing land publication, 'Residential Land Availability'.
- (iii) To encourage the use of sustainable transport modes which will be readily available in the towns.
- (iv) The identification of these sites for housing helps Vale Royal Borough to meet the requirement for housing land supply, and ensure that there will be a variety of types of sites and locations. An analysis of the housing land requirement for Vale Royal Borough is available as a separate publication.
- (v) Some housing sites have been identified in the larger villages (such as Cuddington, and Hartford). These villages offer a range of services and facilities, including the following:
  - a reasonable range of shops;
  - a primary school which is likely to remain;
  - spare capacity in public utilities which could be used economically;
  - railway stations in Cuddington and Hartford.

These villages are, therefore, suitable for accommodating new residential development.

- (vi) 'Mixed Use' sites, which include an element of residential development, are included within the General Strategy chapter.

**Policy Derivation**

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) Policy HOU1

## Grange Farm, Hartford

### H3

**DEVELOPMENT OF THE GRANGE FARM SITE (H2.02) SHOULD SATISFY THE FOLLOWING REQUIREMENTS:**

- (i) THE PROVISION OF AN ELEMENT OF AFFORDABLE HOUSING, IN ACCORDANCE WITH POLICY H24;**
- (ii) THE PROVISION OF A CAR PARKING AREA CONVENIENT FOR THE HARTFORD VILLAGE CENTRE;**
- (iii) THE PROVISION OF FOOTPATH AND CYCLEWAY LINKS TO THE SURROUNDING AREA IN ACCORDANCE WITH POLICIES T9, T11 AND T12;**
- (iv) THE MAINTENANCE AND IF NECESSARY THE RESTORATION OF THE GRANGE FARM BUILDINGS FOR COMMUNITY USES, SUCH AS DOCTORS' SURGERY, DENTIST OR BRANCH LIBRARY;**
- (v) THE PROVISION OF COMMUNITY FACILITIES, IN PARTICULAR THE RESERVATION OF A SITE FOR A COMMUNITY CENTRE;**
- (vi) THE RETENTION OF IMPORTANT ECOLOGICAL SITES AND FEATURES, SUCH AS PONDS, TREES AND HEDGEROWS, IN ACCORD WITH POLICY NE4 TOGETHER WITH THE PREPARATION OF A NATURE CONSERVATION MANAGEMENT PLAN FOR THEIR ONGOING PROTECTION;**
- (vii) THE PROVISION OF A VILLAGE GREEN, ALONG WITH A MINIMUM OF 1.35 HAS OF PLAYING FIELDS, 0.38 HAS OF CHILDREN'S INFORMAL PLAY SPACE AND 0.22 HAS OF CHILDREN'S EQUIPPED PLAY SPACE, IN ACCORDANCE WITH POLICY RT3, TOGETHER WITH LANDSCAPING, INCLUDING "BUFFERS" ALONG THE RAILWAY LINES, TOGETHER WITH ARRANGEMENTS FOR THEIR MAINTENANCE;**
- (viii) A TRAFFIC IMPACT ASSESSMENT IS UNDERTAKEN;**
- (ix) HIGHWAY WORKS REQUIRED ARISING FROM THE TIA; TO INCLUDE IMPROVEMENTS TO THE EXISTING BUS SERVICES ALONG CHESTER ROAD, THE PROVISION OF A SAFE PEDESTRIAN CROSSING TO THE SHOPS OPPOSITE ON CHESTER ROAD, IMPROVEMENTS TO THE CHESTER ROAD/ SCHOOL LANE/BRADBURNS LANE JUNCTION AND OTHER JUNCTIONS ALONG CHESTER ROAD AS NEEDED.**

**THE COUNCIL WILL SEEK TO SECURE SECTION 106 PLANNING AGREEMENTS IN RESPECT OF THOSE MATTERS THAT CANNOT BE SECURED BY WAY OF PLANNING CONDITIONS. THESE MAY INCLUDE ITEMS i), ii), iv), v), vi), vii) AND ix).**

#### **Reasons and Explanations**

- (i)** The Grange Farm allocation is a large site, which will provide land for housing over an extensive time scale.
- (ii)** It is essential that such a site is developed in a comprehensive manner and that each part of the development contributes to the requirements of the whole development.
- (iii)** The provision of a large range of types of housing, including 'affordable housing' is consistent with Government advice.

- (iv) The location of the site will enable the use of sustainable transport modes to take place, especially with the situation of a railway station nearby.
- (v) To ensure that any adverse impact, in term of highways, is highlighted and mitigating measures can be implemented.
- (vi) To ensure that the users of the car park, to be located on the Grange Farm development, are able to cross the main road to the shops safely.

**Policy Derivation**

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) Policies HOU2 and HOU3

## Forest Road, Cuddington

### H4

#### **DEVELOPMENT OF THE FOREST ROAD, CUDDINGTON SITE (H2.01) SHOULD SATISFY THE FOLLOWING REQUIREMENTS:**

- (i) **THE PROVISION OF AN ELEMENT OF AFFORDABLE HOUSING, IN ACCORDANCE WITH POLICY H24,**
- (ii) **THE PROVISION OF FOOTPATH AND CYCLEWAY LINKS TO THE SURROUNDING AREA IN ACCORDANCE WITH POLICIES T9, T11 AND T12,**
- (iii) **THE RETENTION OF ECOLOGICAL SITES AND FEATURES, SUCH AS PONDS, TREES AND HEDGEROWS, IN ACCORD WITH POLICY NE4, TOGETHER WITH ARRANGEMENTS FOR THEIR MAINTENANCE,**
- (iv) **THE PROVISION OF OPEN SPACE IN ACCORDANCE WITH POLICY RT3, TOGETHER WITH LANDSCAPING, INCLUDING "BUFFERS" BETWEEN THE NEW AND EXISTING HOUSING AND ON THE EDGE OF THE SITE, PARTICULARLY ADJACENT TO FOREST ROAD AND CHESTER ROAD, TOGETHER WITH ARRANGEMENTS FOR THEIR MAINTENANCE,**
- (v) **A TRAFFIC IMPACT ASSESSMENT IS UNDERTAKEN,**

**THE COUNCIL WILL SEEK TO SECURE SECTION 106 PLANNING AGREEMENTS IN RESPECT OF THOSE MATTERS THAT CANNOT BE SECURED BY WAY OF PLANNING CONDITIONS. THESE MAY INCLUDE ITEMS i) AND iv).**

#### **Reasons and Explanations**

- (i) This site will contribute to the overall supply of housing land within Vale Royal Borough. It will provide a variety of house types and sizes, which will include 'affordable housing'.
- (ii) It is essential that such a site is developed in a comprehensive manner and that each part of the development contributes to the requirements of the whole development.
- (iii) To ensure that any adverse impact, in terms of highways, is highlighted and mitigating measures can be implemented.

**Policy Derivation**

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) Policies HOU2 and HOU3

## Settlement Hierarchy for Housing Development on Non-allocated Sites

### H5

**THE SCALE OF HOUSING DEVELOPMENT ON SITES NOT ALLOCATED WILL TAKE PLACE IN ACCORDANCE WITH THE FOLLOWING:**

- (i) WITHIN NORTHWICH, WINSFORD, ANDERTON, BARNTON, CUDDINGTON, DAVENHAM, FRODSHAM, HARTFORD, HELSBY, HIGHER WINCHAM, LOSTOCK GRALAM, LOWER MARSTON, LOWER WINCHAM, MOULTON, RUDHEATH, TARPORLEY AND WEAVERHAM - AS SET OUT IN POLICY H6.**
- (ii) WITHIN THE VILLAGES OF LITTLE BUDWORTH, EATON, MARTON/ WHITEGATE, OAKMERE, SWAN GREEN, UTKINTON, COTEBROOK, LACH DENNIS, LOSTOCK GREEN - AS SET OUT IN POLICY H7.**
- (iii) WITHIN THE WASHED OVER GREEN BELT VILLAGES OF CROWTON, DELAMERE, NORLEY, KINGSLEY, COMBERBACH AND SUTTON WEAVER - AS SET OUT IN POLICY H8.**
- (iv) WITHIN THE REMAINDER THE GREEN BELT AND OPEN COUNTRYSIDE - AS SET OUT IN POLICY H9.**

### Reasons and Explanations

- (i) The policy covers non-allocated sites and sets out a hierarchy of settlements and locations to govern the scale of new housing development. The hierarchy reflects the Council's objective of affording development to locations where employment opportunities, shops and other services and facilities (including public transport) are available, thereby reducing the need to travel and reliance on the private car. The hierarchy also acknowledges that some villages can acceptably accommodate limited new housing development which may also assist in maintaining the viability of local services.
- (ii) The infill category of housing development is common to the open countryside and washed over Green Belt villages in (iii) and (iv), although other policies relating to the different categories of development are not common. These two categories of villages need to be identified separately.

### Policy Derivation

PPG3 "Housing"  
Cheshire Replacement Structure Plan (2011) Policy HOU2

**Towns of Northwich and Winsford, Villages of Anderton, Barnton, Cuddington, Davenham, Hartford, Lostock Gralam, Lower Marston, Lower Wincham, Moulton, Rudheath and Tarpорley and the Inset Villages of Frodsham, Helsby, Higher Wincham and Weaverham**

### H6

**WITHIN THE POLICY BOUNDARIES AT NORTHWICH, WINSFORD, ANDERTON, BARNTON, CUDDINGTON, DAVENHAM, HARTFORD, LOSTOCK GRALAM, LOWER MARSTON, LOWER WINCHAM, MOULTON, RUDHEATH, TARPORLEY, FRODSHAM, HELSBY, HIGHER WINCHAM AND WEAVERHAM, APART FROM DEVELOPMENT ON SITES ALLOCATED FOR HOUSING, THE FOLLOWING CATEGORIES OF RESIDENTIAL DEVELOPMENT WILL BE ALLOWED:**

- (i) WINDFALL SITES (REF. POLICY H10);
- (ii) INFILLING (REF. POLICY H11);
- (iii) THE CHANGE OF USE/CONVERSION OF BUILDINGS TO RESIDENTIAL USE (REF. POLICY H12);
- (iv) SUB-DIVISION OF DWELLINGS (REF. POLICY H13);
- (v) ALTERATIONS, IMPROVEMENTS, EXTENSIONS (REF. POLICY H14);
- (vi) REBUILDING/REPLACEMENT OF DWELLINGS (REF. POLICY H17).

#### Reasons and Explanations

- (i) Through its housing land allocations, the Local Plan seeks to concentrate development within and on the edge of Northwich and Winsford. Policy H6 permits housing development on unidentified sites extending up to windfall sites within and on the edge of the main towns and in other settlements, namely Frodsham, Helsby and Tarporley, where there is also a reasonable concentration of services and facilities. Although some villages around Northwich do not have a wide range of services themselves, they have strong connections with the Town which provides an extensive range of services and facilities. This approach is aimed at minimising the need to travel and ensuring that there are opportunities to use more sustainable transport modes to reach services and services as an alternative to the private car.
- (ii) Windfall housing sites will only be permitted where they do not harm the form and character of the settlement. Such developments can often be accommodated on sites which have fallen vacant, are derelict or are under-used. However, the importance of some open spaces within the towns must also be considered and where appropriate, they will be retained.

#### Policy Derivation

PPG1 "General Policies and Principles"  
 PPG3 "Housing"  
 PPG13 "Transport"

### Villages of Little Budworth, Eaton, Marton/Whitegate, Oakmere, Swan Green, Utkinton, Cotebrook, Lach Dennis and Lostock Green

#### H7

**WITHIN THE SETTLEMENT POLICY BOUNDARIES AT LITTLE BUDWORTH, EATON, MARTON/WHITEGATE, OAKMERE, SWAN GREEN, UTKINTON, COTEBROOK, LACH DENNIS AND LOSTOCK GREEN THE FOLLOWING CATEGORIES WILL BE ALLOWED:**

- (i) INFILLING (REF. POLICY H11);
- (ii) THE CHANGE OF USE/CONVERSION OF BUILDINGS TO RESIDENTIAL USE (REF. POLICY H12);
- (iii) SUB-DIVISION OF DWELLINGS (REF. POLICY H13);
- (iv) ALTERATIONS, IMPROVEMENTS AND EXTENSIONS (REF. POLICY H14);
- (v) REBUILDING/REPLACEMENT OF DWELLINGS (REF. POLICY H17);
- (vi) DEVELOPMENT REQUIRED FOR PERSON ENGAGED IN AGRICULTURE OR FORESTRY (REF. POLICY RE7).

## Reasons and Explanations

- (i) These are small villages with limited services and facilities. However, the limited development permitted by the Policy should not place too much pressure on existing services and facilities and may in some instances help to maintain them. The residents of these villages are for the most part dependent on larger villages and towns for the bulk of their success.
- (ii) The open spaces between buildings often provide views out of the village to the open countryside and are as important as the actual buildings to the village scene. In these circumstances, these open features should be retained.

### Policy Derivation

PPG1 "General Policy and Principles"

PPG3 "Housing"

PPG13 "Transport"

## Green Belt Villages of Comberbach, Kingsley, Sutton Weaver, Crowton, Delamere and Norley

### H8

**WITHIN THE WASHED OVER GREEN BELT VILLAGES OF COMBERBACH, KINGSLEY, SUTTON WEAVER, CROWTON, DELAMERE AND NORLEY THE FOLLOWING CATEGORIES WILL BE ALLOWED:**

- (i) **INFILLING (REF. POLICY H11);**
- (ii) **THE CHANGE OF USE/CONVERSION OF BUILDINGS TO RESIDENTIAL USE (REF. POLICY H12);**
- (iii) **SUB-DIVISION OF DWELLINGS (REF. POLICY H13);**
- (iv) **ALTERATION, IMPROVEMENTS AND EXTENSIONS (REF. POLICY H15);**
- (v) **REBUILDING/REPLACEMENT OF DWELLINGS (REF. POLICY H17 AND H19).**

## Reasons and Explanations

- (i) These are small villages with limited services and facilities. However, the limited development permitted by the Policy should not place too much pressure on existing services and facilities and may in some instances help to maintain them. The residents of these villages are for the most part dependent on larger villages and towns for the bulk of their success.
- (ii) The open spaces between buildings often provide views out of the village to the open countryside and are as important as the actual buildings to the village scene. In these circumstances, these open features should be retained.
- (iii) The 'washed over' Green Belt villages have been placed in a different Policy to the villages with defined village policy boundaries within the Open Countryside because of differing categories of residential development permitted within them.

### Policy Derivation

PPG1 "General Policy and Principles"

PPG2 "Green Belts"

PPG3 "Housing"

PPG13 "Transport"

## The Open Countryside and Green Belt Outside Settlement Policy Boundaries

### H9

**WITHIN THE OPEN COUNTRYSIDE AND THE GREEN BELT OUTSIDE THE SETTLEMENT POLICY BOUNDARIES, PROPOSALS FOR NEW DEVELOPMENT WILL NOT BE ALLOWED. AN EXCEPTION MAY BE MADE IN THE FOLLOWING CATEGORIES:**

- (i) **NEW HOUSING DEVELOPMENT REQUIRED FOR A PERSON ENGAGED IN AGRICULTURE OR FORESTRY (REF. POLICY RE7);**
- (ii) **CHANGE OF USE/CONVERSION OF BUILDINGS TO RESIDENTIAL USE WHERE IT MEETS THE CRITERIA IN POLICY GS7;**
- (iii) **THE SUB-DIVISION OF EXISTING DWELLINGS (REF. POLICY H13);**
- (iv) **ALTERATIONS, IMPROVEMENTS AND EXTENSIONS (REF. POLICY H15);**
- (v) **REBUILDING/REPLACEMENT OF DWELLINGS ONLY AS SPECIFIED BY POLICIES H18 AND H19;**
- (vi) **DEVELOPMENT AT REDUNDANT INSTITUTIONS (REF. POLICY PS5).**

#### Reasons and Explanations

- (i) Isolated development often detracts from the appearance of the countryside. It also increases the need to travel and to undertake journeys by the private car in order to reach services and facilities. In this respect it constitutes an unsuitable location for new development.
- (ii) The Local Plan's strategy is to concentrate new development within the main towns and adjacent large villages.
- (iii) To preserve the openness of the Green Belt and to achieve the fulfilment of the five purposes of Green Belts. All development proposals within the Green Belt will be considered against policy GS3.

#### Policy Derivation

PPG1 "General Policy and Principles"

PPG2 "Green Belts"

PPG3 "Housing"

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"

PPG13 "Transport"

## Windfall Sites

### H10

**IN ADDITION TO THOSE SITES ALLOCATED IN THE LOCAL PLAN, PROPOSALS FOR RESIDENTIAL DEVELOPMENT OF SITES WITHIN THE SETTLEMENT BOUNDARIES OF THE TWO MAIN TOWNS AND LARGER VILLAGES, AS DEFINED BY POLICY H6 WILL BE ALLOWED.**

**WINDFALL SITES OVER 0.4 HECTARES SHOULD SATISFY THE FOLLOWING REQUIREMENTS:**

- (i) **THE DEVELOPMENT DOES NOT CAUSE A SIGNIFICANT LOSS OF VALUABLE OPEN SPACE OR OF LAND ALLOCATED FOR ANOTHER USE IN THE LOCAL PLAN;**

- (ii) **THE SITE IS CONVENIENTLY LOCATED WITH REGARD TO PUBLIC TRANSPORT FACILITIES;**
- (iii) **THE DEVELOPMENT IS APPROPRIATE TO THE EXISTING FORM AND CHARACTER OF THE SETTLEMENT.**

**TOGETHER WITH ALLOCATED SITES THEY SHOULD ALSO PROVIDE:**

- (i) **AN ELEMENT OF STRUCTURAL PLANTING, THE LOCATION AND AMOUNT TO BE AGREED WITH THE COUNCIL AND TO BE PROVIDED WITHIN AN AGREED PROGRAMME;**
- (ii) **BOTH FOOTWAYS AND CYCLEWAYS, ALONG WITH CONNECTIONS TO ADJOINING AREAS AND FACILITIES.**

### **Reasons and Explanations**

- (i) The purpose of this policy is to deal with planning applications for housing sites other than those allocated for residential development in the Local Plan.
- (ii) The majority of such cases will be large sites which may come forward during the Plan period and which may be redevelopment sites (these are dealt with in Policy H9).
- (iii) The Borough Council must be satisfied that proper regard has been had to the creation of a high quality living environment which is well related to existing development, public transport and local services and facilities and will be assimilated into the community with a minimum of undesirable effects both in the short and long term.
- (iv) Windfall sites are defined in the Glossary.

### **Policy Derivation**

PPG1 "General Policies and Principles"

PPG3 "Housing"

PPG12 "Development Plans and Regional Planning Guidance"

PPG13 "Transport"

PPG17 "Sport and Recreation"

Cheshire Replacement Structure Plan (2011) Policy GEN1

## **Infilling**

### **H11**

**INFILLING (IE THE FILLING OF A SMALL GAP BY ONE OR TWO HOUSES IN AN OTHERWISE BUILT-UP FRONTAGE) WILL BE ALLOWED IN THE TOWNS, LARGER VILLAGES, SMALLER VILLAGES AND VILLAGES WASHED OVER BY THE GREEN BELT AS DEFINED IN POLICIES H6, H7 AND H8. PROPOSALS MUST MEET THE FOLLOWING CRITERIA:**

- (i) **THE DEVELOPMENT OF AN INFILL SITE WOULD BE APPROPRIATE TO THE EXISTING FORM AND CHARACTER OF THE SETTLEMENT;**
- (ii) **THE DEVELOPMENT DOES NOT UTILISE OPEN SPACES THAT ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT;**
- (iii) **SUFFICIENT PRIVATE GARDEN AREA AND CAR PARKING PROVISION IS AVAILABLE FOR THE NEW DWELLING(S) AND ORIGINAL PROPERTY, WITHOUT LOSS OF PRIVACY.**

## Reasons and Explanations

- (i) Development of one or two dwellings within an existing group of dwellings should not place too much pressure on existing services and facilities and may in some instances help to maintain some rural services.
- (ii) In certain settlements, the open spaces between buildings often provide views out of the village to the open countryside and are as important as the actual buildings to the village scene. In these circumstances these open features should be retained.
- (iii) Infill development should not compromise the availability of private garden space.

### Policy Derivation

PPG3 "Housing"

PPG7 "The Countryside and the Rural Economy"

Cheshire Replacement Structure Plan (2011) Policies GEN1 and GEN3

## Change of Use/Conversion within Settlement Policy Boundaries

H12

**THE CHANGE OF USE/CONVERSION OF A BUILDING TO RESIDENTIAL USE WITHIN A TOWN OR VILLAGE POLICY BOUNDARY DEFINED IN POLICIES H6, H7 AND H8 WILL BE ALLOWED PROVIDED:**

- (i) **THE BUILDING IS STRUCTURALLY SOUND AND PHYSICALLY CAPABLE OF SUCH A USE;**
- (ii) **THE PROPOSED DEVELOPMENT WILL MAKE PROVISION FOR ADEQUATE CAR PARKING AND PRIVATE AMENITY SPACE;**
- (iii) **PERMITTED DEVELOPMENT RIGHTS MAY BE REMOVED WHERE IT IS CONSIDERED THAT FURTHER ALTERATIONS WOULD BE LIKELY TO HAVE AN UNACCEPTABLE IMPACT UPON THE BUILDING OR ITS WIDER SETTING OR ON THE LIVING CONDITIONS OF NEARBY RESIDENTS.**

## Reasons and Explanations

- (i) The restoration or conversion of a building to residential use serves to increase the range of housing and uses buildings which may, in some instances, have otherwise become derelict.
- (ii) To prevent the conversion of a building which may not be suitable for residential use.
- (iii) To ensure that converted buildings do not have a detrimental effect on the character of the area.
- (iv) The Council may withdraw permitted development rights granted by development orders if there is clear evidence that the classes of development excluded would otherwise have serious adverse effects upon the amenity of the area.
- (v) Substantial extensions should not be needed to provide things such as garages and outbuildings.
- (vi) To ensure that a building's character is not lost due to incremental alterations.
- (vii) This policy does not include the conversion of shops to residential use within those areas outlined in Policy STC1 and all smaller villages and residential areas of towns and villages within settlement policy boundaries which are covered by policies STC7, STC11 and STC14, in the Shopping Chapter.

- (viii) The Borough Council, in considering proposals that involve the loss of employment land or employment generating uses or a retail use will assess the proposals against the following policies: E5 for the loss of employment land or uses, or STC1, STC7, STC11 and STC14 for the loss of retail uses.
- (ix) In assessing development proposals, reference will be made to the Council's Standards and Supplementary Planning Guidance published separately.

#### **Policy Derivation**

PPG7 "The Countryside and the Rural Economy"  
Cheshire Replacement Structure Plan (2011) Policy HOU3 and GEN1  
Outdoor Space Standards for New Dwellings, VRBC, 1996

### **Sub-division of Existing Dwellings into Self-contained Residential Units**

#### **H13**

**THE SUB-DIVISION OF EXISTING DWELLINGS FOR RESIDENTIAL PURPOSES WILL BE ALLOWED PROVIDED THAT:**

- (i) IN THE CASE OF A LISTED BUILDING OR WITHIN THE GREEN BELT, OPEN COUNTRYSIDE OR CONSERVATION AREA, THE SUB-DIVISION IS POSSIBLE WITHOUT THE NEED FOR MAJOR ALTERATIONS OR ADDITIONAL NEW BUILDING WHICH WOULD SIGNIFICANTLY ALTER THE APPEARANCE OR CHARACTER OF THE ORIGINAL BUILDING;**
- (ii) THE PROPOSAL ENSURES THAT THE JUXTAPOSITION OF LIVING AND SLEEPING ACCOMMODATION WILL NOT MATERIALLY AFFECT THE AMENITIES OF ADJOINING/NEIGHBOURING DWELLING UNITS;**
- (iii) THE PROPOSED DEVELOPMENT WILL MAKE PROVISION FOR ADEQUATE CAR PARKING AND PRIVATE AMENITY SPACE;**
- (iv) PERMITTED DEVELOPMENT RIGHTS MAY BE REMOVED WHERE IT IS CONSIDERED THAT FURTHER ALTERATIONS WOULD BE LIKELY TO HAVE AN UNACCEPTABLE IMPACT UPON THE BUILDING OR ITS WIDER SETTING OR ON THE LIVING CONDITIONS OF NEARBY RESIDENTS.**

#### **Reasons and Explanations**

- (i) The needs of families change over time. It is sometimes necessary to subdivide large properties into smaller units (for example, where two people have inherited a large family house).
- (ii) The subdivision of a large building may be the only way to economically maintain it and therefore preserve it.
- (iii) To improve the supply of small dwellings, particularly in the rural areas.
- (iv) The impact of any alteration, particularly in the Open Countryside and Green Belt should be minimal.
- (v) In assessing development proposals, reference will be made to the Council's Standards and Supplementary Planning Guidance published separately.
- (vi) Development of such uses will be limited to the type of property capable of accommodating it adequately without detriment to its future occupation, neighbouring properties and the surrounding area in general.

- (vii) The Borough Council may withdraw permitted development rights granted by development orders if there is clear evidence that the classes of development excluded would otherwise have serious adverse effects on the amenity of the area.

**Policy Derivation**

PPG3 "Housing"

Outdoor Space Standards for New Dwellings, VRBC, 1996

**Alterations, Improvements and Extensions to Buildings in Town and Village Policy Boundaries that are not Washed Over by the Green Belt**

**H14**

**PROPOSALS WHICH INVOLVE THE ALTERATION, IMPROVEMENT OR EXTENSION OF AN EXISTING DWELLING AND WHICH REQUIRE PLANNING PERMISSION WILL BE ALLOWED PROVIDED THEY MEET THE FOLLOWING CRITERIA:**

- (i) **PROPOSALS WILL BE DETERMINED IN RELATION TO THE SCALE, SIZE, DESIGN AND MATERIALS OF THE EXISTING PROPERTY, ADJOINING PROPERTIES AND TO THE SETTING;**
- (ii) **THE EXISTING DWELLING MUST IN GENERAL REMAIN THE DOMINANT ELEMENT WITH THE EXTENSION SUBORDINATE TO IT.**

**Reasons and Explanations**

- (i) The needs of families change over time. An extension to a property will often mean that residents can remain in a settlement without the need to move to more suitable accommodation.
- (ii) The character of the original building should be maintained.
- (iii) It is important that alterations and extensions harmonise with the existing building, particularly where they involve locally important features such as materials or detail of design.
- (iv) Proposals should have respect for the existing building, surrounding properties and the rural environment.
- (v) Proposals will be assessed in relation to the Borough Council's Supplementary Planning Guidance "Housing Extensions - A Design Guide".

**Policy Derivation**

PPG1 "General Policies and Principles"

PPG2 "Green Belts"

PPG3 "Housing"

Housing Extensions - a Design Guide, VRBC, 1996

**Alterations, Improvements and Extensions within the Open Countryside and Green Belt (including the Washed Over Green Belt Villages listed in policy H8)**

**H15**

**PROPOSALS WHICH INVOLVE THE ALTERATION, IMPROVEMENT OR EXTENSION OF AN EXISTING DWELLING AND WHICH REQUIRE PLANNING PERMISSION WILL BE ALLOWED PROVIDED THEY MEET THE FOLLOWING CRITERIA:**

- (i) PROPOSALS SHOULD NOT RESULT IN A DISPROPORTIONATE ADDITION OVER AND ABOVE THE SIZE OF THE ORIGINAL DWELLING;**
- (ii) PROPOSALS WILL BE DETERMINED IN RELATION TO THE DESIGN AND MATERIALS OF THE EXISTING PROPERTY, ADJOINING PROPERTIES AND TO THE SETTING OF THE DWELLING.**

### **Reasons and Explanations**

- (i) To ensure that the character of the original building is retained.
- (ii) Proposals should have respect for the existing building, surrounding properties and the rural environment of the open countryside and Green Belt. The Borough Council will therefore refer to its policy guidelines on house extensions when considering applications of this nature (see Supplementary Planning Guidance, produced as a separate document).
- (iii) The size of the original dwelling can be defined as: "That which existed on 1 July 1948 or the dwelling as originally built if this was later."
- (iv) Proposals will be assessed in relation to the Borough Council's Supplementary Planning Guidance - Housing Extensions - A Design Guide.

### **Policy Derivation**

PPG1 "General Policies and Principles"

PPG2 "Green Belt"

PPG3 "Housing"

Housing Extensions - a Design Guide, VRBC, 1996

## **H16**

**WHERE A DWELLING HAS BEEN CREATED BY THE CONVERSION FROM A RURAL BUILDING, APPLICATIONS FOR EXTENSIONS WILL BE JUDGED AGAINST THE FOLLOWING CRITERIA:**

- (i) THE PROPOSED DEVELOPMENT SHOULD BE OF A SMALL SCALE AND SHOULD BE IN HARMONY WITH THE EXISTING BUILDING;**
- (ii) PROPOSALS SHOULD NOT RESULT IN DISPROPORTIONATE ADDITIONS OVER AND ABOVE THE SIZE OF THE ORIGINAL DWELLING;**
- (iii) THE PROPOSAL DOES NOT CONFLICT WITH POLICY BE8, WHERE RELEVANT.**

### **Reasons and Explanations**

- (i) Proposals should have respect from the existing building and the rural environment.
- (ii) It is important that extensions harmonise with the existing building, and that its character is maintained.
- (iii) Substantial extensions should not be needed to provide garages, outbuildings etc.
- (iv) Proposals will be assessed in relation to the Borough Council 45<sup>o</sup> Code (see House Extension Design Guide, in the Supplementary Planning Guidance, available as a separate publication).

### **Policy Derivation**

PPG1 "General Policies and Principles"

PPG2 "Green Belt"

PPG3 "Housing"

PPG7 "The Countryside and the Rural Economy"

## Rebuilding/Replacement of Dwellings in the Towns, Larger and Smaller Villages and Villages Washed Over by the Green Belt as Defined in policies H6 and H8

### H17

**WITHIN THE SETTLEMENT POLICY BOUNDARIES OF THE TOWNS AND VILLAGES LISTED IN POLICIES H6, H7 AND H8 THE REBUILDING OF AN EXISTING DWELLING WILL BE ALLOWED WHERE:**

- (i) IT HELPS TO MAINTAIN A LEVEL OF HOUSING IN A PARTICULAR AREA;**
- (ii) IT BRINGS AN OVERALL IMPROVEMENT TO THE ENVIRONMENT;**
- (iii) THE DEVELOPMENT IS APPROPRIATE TO THE FORM AND CHARACTER OF ITS SURROUNDINGS;**
- (iv) THE DEVELOPMENT MAKES ADEQUATE PROVISION FOR CAR PARKING AND PRIVATE AMENITY SPACE.**

### Reasons and Explanations

- (i) Some of the existing housing stock is in poor state of repair and improvements are necessary if a satisfactory standard is to be maintained.
- (ii) To improve the quality of the environment.
- (iii) To maintain the amenity of the area for existing and future residents.
- (iv) In determining car parking and private amenity space requirements the Council will have regard to its standards (included in the Supplementary Planning Guidance).

### Policy Derivation

PPG3 "Housing"

Outdoor Space Standards for New Dwellings, VRBC, 1996

Housing Investment Strategy

## Rebuilding/Replacement of Dwellings in the Open Countryside and Green Belt outside of Washed Over Green Belt Villages

### H18

**THE REBUILDING AND REPLACEMENT OF AN EXISTING DWELLING BY A NEW DWELLING, IN THE OPEN COUNTRYSIDE OR GREEN BELT OUTSIDE OF WASHED OVER GREEN BELT VILLAGES WILL BE ALLOWED PROVIDED PROPOSALS MEET ALL OF THE FOLLOWING CRITERIA:**

- (i) THE EXISTING DWELLING HAS A SHORT LIFE EXPECTANCY. IT SHOULD HAVE BEEN IN PERMANENT RESIDENTIAL OCCUPATION WITHIN THE 4 YEARS PRIOR TO THE APPLICATION;**
- (ii) THE PROPOSED REPLACEMENT DWELLING SHOULD NOT BE MATERIALLY LARGER THAN THE EXISTING DWELLING AND SHOULD BE APPROPRIATE IN TERMS OF SCALE, SIZE, DESIGN AND MATERIALS TO THE BUILDING'S SETTING;**

- (iii) **THE NEW DWELLING SHOULD BE LOCATED ON THE SAME FOOTPRINT AS THE EXISTING DWELLING EXCEPT WHERE AN ALTERNATIVE LOCATION WOULD REDUCE ANY HARMFUL IMPACT ON THE AMENITY OF THE AREA OR THE LIVING CONDITIONS OF THOSE NEARBY;**
- (iv) **THE PROPOSAL DOES NOT INCLUDE ANY ADDITIONAL SEPARATE BUILT DEVELOPMENT, SUCH AS GARAGES, WHICH WOULD ADVERSELY AFFECT THE OPENNESS OF THE OPEN COUNTRYSIDE OR GREEN BELT;**
- (v) **THE NEW DWELLING MUST HAVE NO MATERIALLY GREATER IMPACT ON THE OPEN NATURE OF THE GREEN BELT OR OPEN COUNTRYSIDE THAN THE EXISTING DWELLING;**
- (vi) **PUBLIC SERVICES AND UTILITIES ARE AVAILABLE ON THE SITE.**

#### **Reasons and Explanations**

- (i) In submitting planning applications, developers will be required to submit evidence which demonstrates that the dwelling is incapable of being refurbished in its present condition to a suitable standard. A structural survey of the dwelling will be necessary.
- (ii) To prevent the replacement of the existing dwellings with those which are harmful to the Green Belt or open countryside in terms of size, scale, setting and design.
- (iii) To preserve the openness of the Green Belt or open countryside.
- (iv) To ensure that the openness of the open countryside or Green Belt is not compromised by the development of additional free-standing buildings such as garages.
- (v) To reduce pressure on limited services and facilities.
- (vi) To improve the appearance of the local environment.

#### **Policy Derivation**

PPG2 "Green Belts"

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) Policy GEN3

#### **H19**

**THE REPLACEMENT OF A DWELLING THAT HAS ALREADY BEEN DEMOLISHED ON A SITE IN THE OPEN COUNTRYSIDE OR IN THE GREEN BELT, WILL NOT BE ALLOWED.**

#### **Reasons and Explanations**

- (i) To prevent the replacement of dwellings which have already been demolished or which would perpetuate sporadic development in the open countryside or Green Belt.
- (ii) To preserve the openness of the open countryside or Green Belt.

#### **Policy Derivation**

PPG2 "Green Belts"

PPG3 "Housing"

Cheshire Replacement Structure Plan (2001) Policy ENV3

## Extensions to Residential Curtilages in the Open Countryside and the Green Belt

### H20

**WITHIN THE OPEN COUNTRYSIDE AND THE GREEN BELT PROPOSALS FOR THE EXTENSION OF RESIDENTIAL CURTILAGES WILL NOT BE ALLOWED. EXCEPTIONS WILL ONLY BE MADE IN THE OPEN COUNTRYSIDE AND WITHIN THE POLICY BOUNDARIES OF VILLAGES THAT ARE 'WASHED OVER' BY THE GREEN BELT, WHERE A SMALL SCALE EXTENSION, EG THE 'ROUNDING OFF' OF A GARDEN BOUNDARY, IS PROPOSED. EXTENSIONS INTO THE GREEN BELT, OUTSIDE A POLICY BOUNDARY WILL NOT BE ALLOWED.**

#### Reasons and Explanation

- (i) To protect the open countryside and the Green Belt from inappropriate development.
- (ii) To preserve the open character of the Green Belt.
- (iii) To prevent the loss of important gaps between settlements.

#### Policy Derivation

PPG2 "Green Belts"

## Density

### H21

**THE DENSITY AT WHICH HOUSING DEVELOPMENT IS ALLOWED TO TAKE PLACE WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:**

- (i) **THE CHARACTER OF THE SITE'S SURROUNDINGS INCLUDING THE SURROUNDING SETTLEMENT PATTERN;**
- (ii) **THE CHARACTERISTICS OF THE DEVELOPMENT SITE ITSELF;**
- (iii) **THE SUSTAINABILITY BENEFITS OF HIGHER DENSITIES IN AND AROUND TOWN CENTRES AND OTHER LOCATIONS HIGHLY ACCESSIBLE BY PUBLIC TRANSPORT;**
- (iv) **THE SUSTAINABILITY DISBENEFITS OF LOW DENSITIES.**

#### Reasons and Explanation

- (i) To ensure that new development respects its context. The extent to which new housing responds to its local context depends not only upon density, but also in the design of the houses and the space about them including the design of roads and footpaths.
- (ii) The density at which new housing is built can have a significant effect on the requirement for housing land. The Government committed in particular to making the best use of land within urban areas. Such an approach must not however be at the expense of good urban design or result in the loss of important open space.

#### Policy Derivation

PPG1 "General Policies and Principles"

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) GEN1 and GEN3

## Backland Development

### H22

**PROPOSALS FOR BACKLAND DEVELOPMENT WILL BE ALLOWED PROVIDED THEY SATISFY THE FOLLOWING CRITERIA WHERE APPROPRIATE:**

- (i) WHERE THE PROPOSAL INCLUDES LAND WHICH FORMS PART OF A NUMBER OF BACK GARDENS IT SHOULD PROVIDE FOR THE COMPREHENSIVE REDEVELOPMENT OF THE WHOLE AREA, WITH A SINGLE STREET ACCESS;**
- (ii) THE PROPOSED DEVELOPMENT DOES NOT REQUIRE ACCESS IMPROVEMENTS WHICH INVOLVE THE LOSS OF TREES WHICH CONTRIBUTE TO THE CHARACTER OF THE AREA OR THE INTRODUCTION OF INCONGRUOUS VISIBILITY SPLAYS;**
- (iii) ACCESSWAYS TO THE REAR SHOULD NOT CAUSE ANY UNACCEPTABLE HARM TO NEARBY RESIDENTS VISUALLY OR BY WAY OF NOISE OR OTHER DISTURBANCE;**
- (iv) WHERE DEVELOPMENTS PROPOSE A SHARED ACCESS, DRIVEWAYS SHOULD BE WIDE ENOUGH AT THE ENTRANCE FOR TWO VEHICLES TO PASS AND SHOULD PROVIDE PASSING PLACES AND A TURNING FACILITY FOR SERVICE VEHICLES;**
- (v) NEW DWELLINGS SHOULD NOT BE POSITIONED SO CLOSE TO THE PLOT BOUNDARY THAT THE DWELLING DOMINATES THE EXISTING ADJACENT GARDEN;**
- (vi) WINDOWS IN THE NEW DWELLING SHOULD NOT RESULT IN ANY UNACCEPTABLE LOSS OF PRIVACY FOR THOSE LIVING NEARBY;**
- (vii) THE PROPOSAL WOULD NOT RESULT IN THE LOSS OF ATTRACTIVE BOUNDARY FEATURES, SUCH AS HEDGES AND WALLS;**
- (viii) THE CHARACTER OF THE AREA WOULD NOT BE ADVERSELY AFFECTED BY THE PROPOSED DEVELOPMENT;**
- (ix) ADEQUATE PROVISION SHOULD BE MADE FOR PRIVATE AMENITY SPACE;**
- (x) ADEQUATE CAR PARKING PROVISION SHOULD BE MADE AS PART OF THE DEVELOPMENT.**

### Reasons and Explanations

- (i) To achieve a comprehensive development scheme for an area, rather than unsatisfactory piecemeal development.**
- (ii) To lessen disturbance from the coming and going of vehicles to new dwellings.**
- (iii) To avoid loss of privacy.**
- (iv) To protect the character of an area.**
- (v) It is important that new housing developments have sufficient public open space, to protect the amenity of residents.**

- (vi) Tandem Development is generally unsatisfactory because of the difficulties of access to the house at the back and the disturbance and lack of privacy suffered by the house at the front and adjoining dwellings. There are also problems of providing adequate space between the buildings - both old and new - to allow enough light and avoid spoiling the amenity of the adjoining houses because of the overlooking and increased activity which may occur. In the exceptional circumstances where Tandem Development is approved, the policy aims to ensure that it will not have an adverse impact on the character of the surrounding area.
- (vii) The Council will have regard to Planning Committee Reports P145/88/89 and P107/92/93 on Tandem Development and PD138/83 on The Crescent, Hartford when deciding planning applications for tandem development.
- (viii) In determining car parking and private amenity space requirements, the Borough Council will have regard to the standards contained in Supplementary Planning Guidance.

#### Policy Derivation

PPG3 "Housing"

Vale Royal Borough Council Committee Reports P107/92/93 and P145/88/89 regarding Tandem Development

Vale Royal Borough Council Committee Report PD138/83 regarding Development in The Crescent, Hartford

Outdoor Space Standards for New Dwellings, VRBC, 1996

### Sites for Affordable Housing in the Green Belt/Open Countryside

#### H23

**IN ORDER TO HELP MEET LOCAL HOUSING NEEDS THE BOROUGH COUNCIL MAY EXCEPTIONALLY, ON SITES NOT OTHERWISE CONSIDERED SUITABLE, PERMIT RESIDENTIAL DEVELOPMENT WHICH CAN BE DEMONSTRATED TO MEET A PARTICULAR IDENTIFIED LOCAL NEED THAT CANNOT BE ACCOMMODATED IN ANY OTHER WAY.**

**WITHIN OR IMMEDIATELY ADJACENT TO THE POLICY BOUNDARIES OF THE VILLAGES LISTED IN POLICIES H7 AND H8, AND WITHIN OR IMMEDIATELY ADJACENT TO THE BUILT-UP PART OF VILLAGES WHICH HAVE NO DEFINED POLICY BOUNDARY, RESIDENTIAL SCHEMES WHOSE OCCUPATION CAN BE CONTROLLED IN THE LONG TERM MAY BE PERMITTED. TO BE CONSIDERED FAVOURABLY ANY PROPOSAL MUST BE DEMONSTRATED TO BE ECONOMICALLY VIABLE AND TO BE CAPABLE OF PROPER MANAGEMENT BY, FOR EXAMPLE, A HOUSING ASSOCIATION, VILLAGE TRUST OR SIMILAR LOCAL ORGANISATION. PROPOSALS TO CONSTRUCT DWELLINGS OFFERING A DISCOUNTED INITIAL PURCHASE PRICE ONLY WILL NOT BE CONSIDERED TO BE WITHIN THE POLICY.**

#### Reasons and Explanations

- (i) This Policy applies to what are known as "exceptions sites" in PPG3.
- (ii) "Affordable Housing" is defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the free housing market. It will be necessary to demonstrate that the housing will be genuinely available at an affordable price for the target group. Arrangements should be put in place to ensure that such properties remain affordable in perpetuity. Whilst a variety of tenures may be acceptable, cross subsidy as a means of implementation will not be acceptable in the Open Countryside or Green Belt.

- (iii) To ensure that occupancy would be limited to local people with a genuine reason for wishing to remain in the community or returning to the community, for example, family ties and/or work, but without the means to provide any form of accommodation for themselves. For the purposes of this policy "local" is defined as meaning the Parish in which the site is located or immediately adjoining parishes.
- (iv) To ensure that the dwellings should remain available to such people in the long term and should not be available on the open market in any way; this will prevent the dwellings reaching their true market value which would once more put them beyond the reach of those for whom they were intended.
- (v) To ensure the continuing availability of these dwellings and indeed continuing commitment to managing the scheme, and to ensure that the properties are not subject to the right to buy legislation or capable of staircasing to full ownership.
- (vi) This Policy applies to the Open Countryside and the Green Belt, where such development is not generally allowed. This policy of not allowing new development in the Open Countryside or in the Green Belt, outside the villages or within the villages listed in Policies H7 and H8 remains unchanged.
- (vii) To ensure that sites which come forward are not in isolated locations but well related to the framework of the settlement. The Borough Council will aim to secure development on sites immediately adjacent to villages or within the villages listed in Policies H7 and H8.

**Policy Derivation**

PPG2 "Green Belts"

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) Policy HOU3

## Sites for Affordable Housing on Residential Developments

### H24

**WHEN DETERMINING APPLICATIONS FOR RESIDENTIAL DEVELOPMENT, THE BOROUGH COUNCIL WILL SEEK TO NEGOTIATE FOR THE PROVISION OF AFFORDABLE HOUSING ON SUITABLE SITES AS FOLLOWS:**

- (A) WITHIN THE SETTLEMENT POLICY BOUNDARIES OF BARNTON, CUDDINGTON, FRODSHAM, HARTFORD, HELSBY, NORTHWICH, RUDHEATH, WEAVERHAM AND WINSFORD, DEVELOPMENTS OF 25 OR MORE DWELLINGS, OR RESIDENTIAL SITES OF 1 OR MORE HECTARES IRRESPECTIVE OF THE NUMBER OF DWELLINGS; AND**
- (B) ELSEWHERE IN THE DISTRICT, DEVELOPMENTS OF 15 OR MORE DWELLINGS, OR ON RESIDENTIAL SITES OF 0.5 HECTARE IRRESPECTIVE OF THE NUMBER OF DWELLINGS.**
- (i) SUCH AFFORDABLE HOUSING WILL BE EXPECTED TO COMPRISE:**
  - (a) AN AGREED NUMBER OF UNITS TO BE PROVIDED BY THE DEVELOPER OR IN PARTNERSHIP WITH A REGISTERED SOCIAL LANDLORD; OR**
  - (b) A PORTION OF THE SITE TO BE DEDICATED FOR PROVISION OF AFFORDABLE UNITS BY A REGISTERED SOCIAL LANDLORD.**
- (ii) IN ASSESSING SITE SUITABILITY AND THE APPROPRIATE NUMBER OF UNITS/PROPORTION OF THE SITE REQUIRED, THE BOROUGH COUNCIL WILL ALSO MAKE REFERENCE TO:**

- (a) **EVIDENCE OF LOCAL NEED;**
  - (b) **SITE CHARACTER AND GROUND CONDITIONS;**
  - (c) **THE PREVAILING HOUSING MARKET CHARACTERISTICS.**
- (iii) **ON ALL RURAL EXCEPTION SITES AND ON OTHER SITES WHERE AFFORDABLE HOUSING IS PROVIDED FOR RENT, BUT NOT UNDER THE CONTROL OF A REGISTERED SOCIAL LANDLORD, THE COUNCIL WILL EXPECT THE DEVELOPER TO ENTER INTO A SECTION 106 AGREEMENT TO ENSURE THAT SUCH UNITS REMAIN AVAILABLE AS AFFORDABLE HOUSING IN PERPETUITY.**

### Reasons and Explanations

- (i) To ensure that residential developments within town and village policy boundaries contribute to the amount of affordable housing which is available in the Borough. It is acknowledged that affordable housing should be provided on suitable sites and there may be certain circumstances where it is not appropriate because this would prejudice the realisation of other planning objectives that need to be given priority in the development of the site.
- (ii) Affordable housing is defined in the Reasons and Explanations of Policy H23.
- (iii) To ensure that such housing remains affordable in the long term and that it does not become subject to the right to buy legislation or capable of staircasing to full ownership.
- (iv) The type and tenure of housing will be a matter for negotiation between the Borough Council and the developer.
- (v) Both low cost market housing and subsidised housing can provide affordable housing opportunities.
- (vi) The Council's Housing Needs Survey carried out in 1998 indicated that between 1998 and 2001, 3700 new households would be formed. It was estimated that the demand for affordable housing ranged from 1870 to 2100 dwellings if the demand from owner occupiers living in inadequate accommodation was taken into account. Although it was estimated that Council lettings would meet this requirement numerically, there remained a mismatch between the size of accommodation needed and the size available and its location. This mismatch led to a need for approximately 260 affordable dwellings over those 3 years, which over the 10 year Plan period would result in a need for approximately 866 dwellings. It is anticipated that the Housing Corporation will only provide funding for around 20-30 dwellings per year. Therefore, projecting housing need for social housing to the end of the Local Plan period, it is considered appropriate to require that at least 10% of all new housing (on suitable sites falling within the thresholds set out in the policy) is affordable housing. This would result in at least 50 units (or equivalent) each year. The provision of affordable housing in the Borough will be monitored. It is anticipated that an updated housing needs survey for the Borough will be carried out in 2001, which will further inform the implementation of this policy.
- (vii) In respect of paragraph (i)(b) of the Policy, the Council will only accept the dedication of land to a registered social landlord where there was certainty of the provision taking place through funds being available within a reasonable amount of time.

### Policy Derivation

PPG3 "Housing"

Cheshire Replacement Structure Plan (2011) Policy HOU3

## Private Residential Homes

### H25

**PROPOSALS FOR THE CHANGE OF USE OF A BUILDING TO A PRIVATE RESIDENTIAL HOME (INCLUDING NURSING HOMES) OR REDEVELOPMENT OF A SITE TO PROVIDE SIMILAR ACCOMMODATION WILL ONLY BE ALLOWED WHERE THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) THE BUILDING IS DETACHED AND OF ADEQUATE SIZE FOR THE USE PROPOSED;**
- (ii) THERE IS AN ADEQUATE ACCESS AND SUFFICIENT SPACE FOR OFF STREET PARKING AND GARDEN AREA FOR THE AMENITY OF RESIDENTS;**
- (iii) THE PROPOSED DEVELOPMENT SHOULD BE CONVENIENTLY LOCATED FOR LOCAL SHOPS, SERVICES AND PUBLIC TRANSPORT FACILITIES;**
- (iv) THE PROPOSED DEVELOPMENT SHOULD BE SITUATED ON A LEVEL SITE AND SHOULD PROVIDE FOR THE NEEDS OF PEOPLE WITH DISABILITIES;**
- (v) IT DOES NOT CONFLICT WITH THE RELEVANT POLICIES IN THE BUILT ENVIRONMENT, NATURAL ENVIRONMENT AND GENERAL STRATEGY CHAPTERS.**

### Reasons and Explanations

- (i) Private Residential Homes are defined in the Glossary.
- (ii) Recent Government initiatives to promote "Care in the Community" have resulted in considerable demand for changes of use of dwellings to Private and Residential Homes. It is necessary to ensure that only suitable buildings in adequate grounds are used.
- (iii) To protect the amenity of residents and visitors and in the interest of highway safety.
- (iv) To retain the character of the building and grounds.
- (v) To reduce the need for journeys to be taken by private transport.

### Policy Derivation

PPG1 - "General Policies and Principles"

PPG13 - "Transport"

Cheshire Replacement Structure Plan (2001) Policy ENV1

## Static Residential Caravan Sites

### H26

**PLANNING APPLICATIONS FOR RESIDENTIAL CARAVANS WILL BE TREATED IN THE SAME WAY AS APPLICATIONS FOR NEW HOUSING DEVELOPMENT. WHERE AN APPLICATION FOR SUCH DEVELOPMENT IS APPROVED, THE DEVELOPMENT SHOULD NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED IN THE BUILT ENVIRONMENT AND NATURAL ENVIRONMENT CHAPTERS.**

### Reasons and Explanations

- (i) A considerable number of static caravan sites currently exist within the Borough.
- (ii) Residential caravans require all the facilities necessary for permanent residential development and, therefore, should be treated in the same way.

- (iii) To protect the amenity of residents.

#### **Policy Derivation**

PPG3 - "Housing"

Cheshire Replacement Structure Plan (2001) Policy H9

### **Caravan Sites for Gypsies**

#### **H27**

**PROPOSALS FOR THE PROVISION OF GYPSY SITES WILL ONLY BE ALLOWED WHERE THE FOLLOWING CRITERIA ARE MET:**

- (i) **THE SITE SHOULD HAVE A REASONABLE ACCESS TO SHOPS, SCHOOLS, MEDICAL FACILITIES, PUBLIC TRANSPORT AND OTHER ESSENTIAL SERVICES;**
- (ii) **ACCESS TO, AND LAYOUT OF, THE SITE ARE TO BE DESIGNED SO AS TO NOT HAVE A DETRIMENTAL EFFECT ON THE VISUAL AMENITY OF THE AREA;**
- (iii) **THE SITE SHOULD NOT BE LOCATED IN AN AREA OF SPECIAL COUNTY VALUE OR IN THE GREEN BELT;**
- (iv) **THE DEVELOPMENT SHOULD NOT BE DETRIMENTAL TO THE SURROUNDING AREA NOR RESULT IN A LOSS OF AMENITY TO ADJACENT PROPERTIES;**
- (v) **THE FRINGE OF THE SITE SHOULD BE EXTENSIVELY LANDSCAPED;**
- (vi) **IT SHOULD NOT BE SITED NEAR SUBSTANTIAL NUMBERS OF EXISTING OR PROPOSED DWELLINGS;**
- (vii) **THE SITE SHOULD BE SUITABLE FOR GYPSIES TO CARRY ON THEIR REGULAR TRADES;**
- (viii) **IT SHOULD BE DEMONSTRATED THAT THERE IS SUFFICIENT NEED FOR A NEW SITE IN A PARTICULAR AREA;**
- (ix) **IF PUBLIC UTILITY SERVICES ARE REQUIRED THEY MUST BE AVAILABLE AND CAPABLE OF ACCOMMODATING THE DEVELOPMENT PROPOSED;**
- (x) **PROPOSALS FOR BUILT DEVELOPMENT WILL BE CONSIDERED IN TERMS OF THEIR SCALE, DESIGN AND MATERIALS USED.**

#### **Reasons and Explanations**

- (i) The Borough Council recognises that gypsies travel through the Borough, and will refer to the Gypsy Policy produced by Cheshire County Council when determining applications.
- (ii) To prevent the costly provision of additional services.
- (iii) The Borough Council will refer to the Department of the Environment, Transport and the Region's Gypsy Site Design Guide when considering applications for private sites.
- (iv) The Borough Council consider that Areas of Special County Value should be protected.
- (v) To ensure that the open character of the Green Belt is retained.

- (vi) The site should not adversely affect the amenities of existing or proposed dwellings.
- (vii) Government Policy, in the form of the Criminal Justice and Public Order Act (1994), included a provision which repealed the duty under section 6 of the Caravan Sites Act 1968 for Local Authorities to provide caravan sites for gypsies. In future gypsies will have to apply for planning permission for sites themselves. This policy provides the basis for the Borough Council to determine such applications.
- (viii) The need for a new gypsy site can be demonstrated by the provision of information on the availability of alternative pitches and the existence of waiting lists for established sites.
- (ix) A gypsy site is already established on land at Rilshaw Lane, Winsford.

**Policy Derivation**

Circular 1/94 "Gypsy Sites and Planning"

Circular 18/94 "Gypsy Sites policy and Unauthorised Camping"

Cheshire Replacement Structure Plan (2011) Policy HOU6

**H28**

**TRANSIT GYPSY SITES MUST SATISFY THE REQUIREMENTS OF POLICY H27 AND, IN ADDITION:**

- (i) **THEY MUST BE ON PRIMARY ROUTES THROUGH THE BOROUGH WHICH CORRESPOND WITH THE PRINCIPLE MOVEMENT OF GYPSIES IN TRANSIT.**

**Reasons and Explanations**

- (i) The primary routes along which gypsies travel are identified in Cheshire County Council's Gypsy Policy.

**Policy Derivation**

Circular 1/94 "Gypsy Sites and Planning"

Circular 18/94 "Gypsy Sites Policy and Unauthorised Camping"

Cheshire Replacement Structure Plan (2001) Policy H8

**Show Person's Sites**

**H29**

**PROPOSALS FOR THE DEVELOPMENT OF LAND FOR SHOW PERSONS SITES WILL BE ALLOWED SUBJECT TO THE FOLLOWING CRITERIA:**

- (i) **THE PROPOSAL SHOULD NOT CONFLICT WITH POLICY H27 OR WITH THE RELEVANT POLICIES CONTAINED IN THE BUILT ENVIRONMENT AND NATURAL ENVIRONMENT CHAPTERS;**
- (ii) **THE SITE SHOULD NOT BE LOCATED IN AN AREA OF SPECIAL COUNTY VALUE OR IN THE GREEN BELT;**
- (iii) **THE PROPOSED SITE SHOULD BE REASONABLY FLAT AND HAVE GOOD VEHICULAR ACCESS;**
- (iv) **THERE SHOULD BE GOOD ACCESS TO THE MAIN HIGHWAY NETWORK;**
- (v) **PLANS FOR THE DEVELOPMENT OF A SITE SHOULD IDENTIFY WHERE CARAVANS AND FAIRGROUND EQUIPMENT WILL BE STORED AND THE HOURS DURING WHICH IT WILL BE TESTED. THIS SHOULD BE AGREED WITH THE BOROUGH COUNCIL.**

### **Reasons and Explanations**

- (i) To protect the amenity of nearby residents.
- (ii) The Borough Council consider that Areas of Special County Value should be protected.
- (iii) To ensure that the open character of the Green Belt is retained.
- (iv) To ensure that Show People have adequate and appropriate sites for residential accommodation and storage of their equipment.
- (v) A showperson's site is already well established on land at Bradford Road, Winsford.

### **Policy Derivation**

Circular 22/91 "Travelling Show People"

## IMPLEMENTATION

The role of the Borough Council, within housing policy implementation, will be one of an enabler to the actions and involvement of others. The Borough Council will work in co-operation with, and provide the framework for contributions from the private sector, Housing Associations and other voluntary bodies for housing provision.

The provision of new housing for sale will be carried out primarily by the private sector. The Borough Council will ensure an adequate supply of land for new housing through the identification and allocation of land in accordance with the strategy of the Plan and its policies and the general land use planning system; and through the maintenance of a register of potential sites for development.

The Borough Council will encourage the increasing role of Housing Associations in meeting the requirements of the Borough for new housing, low cost housing, affordable housing, shared ownership housing, homes for rent and the conversion of existing properties to housing units. The Council may enable Housing Associations to develop housing through the purchase and maintenance of a land bank, the provision of grants and subsidies and the provision of advice and encouragement.

Direct involvement in the provision of new housing by the Borough Council is limited by governmental financial constraints. It will however seek to meet those housing requirements which are not met by the private housing market such as elderly person's accommodation or shared ownership homes.

The Borough Council will seek to co-ordinate housing policies within Vale Royal through the production of housing strategies. The strategies will demonstrate the involvement of the public and private sector in housing provision and improvement, and identify resources which are potentially available from the Borough Council and external sources to meet the local housing need.

The Housing Investment Strategy has for over 10 years been the channel by which central government allocates capital resources for Local Authority housing investment. The level of funding available to Local Authorities under this programme is based on the three year strategy illustrating the needs for housing in the authority and a programme submission and bid for additional resources controlled by the Department of the Environment. The Borough Council will seek to undertake a multifaceted role through enabling the provision of social housing in conjunction with Housing Associations, maintaining and improving the quality of the Council's housing stock via environmental improvements and modernisation, and investment in older private sector housing, thereby increasing the amount and quantity of private rented housing.

The Borough Council will also seek government funding from schemes such as Estate Action (for environmental improvements), Rural Housing, English Partnerships (in relation to specific properties), the Green House Programme (for insulation and modernisation) and the Single Regeneration Budget (Northwich and Winsford).

The Borough Council will undertake the production of Development Briefs for some large sites allocated for housing development, to secure the principles of the Plan and its policies. Focus will be placed on the provision of a variety of house types to ensure the inclusion of low cost housing, whilst also addressing highway standards, ecology and landscape protection and community facility provision. Borough Council and Central Government guidelines for housing standards such as "Secured by Design" and "Care in the Community" will also be applied.

## ENVIRONMENTAL APPRAISAL

### Global Environment

The Borough Council's obligation to provide for new housing requirements can be seen as having a negative effect on the global environment. The construction of new dwellings and associated infrastructure, the use of new buildings and the travel generated to and from them will involve the use of fossil fuels. New houses are, however, increasingly energy efficient. Their location within existing settlements close to a range of services will permit the use of public transport, cycling and walking as an alternative to using the private car and minimise the need to travel. These factors are aimed to minimise transport emissions.

### Use of Natural Resources

New build housing development has a number of negative impacts in relation to the use of natural resources. An increase in travel to and from the site during and after construction will lead to vehicle emissions and a reduction in air quality. There will also be an increase in the use of fossil fuel through energy use in dwellings which will also reduce air quality. Minerals will be used in construction although the recycling of building material is encouraged. Demand on water supply will increase and additional waste will be produced. Allocated housing sites predominantly involve the use of undeveloped land and there is potentially a threat to wildlife habitats and trees. The Borough Council through housing and other policies will safeguard these interests.

### Local Environment

New development on allocated "greenfield" sites will result in change to landscape character and the loss of what may have been open countryside. Such sites will, however, adjoin existing settlements and will be seen in this context.

Development is required to be of a high standard in terms of building design, layout and landscaping and be compatible with the character of its surroundings. Larger developments will also provide public open space and provide good accessibility for pedestrians and cyclists. A range of housing type is catered for including affordable housing providing greater access to the housing market and an improved quality of life for those residents.



## INTRODUCTION

This chapter seeks to encourage economic growth and ensure it is located and designated in accordance with objectives given in Chapter 2.

Of particular relevance to employment policies are the policy objectives contained on page 12 and summarised as follows:

- (a) To maintain a varied portfolio of employment sites to cater for all types and sizes of businesses, and to provide a choice of development opportunities for future investors.
- (b) To provide for diversification of the rural economy and to enable rural residents to work close to their homes.
- (c) To encourage the reclamation of derelict land.
- (d) To require high standards of layout, landscaping and building design in employment areas.

An adequate supply of employment land is a high priority for the Borough Council, reflecting its commitment to economic development and the creation of job opportunities within the Borough. The amount of land needed is established in the Cheshire Replacement Structure Plan "Cheshire 2011" as about 13 hectares per annum.

A detailed breakdown of Structure Plan requirements and how they will be met is given in the box below.

In accordance with the strategy contained in Chapter 2, new employment developments will be encouraged in locations which relate well to the existing population, i.e. primarily around the Borough's main urban areas of Northwich and Winsford.

Vale Royal is favourably positioned in relation to key national transport links such as the M6, the West Coast Railway Line and Manchester Airport. Vale Royal Borough is located within 30 minutes drive of Manchester Airport and therefore provides an excellent opportunity for business to capitalise on the growth of the airport. The Borough also benefits from its attractive setting in unspoilt Cheshire countryside. The Plan seeks to use these strengths to maximum advantage, for the benefit of the Borough's Local economy.

Land Requirements		Land Supply	
Structure Plan requirements (excluding retail)	13.3 ha p/a	Total land supply (allocations brought forward from 1992 Adopted Vale Royal Borough Local Plan, new allocations and commitments)	140.99
Total Requirement 1996-2006 (10 Years)	133 ha	Completed 96-Sept 99	36.01
<b>Totals</b>	<b>133 ha</b>	<b>Totals</b>	<b>177 ha</b>

### General Requirements for Employment Use

#### E1

ALL DEVELOPMENT FOR EMPLOYMENT PURPOSES SHOULD MEET THE FOLLOWING REQUIREMENTS:

- (i) IT SHOULD NOT HAVE A DETRIMENTAL EFFECT ON THE AMENITIES OF PEOPLE WHO LIVE NEARBY;
- (ii) WHERE APPROPRIATE, IT SHOULD HAVE ADEQUATE SPACE FOR THE MANOEUVRING AND LOADING/UNLOADING OF VEHICLES WITHIN THE SITE;
- (iii) IT SHOULD HAVE ADEQUATE SPACE WITHIN THE SITE TO ACCOMMODATE SATISFACTORILY ALL EXTERNAL STORAGE. OUTSIDE STORAGE AREAS SHOULD BE SCREENED FROM PUBLIC VIEW;
- (iv) IT SHOULD PROVIDE APPROPRIATE LANDSCAPING IN ACCORDANCE WITH POLICY NE9;
- (v) WHERE DEVELOPMENT, BECAUSE OF ITS SIZE, WOULD BE LIKELY TO HAVE A SIGNIFICANT IMPACT ON ITS SURROUNDINGS THE COUNCIL WILL LOOK TO SUBSTANTIAL TREE PLANTING AS A MEANS OF ASSIMILATING THAT NEW DEVELOPMENT INTO ITS SURROUNDINGS;
- (vi) IT SHOULD HAVE ACCESS TO PUBLIC TRANSPORT AND WHEREVER POSSIBLE, SHOULD HAVE ACCESS TO THE EXISTING RAIL NETWORK;
- (vii) THE ORIENTATION AND FORM OF DEVELOPMENT HAS DUE REGARD TO THE PROMOTION OF ENERGY EFFICIENCY.

#### Reasons and Explanations

- (i) The impact of new employment development (including extensions and the change of use of buildings or of land) must not be unacceptable in terms of its effect on nearby land uses, particularly on any adjoining residential areas. This applies equally to all new developments, from small businesses working from home to large new industrial estates.
- (ii) The less neighbourly aspects of industrial development, such as external storage, manoeuvring vehicles, employee car parking and noise nuisance, should be contained within the site.

- (iii) Landscaping should not be overlooked, particularly in connection with proposals for extensions, redevelopment or changes of use. All development proposals, whatever their size, should improve the local environment, in proportion to the scale of the proposals.
- (iv) Development on large sites should proportionately enhance the natural environment. Vale Royal seeks in particular to increase its woodland cover substantially over the next few decades. Large employment sites can make a significant contribution to this objective. The resulting improvement to the quality of the local environment will benefit everyone, including businesses, for whom a pleasant setting can be a competitive advantage.
- (v) In cases where a site is known or suspected to be contaminated applicants will need to make particular reference to policy P6 which details the requirements for site investigations.

#### **Policy Derivation**

Cheshire Replacement Structure Plan (Cheshire 2011) Policy GEN3  
The Mersey Forest Plan

### **Existing Non-Conforming Uses**

#### **E2**

**PERMISSION WILL BE GRANTED FOR PROPOSALS THAT RELOCATE EXISTING UNNEIGHBOURLY USES TO ESTABLISHED EMPLOYMENT AREAS.**

#### **Reasons and Explanations**

- (i) Where the use of a piece of land or buildings is in conflict with the general character of the area, and causes amenity problems as a result, its relocation to a more suitable site will be encouraged.
- (ii) In villages and rural areas in particular, there can be pressure to regard business activities as non-conforming uses. However, local employment opportunities are essential for a healthy community, particularly in villages. It is also the traditional nature of smaller settlements that a diversity of land uses co-exist in close proximity. Pressure to regard such uses as non-conforming will be strongly resisted.

#### **Policy Derivation**

PPG4 "Industrial and Commercial Development and Small Firms"

### **Redevelopment of Employment Land for Employment Purposes**

#### **E3**

**THE REDEVELOPMENT OF BUSINESS, INDUSTRIAL OR WAREHOUSING PREMISES FOR EMPLOYMENT PURPOSES WILL BE PERMITTED PROVIDED THAT:**

- (i) **THE REDEVELOPMENT DOES NOT, COMPARED WITH THE EXISTING USE, MATERIALLY WORSEN THE IMPACT ON THE ENVIRONMENT OF THE SITE AND ITS SURROUNDINGS. WHERE THE EXISTING USE HAS AN UNACCEPTABLE IMPACT ON THE ENVIRONMENT OF THE SITE AND THE SURROUNDING AREA A NEW DEVELOPMENT WILL BE EXPECTED TO SECURE AN OVERALL IMPROVEMENT; AND**

- (ii) **THE REDEVELOPMENT IS SENSITIVE TO ADJOINING LAND USES AND BUILT DEVELOPMENT AND INCLUDES MEASURES TO MITIGATE ANY ADVERSE EFFECTS OF THE DEVELOPMENT; AND**
- (iii) **THE DEVELOPMENT COMPLIES WITH E1; AND**
- (iv) **REDEVELOPMENT DOES NOT RESULT IN THE LOSS OF BUILDINGS WHICH HAVE A PARTICULAR SIGNIFICANCE TO A LOCALITY DUE TO THEIR HISTORICAL OR DESIGN VALUE; AND**
- (v) **OUTSIDE SETTLEMENT BOUNDARIES REDEVELOPMENTS SHOULD NOT HAVE ANY GREATER IMPACT ON THE CHARACTER OF THE COUNTRYSIDE.**

**IN THE GREEN BELT, ONLY SITES IDENTIFIED IN POLICY E10 MAY BE REDEVELOPED UNDER THIS POLICY.**

### **Reasons and Explanations**

- (i) Existing employment sites constitute an important resource for the economy in both urban and rural areas. However, older industrial and business premises often fall short of modern environmental standards, and can have inadequate highway access and parking/manoeuvring provision. It is therefore appropriate that when these sites are redeveloped they are brought up to today's standards.
- (ii) In areas of restraint, namely the open countryside and throughout the Green Belt, it would be inappropriate for redevelopment to result in a more intrusive employment use. To ensure the impact of redevelopment is acceptable, new buildings in these areas should generally match the "footprint" of the buildings they replace (excluding temporary buildings and areas of hardstanding).
- (iii) Employment development can be defined as development primarily involving one or several of the following business uses: offices, light industry, general industry, special industry and storage and distribution. These correspond to Classes B1 to B8 of the Town and Country Planning (Use Classes) Order 1987.

### **Policy Derivation**

PPG2 "Green Belts"

PPG4 "Industrial and Commercial Development and Small Firms"

Cheshire Replacement Structure Plan (Cheshire 2011) Policy IND2

## **Redevelopment of Existing and Proposed Employment Land for Non-employment purposes**

### **E4**

**THE LOSS OF BUSINESS, INDUSTRIAL, OR WAREHOUSING (B1, B2 AND B8) PREMISES THROUGH REDEVELOPMENT FOR NON-EMPLOYMENT LAND USES WILL ONLY BE PERMITTED IF IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE LOCAL AUTHORITY THAT:**

- (i) **THERE IS AN ADEQUATE SUPPLY OF SUITABLE, AVAILABLE EMPLOYMENT SITES IN THE AREA; AND**
- (ii) **REASONABLE ATTEMPTS HAVE BEEN MADE TO LET OR SELL THE PREMISES FOR EMPLOYMENT USES, AT A PRICE THAT IS APPROPRIATE TO EMPLOYMENT PREMISES IN THAT LOCATION, AND NO TENANT/ PURCHASER HAS BEEN FOUND; OR**

- (iii) AN EXISTING USE IS UNNEIGHBOURLY BECAUSE OF TRAFFIC GENERATION, NOISE OR DISTURBANCE TO AMENITY; AND THE PREMISES/ SITE IS NOT REASONABLY CAPABLE OF RE-USE ON A NEIGHBOURLY BASIS.**

### Reasons and Explanations

- (i) In some areas, considerable pressure exists for the conversion of employment sites to other land uses, such as housing. This is particularly the case in rural areas. However, the cumulative loss of employment sites will take its toll on the availability of local jobs, resulting in either higher local unemployment or increased commuting, both of which are contrary to the aims of this Local Plan. Consequently, employment sites should normally be retained.
- (ii) Exceptions may be allowed where there is a clear surplus of suitable employment sites in the area or the premises are causing amenity problems. The area will normally be interpreted to be the same town, village or rural parish in which the application site is located. Evidence that there is already an adequate supply of suitable employment sites will be required. This must address both the quantitative and qualitative aspects of supply. It must also demonstrate that market demand for employment sites is being satisfied, and that suitable tenants or purchasers for the site cannot be found. The Council will require the developer to submit evidence of marketing of the site for at least 12 months.
- (iii) Older employment sites can often make a valuable contribution to maintaining a varied portfolio of employment land, particularly in the provision of low cost premises. For this reason they should not be lost if they can continue in any way to play a role in the local economy.
- (iv) Employment development can be defined as development primarily involving one or several of the following business uses: office, light industry, general industry, special industry and storage and distribution. These correspond to Classes B1 to B8 of the Town and Country Planning (Use Classes) Order 1987.

### Policy Derivation

PPG4 "Industrial and Commercial Development and Small Firms"

PPG6 "Town Centres and Retail Developments"

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"

PPG13 "Transport"

## Employment Land Allocations

### E5

**THE FOLLOWING SITES, AS IDENTIFIED ON THE PROPOSALS MAPS, ARE ALLOCATED FOR EMPLOYMENT DEVELOPMENT. THE SITES ARE PRIMARILY INTENDED TO BE DEVELOPED IN ACCORDANCE WITH THE SPECIFIED USE CLASSES BUT OTHER APPROPRIATE AND COMPLEMENTARY EMPLOYMENT GENERATING USES MAY BE ACCEPTABLE WHERE THESE COMPLY WITH OTHER POLICIES OF THE LOCAL PLAN.**

#### A. NEW ALLOCATIONS

#### NORTHWICH

**E5.1 REDUNDANT DEPOT, GRIFFITHS ROAD, TO BE REDEVELOPED WITH REFERENCE TO POLICY E3. (2.25HA) : B2, B8**

**E5.2 EX-GASHOLDER SITE, WATLING STREET (0.16HA) : B1, D1, D2**

**E5.3 LAND EAST OF WINNINGTON AVENUE (3.87HA): B1**

**E5.4 LAND OFF MIDDLEWICH ROAD (3.95HA): B1, B2, B8**

**ANDERTON / BARNTON**

**E5.5 LAND AT RUNCORN ROAD (0.95HA): B2**

**LOSTOCK GRALAM**

**E5.6 LAND AT JUNCTION OF A556 AND MANCHESTER ROAD (LOSTOCK TRIANGLE) TO BE DEVELOPED WITH REFERENCE TO POLICY E6 (17.12ha): B1**

**WINSFORD**

**E5.7 FORMER BRITISH GAS DEPOT, WEAVER STREET, TO BE REDEVELOPED WITH REFERENCE TO POLICY E3 AND WITH AN IMPROVED PATH AND CYCLE LINK BETWEEN TOWN PARK AND THE RIVER WEAVER TO BE PROVIDED AS PART OF THE REDEVELOPMENT (0.63HA): B1, B2**

**E5.8 LAND AT WHARTON PARK, WINSFORD (3.35HA): B1, B2, B8**

**HELSEBY**

**E5.9 LAND AT BICC, HELSEBY TO BE REDEVELOPED (8.75HA): A1, B1, B2, B8**

**B. ALLOCATIONS BROUGHT FORWARD FROM THE ADOPTED VALE ROYAL BOROUGH LOCAL PLAN WITHOUT THE BENEFIT OF PLANNING APPROVAL (AS AT END SEPTEMBER 1999)**

**NORTHWICH**

**E5.10 LAND OFF LEICESTER STREET (0.24 HA): B1, B8**

**E5.11 LAND ON DENTON DRIVE INDUSTRIAL ESTATE (1.09HA): B1, B2 (PART PREVIOUSLY ALLOCATED IN THE ADOPTED LOCAL PLAN)**

**E5.12 LAND OFF WINNINGTON LANE (18.45HA): B2**

**E5.13 LAND WEST OF WINNINGTON AVENUE (4.2HA): B2**

**HARTFORD**

**E5.14 LAND OFF WALLERSCOTE ROAD (1.12HA): B1, B2, B8**

**WINCHAM**

**E5.15 LAND ON WINCHAM INDUSTRIAL ESTATE (33.00HA): B1, B2, B8**

**WINSFORD**

**E5.16 LAND OFF DEAKINS ROAD, WHARTON GREEN (3.05HA): B1, B2, B8**

**E5.17 LAND WEST OF ROAD ONE, SOUTH OF BOSTOCK ROAD (14.2HA): RAIL FREIGHT TERMINAL B8 - REF POLICY T18**

**E5.18 LAND ON EASTERN INDUSTRIAL ESTATE (20.22HA): B1, B2, B8**

**E5.19 LAND ON WOODFORD PARK INDUSTRIAL ESTATE (17.01HA): B1, B2, B8**

**ANDERTON****E5.20 SOOT HILL, ANDERTON (3.26HA): B1, B2, B8**

**THE FOLLOWING SITES HAD THE BENEFIT OF PLANNING PERMISSION AS AT 30 SEPTEMBER 1999**

**E5.21 LAND OFF SPENCER STREET/NAVIGATION ROAD (0.12HA): B1****E5.22 LAND ON GADBROOK EMPLOYMENT SITE (15.41HA): B1****E5.23 LAND AT NEW WARRINGTON ROAD (2.65HA): B1, B2, B8****Reasons and Explanations**

- (i) Consistent with the objectives outlined at the beginning of this chapter, a variety of site sizes and types have been identified to cater for a range of business needs.
- (ii) A number of allocations consist of disused industrial sites. Much work has recently been done, using Derelict Land Grants, to make sites, at Wincham in particular, available and attractive for new development.
- (iii) Both greenfield and brownfield sites are included in the allocations, to provide choice for developers in accordance with Government guidance.
- (iv) The majority of land allocations are accessible by public transport and/or within reasonable cycling distance of residential areas. All are within 2 miles of substantial residential areas.
- (v) Proposals for development at allocated sites must meet highway standards, as required by policy BE1 (v) and BE1 (vii). In particular, highway improvements will be required at the following sites:
  - E5.5 Runcorn Road - Right-turn facility on A533.
- (vi) Traffic Impact Assessments will be required to be undertaken in accordance with Policy T1 in respect of developing the following sites:
  - E5.6 Land at the junction of A556 and Manchester Road (Lostock Triangle)
  - E5.9 Land at BICC, Helsby
  - E5.15 Land at Wincham Industrial Estate
  - E5.22 Land on Gadbrook Employment Park.

Traffic Impact Assessments may also be required where sites are in sensitive locations.
- (vii) Acceptable use classes are specified beside the respective allocations to clarify the Local Planning Authority's intentions and give greater certainty to developers and neighbouring land users.
- (viii) The B1, B2 and B8 use classes are defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). In summary:
  - B1 = Business uses including offices, research establishments and light industry (that can be carried out without detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit).
  - B2 = General Industry.
  - B8 = Storage (warehousing) or distribution.

- A1 = Shops (including hairdressers, dry cleaners, post offices, etc).
  - A2 = Financial and professional services principally serving the public.
  - D1 = Non-residential institutions such as health centres, nurseries, educational facilities, public halls, churches etc.
  - D2 = Assembly and leisure uses.
- (ix) 34.06ha of land at sites E5.11 (0.87ha), E5.12 (18.45ha), E5.18 (14.74ha) is owner-specific expansion land that is not available for general employment development. Such land does not count towards meeting Structure Plan requirements. It is therefore not included in the employment land supply calculations in Appendix 3.
- (x) At September 1999, 26.98ha of land was committed - i.e. had the benefit of planning permission. The 26.98ha of commitments contributes to meeting Structure Plan land requirements and consists of the following sites: E5.4 (1.74ha), E5.9 (1.8ha), E5.13 (2.5ha), E5.15 (0.9ha), E5.19 (1.05ha), E5.20 (0.81ha), E5.21 (0.12ha), E5.22 (15.41ha), E5.23 (2.65ha).

#### **Policy Derivation**

PPG4 "Industrial and Commercial Development and Small Firms"

PPG12 "Development Plans"

PPG13 'Transport'

Cheshire Replacement Structure Plan (Cheshire 2011) Policies IND1, IND2, IND10

### **Lostock Triangle, Lostock Gramam**

#### **E6**

**DEVELOPMENT OF THE LAND AT THE JUNCTION OF THE A556 AND MANCHESTER ROAD, ALLOCATED IN POLICY E5.6 SHALL TAKE PLACE IN ACCORDANCE WITH THE FOLLOWING DEVELOPMENT PRINCIPLES:**

- (i) **THE HEIGHT, MASSING AND SITING OF BUILDINGS ALONG THE STUBBS LANE FRONTAGE AND THAT PART OF THE MANCHESTER ROAD FRONTAGE OPPOSITE RESIDENTIAL PROPERTIES SHOULD TAKE ACCOUNT OF THE LOCATION, SETTING AND RELATIONSHIP WITH EXISTING NEARBY RESIDENTIAL PROPERTIES. BUILDINGS ON THOSE FRONTAGES SHOULD BE NO MORE THAN TWO STOREYS IN HEIGHT;**
- (ii) **A LANDSCAPED BUFFER ZONE OF AT LEAST 25 METRES IN DEPTH BE PROVIDED ALONG THE STUBBS LANE FRONTAGE AND AT LEAST 20 METRES IN DEPTH ALONG THAT PART OF THE MANCHESTER ROAD FRONTAGE OPPOSITE RESIDENTIAL PROPERTIES. ELSEWHERE A SUBSTANTIAL HIGH QUALITY LANDSCAPING BELT SHOULD BE PROVIDED, WHICH SHOULD INCLUDE EXTENSIVE TREE PLANTING AT THE SITE'S NORTH EASTERN APEX;**
- (iii) **THE SITE WILL ADDITIONALLY CONTAIN GENEROUS LANDSCAPING AND SHOULD BE PLANTED WITH SUITABLE SPECIES TO CONTRIBUTE TO THE COMMUNITY FOREST;**
- (iv) **EXISTING PONDS AND HEDGES WILL BE RETAINED, PROTECTED AND ENHANCED WHERE POSSIBLE IN ACCORDANCE WITH POLICY NE7. IF THEY ARE UNAVOIDABLY LOST THEY SHOULD BE REPLACED ELSEWHERE ON THE SITE. A NATURE CONSERVATION MANAGEMENT PLAN WILL BE REQUIRED;**

- (v) **A CYCLE PATH AND PEDESTRIAN NETWORK WILL BE PROVIDED TO WHICH ALL BUILDINGS WILL BE CONNECTED. CONNECTIONS TO THE SURROUNDING AREA WILL BE PROVIDED WHERE POSSIBLE;**
- (vi) **A TRAFFIC IMPACT ASSESSMENT WILL BE REQUIRED (REF POLICY T1).**

#### **Reasons and Explanations**

- (i) The site is required to meet the Structure Plan employment land requirement and is served by good road and public transport networks.
- (ii) Sensitive site design is essential to minimise the loss of amenity to surrounding residential areas and to preserve existing environmental features.
- (iii) The site lies within the Mersey Community Forest boundary, sensitive planting is required to fit into the overall aims of the Community Forest Plan.
- (iv) A prominent site such as this should display the highest design standards. The requirements listed in this Policy should be read in conjunction with policy E1.

#### **Policy Derivation**

PPG13 "Transport"

Cheshire Replacement Structure Plan (Cheshire 2011) Policy IND10

### **Northwich and Winsford Town**

#### **E7**

**WITHIN THE SETTLEMENTS POLICY BOUNDARIES AT NORTHWICH AND WINSFORD THE FOLLOWING CATEGORIES OF DEVELOPMENT FOR EMPLOYMENT PURPOSES (EXCLUDING RETAIL) WILL BE ALLOWED:**

- (i) **NEW DEVELOPMENT IN BUILDINGS OR ON SITES WHICH ARE NOT IDENTIFIED ON THE PROPOSALS MAPS;**
- (ii) **THE EXPANSION OR RELOCATION OF FIRMS TO SITES SUITABLE FOR EMPLOYMENT USES;**
- (iii) **THE CHANGE OF USE OF A BUILDING FOR BUSINESS PURPOSES;**
- (iv) **REDEVELOPMENT OF LAND PREVIOUSLY IN EMPLOYMENT USE IN ACCORDANCE WITH POLICY E3;**

**PROVIDED THE PROPOSALS COMPLY WITH POLICY E1.**

#### **Reasons and Explanations**

- (i) There are firms which, because of their size or site needs, cannot be located on land allocated for employment purposes in policy E5. In the light of current unemployment and the need to attract new jobs, reasonable opportunities for new industrial or commercial development should not be lost if a suitable site is available.
- (ii) This Policy includes the use of premises above shops for commercial and business purposes. However, it should be noted that the loss of ground floor shops to business or other purposes is restricted in the primary shopping areas of Northwich and Winsford (policy STC11).
- (iii) "Windfall" sites that come forward for development under this Policy will contribute to the Borough's total employment land requirements. Account is taken of the expected contribution of windfall sites in the employment land calculations on page 98 and in Appendix 3.

**Villages of Anderton, Barnton, Cotebrook, Cuddington, Davenham, Eaton, Frodsham, Hartford, Helsby, Higher Wincham, Lach Dennis, Little Budworth, Lostock Gralam, Lostock Green, Lower Marston, Lower Wincham, Marton/Whitegate, Moulton, Norley, Oakmere, Rudheath, Swan Green, Tarporley, Utkinton and Weaverham.**

**E8**

**WITHIN THE SETTLEMENT POLICY BOUNDARIES OF ANDERTON, BARNTON, COTEBROOK, CUDDINGTON, DAVENHAM, EATON, FRODSHAM, HARTFORD, HELSBY, HIGHER WINCHAM, LACH DENNIS, LITTLE BUDWORTH, LOSTOCK GRALAM, LOSTOCK GREEN, LOWER MARSTON, LOWER WINCHAM, MARTON/WHITEGATE, MOULTON, NORLEY, OAKMERE, RUDHEATH, SWAN GREEN, TARPORLEY, UTKINTON AND WEAVERHAM THE FOLLOWING CATEGORIES OF EMPLOYMENT DEVELOPMENT WILL BE ALLOWED:**

- (i) NEW DEVELOPMENT APPROPRIATE TO THE SCALE AND CHARACTER OF THE VILLAGE;**
- (ii) THE EXPANSION AND RELOCATION OF FIRMS TO SITES SUITABLE FOR EMPLOYMENT USES WHERE THIS DEVELOPMENT IS APPROPRIATE TO THE SCALE AND CHARACTER OF THE VILLAGE;**
- (iii) THE CHANGE OF USE OF A BUILDING FOR BUSINESS USE;**
- (iv) REDEVELOPMENT OF LAND PREVIOUSLY IN EMPLOYMENT USE, IN ACCORDANCE WITH POLICY E3;**

**PROVIDED THAT PROPOSALS:**

- (a) DO NOT UNACCEPTABLY DETRACT FROM THE APPEARANCE OF THE VILLAGE SCENE, AND THE SCALE AND DESIGN OF THE BUILDING RELATE SATISFACTORILY TO THE SETTING;**
- (b) IN THE CASE OF CHANGE OF USE OF AN AGRICULTURAL OR RURAL BUILDING, THE PROPOSALS COMPLY WITH CRITERIA (i), (ii), (iii), (iv), (vii) AND (viii) OF POLICY GS7.**

**Reasons and Explanations**

- (i)** This Policy applies to the settlements of Anderton, Barnton, Cotebrook, Cuddington, Davenham, Eaton, Frodsham, Hartford, Helsby, Higher Wincham, Lach Dennis, Little Budworth, Lostock Gralam, Lostock Green, Lower Marston, Lower Wincham, Marton/Whitegate, Moulton, Norley, Oakmere, Rudheath, Swan Green, Tarporley, Utkinton and Weaverham.
- (ii)** There is a need to provide some job opportunities in the outlying settlements and in the rural areas, to enable local residents to find work within easy travelling distance of their homes.
- (iii)** In judging what constitutes "small scale", the Local Authority will consider the impact of the development on the locality. In particular, it will consider the impact of the quantity and type of traffic likely to be generated by the proposal, and the dominance of building(s) in the local scene.
- (iv)** The conversion of buildings of architectural or historic interest should not entail altering the details and proportions of a building in such a way as to adversely affect its original character. Guidance on what would be considered acceptable is given in Supplementary Planning Guidance 4 - "Conversion of Traditional Rural Buildings: Design Guide".

- (v) Employment development can be defined as development primarily involving one or several of the following business uses: office, light industry, general industry, special industry, storage and distribution. These correspond to classes B1 to B8 of the Town and Country Planning (Use Classes) Order 1987.

## **Employment Uses in the Open Countryside Outside The Green Belt**

### **E9**

**IN ALL PARTS OF THE BOROUGH WHICH LIE OUTSIDE OF THE SETTLEMENT POLICY BOUNDARIES AND OUTSIDE THE GREEN BELT, THE FOLLOWING CATEGORIES OF DEVELOPMENT FOR EMPLOYMENT WILL BE ALLOWED:**

- (i) THE CHANGE OF USE OF A BUILDING FOR BUSINESS USE;**
- (ii) THE SMALL SCALE EXPANSION OF EXISTING FIRMS ON EXISTING EMPLOYMENT SITES IN RELATION TO THE SIZE OF THE EXISTING BUILDING OR THE SIZE OF THE DEVELOPED PART OF THE SITE;**
- (iii) REDEVELOPMENT OF LAND PREVIOUSLY IN EMPLOYMENT USE, IN ACCORDANCE WITH POLICY E3;**

**PROVIDED THAT PROPOSALS:**

- (a) DO NOT UNACCEPTABLY DETRACT FROM THE APPEARANCE OF THE COUNTRYSIDE, AND THE SCALE AND DESIGN OF THE BUILDING RELATE SATISFACTORILY TO THE SETTING, IN TERMS OF BOTH THE PROPOSALS' IMMEDIATE IMPACT AND DISTANT VIEWS OF THE DEVELOPMENT;**
- (a) IN THE CASE OF CHANGE OF USE THE PROPOSAL COMPLIES WITH POLICY GS7.**

### **Reasons and Explanations**

- (i) A balance is sought between preserving the character of the countryside on the one hand, and encouraging diversification of the rural economy on the other. The latter is particularly important and in the light of recent changes in agriculture, with the need to provide alternative job opportunities for rural residents.
- (ii) Existing agricultural buildings form an important resource for the rural economy. Many can be used for business purposes with minimal changes to the fabric of the building. The bulk of provision for rural employment can be met in this manner.
- (iii) While the open character of the countryside is highly valued, it is not the Borough Council's intention to create difficulties for successful firms who need to modernise or expand. Provided the development is not unacceptable in other respects, the redevelopment and expansion of existing firms is to be encouraged.
- (iv) In judging what constitutes "small scale", the Local Planning Authority will consider the impact of the development on the locality. In particular, it will consider the impact of the quantity and type of traffic likely to be generated by the proposal, and the dominance of building(s) in the local scene.
- (v) Whilst an existing rural building may be suitable for small-scale light industrial or commercial use without undue detriment to the environment, expansion of that use may create significant problems because of its rural location. Therefore, an applicant may also be required to enter into a legal agreement, limiting the scale and type of activity operating from a redundant building.

- (vi) Similarly, permitted development rights may be removed in order to control the intensity of employment use.
- (vii) Employment development can be defined as development primarily involving one or several of the following business uses: office, light industry, general industry, special industry, storage and distribution. These correspond to classes B1 to B8 of the Town and Country Planning (Use Classes) Order 1987.

#### **Policy Derivation**

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"  
Cheshire Replacement Structure Plan (Cheshire 2011) Policy R2, GEN2

### **Employment Uses in the Green Belt including Washed Over Green Belt Villages**

#### **E10**

**WITHIN THE GREEN BELT DEVELOPMENT FOR EMPLOYMENT PURPOSES WILL NOT BE ALLOWED EXCEPT FOR :**

- (a) LIMITED INFILLING OR REDEVELOPMENT AT THE FOLLOWING MAJOR DEVELOPED EMPLOYMENT SITES, IDENTIFIED ON THE PROPOSALS MAP:**

**E10.1 WEAVER PARK INDUSTRIAL ESTATE, FRODSHAM**

**E10.2 EDEN VALE WORKS, BRYN, CUDDINGTON**

**E10.3 MARLEY TILE WORKS, DELAMERE**

**PROVIDED THAT:**

- (i) THE PROPOSALS HAVE NO GREATER IMPACT THAN THE EXISTING DEVELOPMENT ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSE OF INCLUDING LAND IN IT;**
  - (ii) REDEVELOPMENT WOULD RESULT IN SIGNIFICANT ENVIRONMENTAL IMPROVEMENT, CONTRIBUTE TO THE ACHIEVEMENT OF THE OBJECTIVES FOR THE USE OF THE LAND IN THE GREEN BELT AND COMPLY WITH POLICY E3;**
  - (iii) THE BUILDINGS DO NOT EXCEED THE HEIGHT OF THE EXISTING BUILDINGS;**
  - (iv) LIMITED INFILLING DOES NOT LEAD TO A MAJOR INCREASE IN THE DEVELOPED PROPORTION OF THE SITE AND REDEVELOPMENT DOES NOT OCCUPY A LARGER AREA OF THE SITE THAN THE EXISTING BUILDINGS.**
- (b) THE CHANGE OF USE OF AN EXISTING BUILDING (SEE POLICY GS7).**

#### **Reasons and Explanations**

- (i) New development is generally considered inappropriate in the Green Belt (Ref policy GS3). However, exceptions are made in the case of existing buildings, providing their conversion and re-use does not increase their impact on the Green Belt.
- (ii) There is an historical legacy of industrial sites in the Green Belt. Many of these play an important role in providing local employment, and others have the potential to contribute to balanced, sustainable rural communities. It is important that provision is made for a working countryside, without prejudicing the purposes of Green Belt designation. Existing industrial sites are therefore given scope, through this Policy,

to be able to adapt and change to meet modern business requirements. However, the extent to which they are able to do so is tightly controlled by this Policy and policies E3 and E4 and will only be permitted within the areas defined on the Proposals Maps.

- (iii) Quarries and mineral workings in the Green Belt are covered by the policies in the Cheshire Minerals Local Plan, available from Cheshire County Council.
- (iv) Whilst a redundant building may be suitable for small-scale light industrial use without undue detriment being caused to the environment, expansion of that use may create significant problems because of its rural location. Therefore, an applicant may also be required to enter into a legal agreement limiting the scale and type of activity operating from a redundant building.
- (v) Similarly, permitted development rights may be removed by means of a planning condition in order to control the intensity of the employment-use.

**Policy Derivation**

PPG2 "Green Belts"

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"

## IMPLEMENTATION

The need to provide new jobs in the Borough is one of the major issues to be faced in the Plan period. The policies and proposals of the Plan aim to encourage the private sector to provide the necessary jobs whilst protecting the built and natural environments and safeguarding residential amenity. The Borough Local Plan will ensure that a sufficient range of sites and locations are available for employment purposes and by means of its planning powers and Economic Development Services, the Borough Council will promote the policies with regard to the location, size and surroundings of employment sites.

The Borough Council may carry out infrastructure works and landscaping to facilitate the development of a site for employment purposes and to reduce the impact of any development on adjoining areas.

It may also consider it appropriate to provide factory, office or retail units to increase the range of provision available to the private sector for employment development.

The Borough Council offers a comprehensive Economic Development Service through the Economic Development Unit, which was established as the first point of contact for all enquiries relating to sites, premises, finance and information on a wide range of business issues. It also produces the annual Vale Royal Economic Development Strategy. The Estates Management Division of the Borough Council publishes a Business Directory and a Land and Property Bulletin, providing information to the private and voluntary sectors.

A quarterly update on progress on the employment land allocations and any major 'windfall' employment sites is also available, from the Development Services Directorate, entitled "Employment Land Development Opportunities".

Development Briefs may be introduced for large employment or mixed land use sites to enable development to be planned in a comprehensive and sensitive way, and for the involvement of a large number of developers to be coordinated.

The Borough Council recognises the significant contribution that tourism can make to the provision of employment. The policies of the Plan reflect this attitude and aim to encourage the development of tourist facilities largely by the private sector. The County Council and Borough Council may provide facilities and information services which will attract tourists and promote tourist development.

## ENVIRONMENTAL APPRAISAL

### The Global Environment

Employment development can have a damaging effect on the global environment. It will increase both energy use and emissions and thereby could have a detrimental effect on biodiversity. Principally, emissions will arise through industrial processes and the transportation of goods and employees. There will also be energy use and emissions resulting from construction works. The processes may, however, be more advanced and less environmentally damaging than the one that they may replace and some employment development produces few emissions directly. Major sites have been designated adjacent to rail lines which could provide an alternative to transporting goods and materials by road. New employment development is also to be concentrated in or adjacent to Northwich and Winsford near to centres of population minimising the distance of journeys to and from work. The provision of employment opportunities may also reduce commuting by residents to workplaces outside the Borough and thereby reducing the need to travel. The provision made for additional rural employment opportunities may achieve a similar aim in relation to rural residents.

### Use of Natural Resources

A number of adverse impacts can be identified in relation to the use of natural resources. Large employment development inevitably involves considerable land take and generally employment development will increase the use of fossil fuels and may reduce air quality. They also pose a potential threat to wildlife habitats and tree cover although proposals will be expected to retain such features or include appropriate compensatory measures.

### Local Environment

Large scale employment development will significantly change the appearance of the local environment. On "greenfield" sites on the edge of urban areas, as in the case of sites allocated to the south and east of Northwich, will reduce the current extent of open countryside and have a considerable landscape impact. This will be mitigated by appropriate landscaping, both retention of existing features, such as significant trees and hedgerows, and new planting. Local nature conservation features will be expected to be retained as part of any development proposals. The re-use of developed land will recycle land and provides the opportunity to improve the quality of the built environment. Public access will not be materially affected by the implementation of employment policies and will not result in the loss of public open space.



# RECREATION AND TOURISM

## chapter 7

### INTRODUCTION

Vale Royal is an area of Cheshire with beautiful countryside, pretty villages and a vast resource of tourist and recreation related facilities.

The planning policies included in this chapter deal with sports facilities; tourist accommodation; caravanning and camping; golf; war games; the tourism and recreation resources of the Borough and the protection of important areas of open space.

The future development of recreation and tourism activities in the Borough is important for the generation of employment and economic growth and to satisfy the needs of residents and visitors; therefore Vale Royal Borough Council aims to ensure the provision of suitable recreation, leisure and cultural facilities and services. The major objectives include:

- the provision of open space and amenity land within housing developments accessible to the community;
- the protection of important open spaces and amenity land from development;
- the promotion of Vale Royal as a tourist destination;
- the development of the full tourism potential of the Borough's towns;
- the expansion of appropriate tourism activity in suitable areas of the countryside;
- to improve and expand the range of accommodation stock to meet the needs of visitors to the Borough;
- the provision of an 18 hole public golf course in Winsford;
- the promotion of the Lion Salt Works as a major heritage centre;
- the promotion of the Anderton Boat Lift as a leisure and tourism centre.

Vale Royal Borough Council would like to see tourism and recreation activities in the Borough grow and recognises the benefits of proximity to key national transport links such as the M6, the West Coast Railway Line and Manchester Airport, whilst at the same time promoting sustainable development and avoiding conflict with nature conservation interests.

In addition to the policies included within this chapter, reference should also be made to Chapter 6 "Tourism and Recreation Policies" of the Cheshire Replacement Structure Plan.

## General Requirements for Recreation/Tourism Developments

### RT1

**NEW RECREATION/TOURISM DEVELOPMENTS OR THE EXPANSION OF EXISTING DEVELOPMENTS WILL BE ALLOWED PROVIDED THE BOROUGH COUNCIL ARE SATISFIED THAT:**

- (i) TRAFFIC FLOWS LIABLE TO RESULT CAN BE ACCOMMODATED WITHOUT ROADWORKS AT PUBLIC EXPENSE;**
- (ii) PROPOSALS WILL NOT HAVE AN UNDULY DETRIMENTAL EFFECT ON THE AMENITIES OF PEOPLE LIVING NEARBY;**
- (iii) PROPOSALS WILL NOT RESULT IN A SIGNIFICANT PERMANENT LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND, NOR DISRUPT VIABLE AGRICULTURAL HOLDINGS;**
- (iv) PROPOSALS WILL NOT CONFLICT WITH POLICIES FOR THE GREEN BELT OR OPEN COUNTRYSIDE;**
- (v) THE SITING OF ANY NEW RECREATIONAL FACILITY, APART FROM WHERE THE ACTIVITY IS DEPENDENT ON A SPECIAL NATURAL RESOURCE, SHOULD GIVE PRIORITY TO A LOCATION WHICH IS OR COULD BE ACCESSIBLE BY PUBLIC TRANSPORT OR BY FOOT OR BICYCLE, FROM ITS MAIN CATCHMENT AREA;**
- (vi) PROPOSALS MUST NOT RESULT IN A SIGNIFICANT INCREASE IN AMBIENT NOISE LEVELS, WITH REFERENCE TO POLICY P3;**
- (vii) WHERE DEVELOPMENT PROPOSALS INCLUDE FLOOD-LIGHTING IT SHOULD NOT BE OF A VISUALLY INTRUSIVE NATURE, PARTICULARLY IN RURAL AREAS;**
- (viii) PROPOSALS WOULD NOT RESULT IN DEVELOPMENTS WHICH ARE NOT APPROPRIATE TO THE EXISTING FORM AND CHARACTER OF A SETTLEMENT;**
- (ix) IN ORDER TO SAFEGUARD THESE CONSIDERATIONS, THE BOROUGH COUNCIL WILL DETERMINE PLANNING APPLICATIONS BY REFERENCE TO THE FULL SCOPE OF THE POLICIES OF THIS LOCAL PLAN AND IN PARTICULAR, THOSE CONTAINED IN THE CHAPTERS ON THE BUILT ENVIRONMENT AND THE NATURAL ENVIRONMENT.**

### Reasons and Explanations

- (i) The Borough Council wishes to ensure that proposals for recreational uses are primarily an appropriate response to the leisure needs of the local population. However, facilities which are primarily aimed at tourists can also be used by, and therefore benefit, the local people.
- (ii) Any recreational proposal, whether for local people or for visitors from outside the area, should not create additional traffic or environmental problems which would in turn require additional public expense to facilitate development.
- (iii) The development of land for recreation/tourism facilities could, without proper planning control, detract from the physical quality and amenity of an area.
- (iv) To protect the rural areas of the Borough from visually intrusive development.

- (v) There is a general need to diversify the activities of the farming sector and of the rural economy. Additionally, there are increases in demand for the quantity and variety of outdoor recreation facilities. These factors will mean that some agricultural land will be the subject of development. The land which is best and most versatile for agriculture should, however, be safeguarded for agricultural use in the longer term.
- (vi) New recreation facilities should be accessible to as many users as possible, whilst limiting the number of journeys by private transport to reach an area. Exceptions may have to be made for those activities which depend on a particular resource or set of conditions.

#### **Policy Derivation**

PPG7 - "The Countryside and the Rural Economy"

PPG13 - "Transport"

PPG17 - "Sport and Recreation"

Cheshire Replacement Structure Plan (2001) Policies TR1 and R5

## **Sports Facilities and Open Spaces**

### **RT2**

**PRIORITY WILL BE GIVEN TO IMPROVING LOCAL SPORTS FACILITIES AND OPEN SPACE PROVISION IN AREAS WHERE CURRENT PROVISION FALLS BELOW THE BOROUGH COUNCIL'S REQUIREMENTS (WITH REFERENCE TO THE BOROUGH COUNCIL'S OPEN SPACE SURVEY, WHERE APPROPRIATE) AND WHERE POPULATION CHARACTERISTICS WILL PRODUCE ADDITIONAL DEMAND. IN SUCH AREAS ESPECIALLY, PRIVATE INVESTMENT WILL BE ENCOURAGED.**

**IN PARTICULAR THE FOLLOWING SITES ARE ALLOCATED ON THE PROPOSALS MAP FOR RECREATIONAL USE:**

#### **NEW ALLOCATIONS**

- RT2.01 REAR OF VILLAGE HALL, ANTROBUS (FOR EQUIPPED CHILDREN'S PLAYGROUND) 0.03HA**
- RT2.02 FOREST ROAD CUDDINGTON (FOR PUBLIC OPEN SPACE) 0.6HA**
- RT2.03 SITE OF FORMER ST. LUKE'S SCHOOL, FRODSHAM (FOR PUBLIC OPEN SPACE) 0.16HA**
- RT2.04 LAND AT CHESTER ROAD/HEYESWOOD LANE, HARTFORD (FOR PUBLIC OPEN SPACE) 0.64 HA; AND LAND OFF CHESTER ROAD, AT GRANGE FARM, HARTFORD (FOR PLAYING FIELDS) 1.35HA**
- RT2.05 ADJACENT PROPOSED SOCIAL SERVICES DAY CENTRE, FIRDALE ROAD, NORTHWICH (FOR PUBLIC OPEN SPACE) 0.89HA**
- RT2.06 LAVENDER DRIVE, RUDHEATH (FOR AN EQUIPPED CHILDREN'S PLAYGROUND) 0.12HA**
- RT2.07 LAKEHOUSE FIELD, WEAVERHAM (FOR FURTHER RECREATIONAL FACILITIES) 2.11HA**
- RT2.08 RUSSET ROAD, WEAVERHAM (FOR FURTHER RECREATIONAL FACILITIES) 0.53HA**
- RT2.09 OFF FOXFIELD LANE, WINSFORD (FOR EQUIPPED CHILDREN'S PLAYGROUND) 0.1HA**

- RT2.10 OFF BUTTERMERE ROAD, WINSFORD (FOR AN EQUIPPED CHILDREN'S PLAYGROUND) 0.05HA
- RT2.11 OFF OAKHOUSE LANE, WINSFORD (FOR JUNIOR FOOTBALL PITCH) 0.56HA
- RT2.12 OFF MOUNT PLEASANT DRIVE, WINSFORD (FOR A JUNIOR FOOTBALL PITCH) 0.59HA
- RT2.13 OFF WAYS GREEN, WINSFORD (FOR AN INFORMAL KICK-ABOUT AREA) 0.3HA
- RT2.14 LAND NORTH OF WADES LANE, WINSFORD (FOR FURTHER RECREATIONAL FACILITIES IN ASSOCIATION WITH THE KNIGHTS GRANGE SPORTS COMPLEX) 7.65HA
- RT2.15 VERDIN PLAYING FIELD, WINSFORD (PUBLIC OPEN SPACE) 6.08HA
- RT2.16 THE FORMER HELSBY/MOULDSWORTH RAILWAY LINE (FOR FOOTPATH/RECREATION USE)
- RT2.17 LAND EAST OF WINNINGTON AVENUE, NORTHWICH (PUBLIC OPEN SPACE) 2.31HA

**ALLOCATIONS BROUGHT FORWARD FROM THE ADOPTED VALE ROYAL BOROUGH LOCAL PLAN**

- RT2.18 SALTWORKS FARM, FRODSHAM
- RT2.19 OFF MANCHESTER ROAD, LOSTOCK GRALAM
- RT2.20 OFF MAIN ROAD, MOULTON
- RT2.21 ADJACENT TO WOODFORD PARK, WINSFORD (IN RELATION TO THE DEVELOPMENT OF THE INDUSTRIAL ESTATE)

**ON LARGE DEVELOPMENTS, THE BOROUGH COUNCIL WILL ENCOURAGE THE PROVISION OF WOODLAND PLANTING. WHEN DETERMINING PLANNING APPLICATIONS ON SUCH SITES, REGARD WILL BE MADE TO THE CONTRIBUTION MADE BY THE PLANTING TO THE APPEARANCE OF THE DEVELOPMENT AND TO THE QUALITY OF THE LOCAL ENVIRONMENT.**

**Reasons and Explanations**

- (i) In the present economic climate, the resources of the Borough Council are limited. It is important to make it possible for private investment to play a positive role in improving the provision of recreation facilities.
- (ii) The Borough Council will work with the Parish Councils, where appropriate, to overcome shortfalls in the provision of facilities required by local communities.
- (iii) The Borough Council will have regard to currently accepted national or other standards in determining the requirements for recreational space and facilities.
- (vi) The Borough Council is carrying out a public open space survey for the whole of Vale Royal Borough; this information will be utilised when considering proposals for new recreation facilities. When carrying out the public open space survey, the Borough Council is using the National Playing Fields Association's (NPFA) minimum standard for outdoor playing space of 2.43Ha per 1,000 population. This is commonly referred to as the 'NPFA 6 Acre Standard'. This standard enables an assessment to be made of the amount and type of open space available in an area.
- (v) To assist in the achievement of the aims of the Mersey Community Forest Plan.

- (vi) Reference should also be made to Policy T8 in the Transport Chapter, regarding the recreational use of former railway lines.
- (vii) The requirement for a 1.35 hectare playing field at Grange Farm under RT2.04 can form part of the requirement for the site arising from application of Policy RT3.

#### **Policy Derivation**

PPG17 "Sport and Recreation"

Cheshire Replacement Structure Plan (2011) Policy TR7

## **Public Recreation Space and New Development**

### **RT3**

**PROPOSALS FOR NEW RESIDENTIAL DEVELOPMENT WILL BE REQUIRED TO MAKE ADEQUATE PROVISION FOR PRIVATE AMENITY SPACE. IN ADDITION, RESIDENTIAL DEVELOPMENTS OF MORE THAN TEN DWELLINGS SHOULD PROVIDE PUBLIC RECREATION SPACE TO MEET THE NEEDS OF THE DEVELOPMENT ITSELF, WHERE THOSE NEEDS ARE NOT MET BY EXISTING NEARBY PROVISION, IN ACCORDANCE WITH THE FOLLOWING STANDARDS (IN HECTARES PER 1,000 PEOPLE):**

<b>FORMAL SPORT AND RECREATION</b>	<b>1.6HA</b>
<b>CHILDREN'S PLAY AND CASUAL RECREATION</b>	<b>0.8HA</b>

**WITH THE EXCEPTION OF SHELTERED HOUSING OR SPECIAL NEEDS HOUSING FOR ELDERLY PEOPLE, ALL DEVELOPMENTS INVOLVING TEN OR MORE DWELLINGS SHOULD INCLUDE CHILDREN'S PLAY PROVISION WITHIN THE SITE.**

**WHERE THE PROVISION OF OPEN SPACE IS NOT FEASIBLE WITHIN THE SITE, A FINANCIAL CONTRIBUTION WILL BE SOUGHT FROM THE DEVELOPERS THROUGH A SECTION 106 AGREEMENT TO SECURE RECREATION SPACE PROVISION OR THE ENHANCEMENT OF EXISTING FACILITIES ELSEWHERE. THIS PROVISION OR ENHANCEMENT WILL BE FAIRLY AND REASONABLY RELATED IN SCALE AND KIND TO THE DEVELOPMENT PROPOSAL AND BE IN A LOCATION WHERE IT WOULD BE OF DIRECT BENEFIT TO THE OCCUPIERS OF THE NEW DEVELOPMENT.**

#### **Reasons and Explanations**

- (i) Developers will be required to make provision for recreation space associated with new housing normally as part of the scheme or alternatively where this is not feasible, through a financial contribution (by way of a Section 106 Agreement) towards off-site facilities which would directly benefit the new residents.
- (ii) The council has adopted the National Playing Fields Association's "Six Acre Standard" as the basis for the policy.
- (iii) A Borough-wide open space survey is expected to be completed and published early in 2001 which will inform the implementation of the policy in the light of particular proposals. It will be published as Supplementary Planning Guidance and updated periodically.
- (iv) In order to avoid conflict between users of open space and residents, it is important that the location, size, type and use of such space is taken into account from the first stages of layout design, especially where play areas with equipment are to be provided. Open space should be well integrated within the development and not simply identified over left-over or hard to develop areas.

- (v) Open space, particularly children's play space, should be designed and located, to optimise passive surveillance from surrounding houses to minimise the incidence and fear of crime.

**Policy Derivation**

PPG3 "Housing"

PPG17 "Sport and Recreation"

**RT4**

**EXISTING FORMAL AND INFORMAL OPEN SPACES SHALL BE RETAINED IN RECREATIONAL OR AMENITY USE. EXCEPTIONS WILL ONLY BE ALLOWED WHERE:**

- (i) **THERE IS, NOW AND LIKELY TO CONTINUE TO BE, A SIGNIFICANT SURPLUS OF THAT TYPE OF OPEN SPACE IN THE AREA, COMPARED WITH COUNCIL STANDARDS, AND THERE IS NO DEMAND, NOW OR LIKELY IN THE FORESEEABLE FUTURE, IN THE AREA FOR OPEN SPACE OR RECREATIONAL FACILITIES THAT COULD BE MET BY THE USE OF THE SITE; AND**
- (ii) **THE LOSS OF OPEN SPACE WOULD NOT RESULT IN A MATERIAL REDUCTION IN THE QUALITY OF OPEN SPACE PROVISION IN THE AREA; OR**
- (iii) **AN EQUIVALENT AND SUITABLY LOCATED FACILITY OR IMPROVED EXISTING FACILITY WHICH WOULD SATISFY THE NEEDS OF THE COMMUNITY, IS PROVIDED WITHOUT DISRUPTING THE AVAILABILITY OF THE SERVICE PROVIDED. THE COUNCIL WILL SEEK TO SECURE THE TERMS OF THIS POLICY THROUGH THE IMPOSITION OF PLANNING CONDITIONS OR, WHERE THIS IS NOT FEASIBLE, BY NEGOTIATING A PLANNING AGREEMENT UNDER SECTION 106 OF THE PLANNING ACT.**

**Reasons and Explanations**

- (i) Existing areas of recreational land and open space are an important resource which must be retained for the future benefit of the community.
- (ii) The areas form a range of recreational functions and are accessible to all sectors of the community.
- (iii) Some open spaces are an important feature of the town/village in which they are located; their retention will assist in the preservation of the area's character.
- (iv) The areas which this policy aims to protect include school playing fields, parks, informal and formal open space provision within housing areas and other formal sports provision (Formal and informal open space are defined in the Glossary).
- (v) The loss of recreational land, in housing estates, to garden land will be resisted because the Borough Council wishes to preserve amenity spaces and the access to them.
- (vi) The Borough Council is carrying out a public open space survey for the whole of Vale Royal Borough. Reference will be made to this survey when any proposals are received for the loss of recreational or amenity land.

**Policy Derivation**

PPG3 "Housing"

PPG17 "Sport and Recreation"

Cheshire Replacement Structure Plan (2011) Policy TR2 and TR7

## Allotments

### RT5

**PROPOSALS FOR THE REDEVELOPMENT OF ALLOTMENT SITES AS IDENTIFIED ON THE PROPOSALS MAP WILL NOT BE ALLOWED. EXCEPTIONS WILL BE MADE WHERE:**

**(i) THE EXISTING ALLOTMENTS CAN BE ADEQUATELY REPLACED NEARBY.**

#### Reasons and Explanations

- (i) Allotments should be protected from redevelopment, wherever possible, due to their very important local value, fulfilling a unique amenity and recreation role.
- (ii) Allotments make an important contribution to the character of the natural and built environment of an area.
- (iii) If allotments become disused, they could continue to fulfill an amenity role by reverting to open space, where their visual and wildlife value would increase.

#### Policy Derivation

PPG17 - "Sport and Recreation"

Cheshire Replacement Structure Plan (2001) Policy TR2

## Village Facilities

### RT6

**PROPOSALS FOR THE DEVELOPMENT OF VILLAGE FACILITIES, E.G. VILLAGE HALLS, COMMUNITY CENTRES AND RECREATIONAL CLUBS, WHERE THEY SERVE TO IMPROVE PROVISION AND SATISFY THE NEEDS OF LOCAL PEOPLE WILL BE ALLOWED. WHERE POSSIBLE, SUCH FACILITIES SHOULD BE LOCATED WITHIN SETTLEMENT POLICY BOUNDARIES.**

#### Reasons and Explanations

- (i) To improve the range of services and facilities for local people.
- (ii) To concentrate facilities near to centres of existing population.
- (iii) To encourage people to travel to these facilities without using private transport.

#### Policy Derivation

PPG13 "Transport"

PPG17 "Sport and Recreation"

Cheshire Replacement Structure Plan (2011) Policy TR1

## Tourist Accommodation

**Within the towns of Northwich and Winsford and the villages of Anderton, Barnton, Cuddington, Davenham, Hartford, Lostock Gralam, Lower Marston, Lower Wincham, Moulton, Rudheath and Tarporley and the inset villages of Frodsham, Helsby, Higher Wincham and Weaverham.**

### RT7

**WITHIN THE SETTLEMENT POLICY BOUNDARIES AT NORTHWICH, WINSFORD, ANDERTON, BARNTON, CUDDINGTON, DAVENHAM, HARTFORD, LOSTOCK GRALAM, LOWER MARSTON, LOWER WINCHAM, MOULTON, RUDHEATH,**

**TARPORLEY, FRODSHAM, HELSBY, HIGHER WINCHAM AND WEAVERHAM PROPOSALS FOR NEW DEVELOPMENT OR THE CHANGE OF USE OF AN EXISTING BUILDING FOR A HOTEL, GUEST HOUSE OR OTHER VISITOR ACCOMMODATION WILL BE ALLOWED PROVIDED THE PROPOSED DEVELOPMENT:**

- (i) DOES NOT REQUIRE SIGNIFICANT ALTERATION TO THE BUILDING;**
- (ii) DOES NOT HAVE AN UNDULY DETRIMENTAL EFFECT ON THE AMENITIES OF THE PEOPLE LIVING NEARBY;**
- (iii) DOES NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED IN THE BUILT ENVIRONMENT AND NATURAL ENVIRONMENT CHAPTERS;**
- (iv) FITS IN WITH THE SURROUNDINGS, WITH REGARD TO SITING, SCALE, DESIGN, MATERIALS AND LANDSCAPING;**
- (v) SATISFIES THE HIGHWAY AUTHORITY'S REQUIREMENTS FOR ACCESS AND PARKING.**

**PROPOSALS FOR NEW BUILD HOTELS AND GUEST HOUSES OUTSIDE THE POLICY BOUNDARIES OF THESE SETTLEMENTS WILL NOT BE ALLOWED.**

#### **Reasons and Explanations**

- (i) To assist the provision of tourist accommodation to enable visitors to the area to stay longer.**
- (ii) To preserve the character of the individual buildings and the town or villages in which they are located.**
- (iii) To protect the amenity of nearby residents.**
- (iv) To ensure that any new development is of a good standard and design.**
- (v) In the interests of highway safety.**

#### **Policy Derivation**

PPG21 "Tourism"

Cheshire Replacement Structure Plan (2011) Policy TR1

#### **RT8**

**PROPOSALS FOR THE DEVELOPMENT OF LAND AS A HOTEL NEAR TO THE A556 AND THE TOWN OF NORTHWICH MUST MEET THE FOLLOWING CRITERIA:**

- (i) THE DEVELOPMENT SHOULD BE READILY ACCESSIBLE FROM THE A556 AND THE TOWN OF NORTHWICH;**
- (ii) THE DEVELOPMENT SHOULD BE READILY ACCESSIBLE BY PUBLIC TRANSPORT MODE(S); FOR EXAMPLE, IT SHOULD BE ON OR NEAR TO A BUS ROUTE;**
- (iii) THE DEVELOPMENT SHOULD HAVE ADEQUATE AND SAFE ACCESS AND PARKING AND NOT PRINCIPALLY ATTRACT TRAFFIC THROUGH A RESIDENTIAL AREA;**
- (iv) THE DEVELOPMENT SHOULD NOT CONFLICT WITH THE POLICIES CONTAINED IN THE NATURAL ENVIRONMENT AND BUILT ENVIRONMENT CHAPTERS OF THIS PLAN;**
- (v) THE DEVELOPMENT SHOULD FIT IN WITH THE SURROUNDINGS, WITH REGARD TO SITING, SCALE, DESIGN, MATERIALS AND LANDSCAPING.**

### Reasons and Explanations

- (i) The Borough Council wishes to see the development of a major new hotel to complement the town's recent economic development.
- (ii) In the interests of highway safety.
- (iii) To minimise the adverse effects of such a development on residential areas.
- (iv) To ensure that any development is of a good standard and design.
- (v) To pay due regard to the general constraints on development in the Borough.
- (vi) To limit the amount of new development in the open countryside.

#### Policy Derivation

PPG21 - "Tourism"

Cheshire Replacement Structure Plan (2001) Policy TR1

### Tourism Accommodation Within Other Villages

#### RT9

**WITHIN THE SETTLEMENT POLICY BOUNDARIES AT ALLOSTOCK, COTEBROOK, EATON, LACH DENNIS, LITTLE BUDWORTH, LOSTOCK GREEN, UTKINTON, OAKMERE, SWAN GREEN, WHITEGATE/MARTON THE CHANGE OF USE OF AN EXISTING BUILDING TO A HOTEL, GUEST HOUSE OR OTHER VISITOR ACCOMMODATION WILL BE ALLOWED PROVIDED THAT THE PROPOSALS:**

- (i) **DO NOT REQUIRE SIGNIFICANT ALTERATION OF THE BUILDING;**
- (ii) **DO NOT HAVE AN UNDULY DETRIMENTAL EFFECT ON THE AMENITIES OF THE PEOPLE LIVING NEARBY;**
- (iii) **FIT IN WITH THE CHARACTER OF THE SURROUNDING AREA, REGARDING DESIGN, MATERIALS AND LANDSCAPING;**
- (iv) **SATISFY THE HIGHWAY AUTHORITY'S REQUIREMENTS FOR ACCESS AND PARKING.**

### Reasons and Explanations

- (i) To assist the provision of tourist accommodation to enable visitors to the area to stay longer.
- (ii) To preserve the character of the individual buildings, and the village in which they are located.
- (iii) To protect the amenity of nearby residents.
- (iv) To ensure that any new development is of a good standard and design.
- (v) In the interests of highway safety.
- (vi) Policy GS7 covers the 'washed over' Green Belt villages of Allostock, Alvanley, Antrobus, Comberbach, Crowton, Delamere, Great Budworth, Kingsley, Little Leigh, Norley, Sutton Weaver and Higher Whitely.

#### Policy Derivation

PPG21 "Tourism"

Cheshire Replacement Structure Plan (2011) Policy TR1

## **Tourist Accommodation Within the Open Countryside and the Green Belt**

### **RT10**

**WITHIN ALL PARTS OF THE BOROUGH WHICH LIE WITHIN THE GREEN BELT OR OPEN COUNTRYSIDE PROPOSALS FOR NEW BUILDINGS FOR HOTEL ACCOMMODATION WILL NOT BE ALLOWED.**

#### **Reasons and Explanations**

- (i) Isolated development often detracts from the appearance of the countryside and it is expensive to provide with services.
- (ii) New development should be concentrated in the towns or larger villages of the Borough.
- (iii) Much of the northern part of the Borough falls within the North Cheshire Green Belt, where development is carefully controlled.
- (iv) Development such as this would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it.

#### **Policy Derivation**

PPG2 - "Green Belts"

PPG21 - "Tourism"

Cheshire Replacement Structure Plan (2001) Policies ENV3 and R1

### **RT11**

**IN THE GREEN BELT, PROPOSALS FOR CHALET TYPE DEVELOPMENT WILL NOT BE ALLOWED. WITHIN ALL PARTS OF THE BOROUGH WHICH LIE WITHIN OPEN COUNTRYSIDE, PROPOSALS FOR CHALET TYPE DEVELOPMENT WILL BE ALLOWED PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:**

- (i) **THE PROPOSED SITE SHOULD HAVE GOOD ACCESSIBILITY VIA MAJOR ROADS AND PUBLIC TRANSPORT;**
- (ii) **THE PROPOSAL IS CENTRED ON A MAJOR NATURAL RESOURCE;**
- (iii) **THE PROPOSAL DOES NOT INVOLVE THE LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND;**
- (iv) **THE LAYOUT OF THE SITE SHOULD PROVIDE LARGE OPEN AREAS AND LANDSCAPING BUFFERS BETWEEN THE CHALETS AND OPEN AREAS AND ALONG THE EDGES OF THE SITE;**
- (v) **THE LOCATION OF THE PROPOSED DEVELOPMENT SHOULD BE VISUALLY UNOBSTRUCTIVE;**
- (vi) **THE PROPOSED DEVELOPMENT SHOULD DISPLAY A HIGH STANDARD OF DESIGN;**
- (vii) **THE PROPOSAL SHOULD MAKE USE OF UNDER USED/VACANT LAND AND WHERE POSSIBLE AREAS OF DERELICT COUNTRYSIDE;**
- (viii) **A LEGAL AGREEMENT WOULD BE ENTERED INTO TO ENSURE THAT AN ECOLOGICAL SITE SURVEY IS CARRIED OUT AND THAT THE CHALETS ARE USED AS HOLIDAY ACCOMMODATION ONLY, NOT AS PERMANENT RESIDENTIAL ACCOMMODATION;**
- (ix) **PROPOSALS SHOULD INCORPORATE THE RETENTION OF EXISTING FEATURES, SUCH AS TREES, HEDGEROWS AND PONDS.**

### Reasons and Explanations

- (i) To prevent areas of the Borough of high landscape/ecological value from inappropriate development.
- (ii) To protect the rural areas of the Borough from visually intrusive development.
- (iii) To protect the amenity of nearby residents.
- (iv) To ensure that less pressure is placed on local services than would be the case with permanent accommodation.
- (v) The provision of chalet type development would not preserve the openness of the Green Belt and would constitute inappropriate development.

### Policy Derivation

PPG2 "Green Belts"  
 PPG9 "Nature Conservation"  
 PPG13 "Transport"  
 PPG21 "Tourism"  
 Cheshire Replacement Structure Plan (2011) Policy TR1

### RT12

**WITHIN ALL PARTS OF THE BOROUGH WHICH LIE WITHIN THE GREEN BELT OR OPEN COUNTRYSIDE, CHANGES OF USE FOR TOURIST ACCOMMODATION WILL BE ALLOWED PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:**

- (i) **THE CRITERIA CONTAINED WITHIN POLICY GS7;**
- (ii) **THE CONVERSION SHOULD REQUIRE ONLY MINOR ALTERATIONS OR REPAIRS;**
- (iii) **PROPOSALS MUST HAVE NO GREATER IMPACT ON THE OPEN NATURE OF THE GREEN BELT THAN THE EXISTING DEVELOPMENT;**
- (iv) **THE CONVERSION MUST BE CAPABLE OF BEING CARRIED OUT WITHOUT SIGNIFICANT ALTERATION TO THE EXTERNAL OR INTERNAL FEATURES OF IMPORTANCE. SPECIAL ATTENTION SHOULD BE PAID TO THE CHARACTER AND SETTING OF THE BUILDING;**
- (v) **PROPOSALS WHICH INCORPORATE LARGE EXTENSION WILL NOT BE PERMITTED;**
- (vi) **EXTERNAL FEATURES OF INTEREST WITHIN THE BUILDING'S CURTILAGE, SUCH AS COBBLED AREAS, STONE WALLS AND SO ON SHOULD BE RETAINED;**
- (vii) **SERVICES ARE AVAILABLE ON THE SITE;**
- (viii) **WITH REGARD TO FORMER INSTITUTIONS IN LARGE GROUNDS REFERENCE SHOULD BE MADE TO POLICY PS5.**

### Reasons and Explanations

- (i) To ensure that proposals do not cause significant harm to the character and appearance of the countryside.
- (ii) To ensure that a building's character is not lost due to alterations.

- (iii) To enable old rural buildings which are no longer of use for their original purpose, but which make a significant contribution to the rural scene to be restored to a beneficial use. All changes of use of old rural buildings should comply with the design principles contained in the Supplementary Planning Guidance: "Conversion of Old Rural Buildings; Design Guide".

**Policy Derivation**

PPG2 "Green Belts"

PPG7 "The Countryside and the Rural Economy"

PPG21 "Tourism"

Cheshire Replacement Structure Plan (2011) Policy TR1

**RT13**

**WITHIN ALL PARTS OF THE BOROUGH WHICH LIE WITHIN THE GREEN BELT AND THE OPEN COUNTRYSIDE, PROPOSALS FOR THE USE OF FARMHOUSES FOR BED AND BREAKFAST ACCOMMODATION WILL BE ALLOWED PROVIDED THAT:**

- (i) THE PROPOSAL WOULD NOT RESULT IN THE LOSS OF A DWELLING USED AS PART OF A WORKING FARM UNIT;**
- (ii) THE FARMHOUSE IS CAPABLE OF ACCOMMODATING THE USE PROPOSED WITHOUT THE NEED FOR EXTENSIONS OR CHANGING THE BUILDING'S CHARACTER;**
- (iii) PROPOSALS MUST SATISFY THE HIGHWAY AUTHORITY'S REQUIREMENTS FOR ACCESS AND PARKING.**

**Reasons and Explanations**

- (i) The introduction of some bed and breakfast accommodation may not require planning permission; this policy applies where it does.
- (ii) To assist in the provision of a range of tourist accommodation to enable visitors to the area to stay longer, and to satisfy the demand for cheaper accommodation.
- (iii) To ensure that the use of the building remains principally a farm house associated with a farm unit.
- (iv) In the interests of highway safety.
- (v) To preserve the character of the individual buildings, and the area in which they are located.

**Policy Derivation**

PPG2 - "Green Belts"

PPG21 - "Tourism"

Cheshire Replacement Structure Plan (2001) Policy TR1

**Extensions to Existing Facilities**

**RT14**

**IN THE TOWNS AND VILLAGES OF THE BOROUGH LISTED IN POLICIES RT7 AND RT9, THE EXTENSION OF EXISTING HOTEL, GUEST HOUSE OR OTHER TOURIST ACCOMMODATION WILL BE ALLOWED, PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:**

- (i) THE PROPOSED DEVELOPMENT DOES NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED WITHIN THE BUILT ENVIRONMENT AND NATURAL ENVIRONMENT CHAPTERS;**

- (ii) **THE PROPOSED DEVELOPMENT IS OF AN APPROPRIATE SCALE WHICH DOES NOT DOMINATE THE EXISTING BUILDING;**
- (iii) **THE PROPOSED DEVELOPMENT BLENDS IN WITH ITS SURROUNDINGS, IN TERMS OF ITS SCALE, DESIGN, MATERIALS AND LANDSCAPING;**
- (iv) **CONSIDERATION SHOULD BE GIVEN TO THOSE USERS WITH MOBILITY PROBLEMS (REF POLICY T22);**
- (v) **PROPOSALS MUST SATISFY THE HIGHWAY AUTHORITY'S REQUIREMENTS FOR ACCESS AND PARKING.**

**Reasons and Explanations**

- (i) Extensions of an appropriate scale can often ensure the future viability of such businesses.
- (ii) Extensions can provide additional bedroom accommodation and attract tourists to an area.
- (iii) Extensions can utilise a site to its full potential without resulting in a disproportionate increase in scale.
- (iv) To ensure that extensions do not detract from a building's setting.

**Policy Derivation**

PPG7 - "The Countryside and the Rural Economy"  
 PPG21 - "Tourism"  
 Cheshire Replacement Structure Plan (2001) Policy TR1

**RT15**

**WITHIN ALL PARTS OF THE BOROUGH WHICH LIE WITHIN THE GREEN BELT AND THE OPEN COUNTRYSIDE, SMALL EXTENSIONS TO EXISTING HOTELS, GUEST HOUSES AND OTHER TOURIST ACCOMMODATION WILL BE ALLOWED, PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:**

- (i) **THE PROPOSED DEVELOPMENT MEETS THE CRITERIA CONTAINED WITHIN POLICY RT14;**
- (ii) **WHERE A PROPOSED EXTENSION WOULD BE TO A CONVERTED RURAL BUILDING, THE CHARACTER OF THE ORIGINAL BUILDING MUST NOT BE LOST. SUCH A PROPOSAL SHOULD ALSO BE OF AN APPROPRIATE SCALE AND NOT DOMINATE THE EXISTING BUILDING. (REF POLICY GS7);**
- (iii) **PROPOSALS MUST HAVE NO GREATER IMPACT ON THE OPEN NATURE OF THE OPEN COUNTRYSIDE OR GREEN BELT THAN THE EXISTING DEVELOPMENT.**

**Reasons and Explanations**

- (i) To ensure that developments in rural areas do not detract from the building's character and the setting.
- (ii) To ensure that development is of a good standard and design.
- (iii) To minimise visual impact and protect the amenity of nearby residents.
- (iv) To preserve the openness of the open countryside and the Green Belt.
- (v) A small extension is considered to be that which would not result in disproportionate additions over and above the size of the original building.

**Policy Derivation**

PPG2 - "Green Belts"

PPG7 - "The Countryside and the Rural Economy"

PPG21 - "Tourism"

Cheshire Replacement Structure Plan (2001) Policy TR1

## **Touring Recreational Caravan and Camping Sites**

### **RT16**

**TOURING RECREATIONAL CARAVAN AND CAMPING SITES MAY BE ALLOWED PROVIDED THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) THEY ARE SITUATED ADJACENT OR CLOSE TO THE MAJOR ROUTES THROUGH THE BOROUGH;**
- (ii) SITES SHOULD NOT BE VISUALLY INTRUSIVE AND MUST SATISFY THE BOROUGH COUNCIL WITH REGARD TO ACCESS, LAYOUT AND LANDSCAPING (INCLUDING SCREENING). IN ADDITION ANY PERMANENT BUILDINGS REQUIRED SHOULD BE OF A SMALL SCALE AND SHOULD BLEND INTO THE SURROUNDING LANDSCAPE IN TERMS OF THEIR SITING, DESIGN AND THE MATERIALS USED;**
- (iii) THE SITE SHOULD NOT DETRACT FROM THE SURROUNDING AMENITIES OF THE AREA NOR ANY NEARBY RESIDENTIAL PROPERTY;**
- (iv) THE SITE SHOULD BE CAPABLE OF BEING CONNECTED TO EXISTING SERVICES;**
- (v) THE SITE SHOULD PROVIDE APPROPRIATE FACILITIES.**

### **Reasons and Explanations**

- (i) To confine the environmental impact of recreational caravans to areas close to the major routes through the Borough, and to try to limit the number of cars with caravans which may travel on minor rural roads.
- (ii) In the interest of highway safety and visual impact.
- (iii) To protect the amenity of nearby residents.
- (iv) To ensure that such developments do not lead to the need for extra public services.
- (v) Additional to obtaining a planning permission any new caravan sites must be licensed under Part 1 of the Caravan Sites and Development Act 1960.
- (vi) Appropriate facilities can be defined as a utility block (toilets, showers and drinking water supply).

**Policy Derivation**

PPG21 - "Tourism"

Cheshire Replacement Structure Plan (2001) Policy TR4

## **Static Recreational Caravan Sites**

### **RT17**

**PROPOSALS FOR NEW SITES OR THE EXTENSION OF EXISTING SITES OR THE INCREASE IN DENSITY FOR STATIC RECREATIONAL CARAVANS WILL NOT BE ALLOWED.**

**THE EXTENSION OF PERIODS OF OCCUPATION WILL BE ALLOWED PROVIDED THAT THE SITES REMAIN UNOCCUPIED FOR THE PERIOD 2 JANUARY TO 28 FEBRUARY EACH YEAR AND THAT THE EXTENDED OCCUPATION RESULTS IN NO UNACCEPTABLE INCREASE IN NUISANCE TO NEARBY RESIDENTS.**

**Reasons and Explanations**

- (i) A considerable number of static recreational caravan sites already exist within the Borough; it is not considered necessary to develop further sites or to extend the period of occupation of current sites.
- (ii) To restrict further intensification of use of existing sites.
- (iii) To protect the amenity of nearby residents.
- (iv) Proposal for static caravan sites will be considered as the creation of permanent residences.

**Policy Derivation**

PPG21 "Tourism"  
 Cheshire Replacement Structure Plan (2011) Policy TR3

**Golf Courses**

**RT18**

**PROPOSALS FOR THE DEVELOPMENT OF LAND FOR GOLF COURSES, WILL BE ALLOWED, PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:**

- (i) **ANY ADDITIONAL BUILT DEVELOPMENT SHOULD BE ESSENTIAL FOR THE OPERATION OF THE COURSE. THIS MAY INCLUDE A CLUBHOUSE AND MAINTENANCE BUILDING (WHICH SHOULD BE CAREFULLY DESIGNED REGARDING SCALE, DESIGN AND MATERIALS USED). PROPOSALS FOR OTHER BUILDINGS, IN THE OPEN COUNTRYSIDE AND GREEN BELT WHICH ARE NOT ESSENTIAL TO THE OPERATION OF THE GOLF COURSE, SUCH AS HOTELS, CONFERENCE CENTRES, SPORTS HALLS, RESTAURANTS AND RESIDENTIAL HOLIDAY ACCOMMODATION WILL NOT BE ALLOWED;**
- (ii) **PROPOSED BUILDINGS AND CAR PARKING SHALL BE PROVIDED IN AREAS WELL SCREENED FROM THE ADJACENT COUNTRYSIDE BY EXISTING OR PROPOSED LANDSCAPING. CAR PARKING AREAS SHOULD ALSO BE APPROPRIATELY SURFACED, USING FOR EXAMPLE GRASSCRETE;**
- (iii) **THE PROPOSED SITE SHOULD HAVE GOOD ACCESSIBILITY VIA MAJOR ROADS AND PUBLIC TRANSPORT;**
- (iv) **WHERE PUBLIC FOOTPATHS ARE PRESENT, THEY SHOULD BE RETAINED AND INCORPORATED WITHIN THE LAYOUT OF THE GOLF COURSE (THIS MAY INVOLVE DIVERSION OF FOOTPATHS BUT NOT CLOSURE);**
- (v) **A LANDSCAPE AND NATURE CONSERVATION MANAGEMENT PLAN, SETTING OUT DETAILED PROPOSALS FOR LAND MANAGEMENT SHOULD BE APPROVED BY THE BOROUGH COUNCIL. THIS SHOULD INCLUDE THE PROVISION OF AREAS OF 'ROUGH' TO PROVIDE WILDLIFE OPPORTUNITIES AND REDUCE THE NEED FOR GRASSLAND MANAGEMENT WHEREVER POSSIBLE;**

- (vi) PROPOSALS SHOULD INCORPORATE THE RETENTION OF EXISTING FEATURES SUCH AS ISOLATED TREES, SMALL GROUPS OF TREES, HEDGEROWS, PONDS AND SEMI-NATURAL OR WILDLIFE RICH HABITATS. NEW NATIVE WOODLAND PLANTING SHOULD FORM APPROXIMATELY 15% OF THE COURSE AREA, AS PART OF THE MERSEY COMMUNITY FOREST PLAN PROGRAMME, WHERE RELEVANT;**
- (vii) WITHIN THE AREAS LISTED IN POLICIES NE2, NE3 AND NE11, SUCH DEVELOPMENT WILL NOT BE ALLOWED WHERE THERE WOULD BE A DAMAGING EFFECT ON WILDLIFE HABITATS OR IMPORTANT PHYSICAL FEATURES OR THE OVERALL CHARACTER OF THE LANDSCAPE;**
- (viii) DEVELOPMENT PROPOSALS SHOULD BE SYMPATHETIC TO THE HISTORIC LANDSCAPE CHARACTER AND FEATURES OF THE AREA (REFERENCE POLICY BE17);**
- (ix) WHERE PRESENT, ARCHAEOLOGICAL SITES SHOULD BE PRESERVED. WHERE THIS IS NOT POSSIBLE, APPROVAL WILL ONLY BE GIVEN WHERE PROVISION IS MADE FOR ARCHAEOLOGICAL INVESTIGATION AND RECORDING, THE FUNDING OF WHICH WOULD BE MET BY THE DEVELOPER; REFERENCE SHOULD ALSO BE MADE TO POLICIES BE15 AND BE16;**
- (x) PROPOSALS WILL BE ENCOURAGED IN AREAS OF DERELICT COUNTRYSIDE AND DERELICT/DESPOILED LAND WHICH WOULD RESULT IN A SUBSTANTIAL IMPROVEMENT IN THE LANDSCAPE. HOWEVER PROPOSALS SHOULD NOT COMPROMISE THE NATURE CONSERVATION VALUE OF A DERELICT SITE.**
- (xi) PROPOSALS SHOULD INCORPORATE THE RETENTION OF EXISTING WATERCOURSES AND SHOULD HAVE NO ADVERSE IMPACT ON GROUNDWATER SUPPLIES THROUGH THE EFFECTS OF PROVIDING ADDITIONAL WATER FEATURES (REF. POLICY P5).**

### **Reasons and Explanations**

- (i) Substantial earth movement; the creation of water features; the importation of materials such as hardcore or the loss of topsoil on high quality agricultural land could prevent it reverting back to agriculture if required, due to the potential damage to soil quality.
  - (ii) The scale of development of a golf course can have a significant impact on landscape character, whilst built development can introduce an 'urban feel' into the countryside.
  - (iii) Proper management of a golf course will ensure the protection and enhancement of wildlife habitats.
  - (iv) Public access to the countryside can be improved by golf development.
  - (v) To protect areas of the Borough of high landscape/ecological value from inappropriate development.
  - (vi) To ensure that the openness of the Green Belt is preserved and that any development that takes place within it does not conflict with the purposes of including land within it.
  - (vii) Areas of derelict/despoiled land are often of great nature conservation value; it is important therefore that any proposals reflect this by providing for the retention/incorporation of features of importance within the golf course layout.
  - (viii) To avoid risk to the quantity/quality and availability of groundwater resources due to the effects of additional water features.
-

**Policy Derivation**

PPG2 "Green Belts"  
 PPG9 "Nature Conservation"  
 PPG13 "Transport"  
 PPG16 "Archaeology and Planning"  
 PPG17 "Sport and Recreation"  
 Cheshire Replacement Structure Plan (2011) Policy TR4  
 "Golf Course Proposals in Historic Landscapes" English Heritage 1991  
 "Golf Courses in the Countryside" Countryside Commission 1993  
 "On Course Conservation" Nature Conservancy Council 1990  
 Environment Agency Guidance Notes for Development Plans

**Driving Ranges**

**RT19**

**PROPOSALS FOR THE DEVELOPMENT OF LAND FOR GOLF DRIVING RANGES WILL BE ALLOWED, PROVIDING THAT THE FOLLOWING CRITERIA ARE MET:**

- (i) THE PROPOSAL DOES NOT CONFLICT WITH POLICY RT18;
- (ii) DEVELOPMENTS INVOLVING VISUAL OBTRUSIVE FENCING, IN RURAL AREAS, WILL NOT BE ALLOWED;
- (iii) DUE TO THE VISUALLY INTRUSIVE NATURE OF FLOODLIGHTING, DEVELOPMENTS WITHIN WHICH IT IS INCLUDED IN RURAL AREAS WILL NOT BE ALLOWED;
- (iv) PROPOSALS FOR NEW BUILT DEVELOPMENT SHOULD BE ESSENTIAL FOR THE OPERATION OF THE DRIVING RANGE AND BE OF A SMALL SCALE. ANY PROPOSALS WHICH INCLUDE SIGNIFICANT BUILT DEVELOPMENT WILL NOT BE ALLOWED;
- (v) PROPOSALS WITHIN THE GREEN BELT MUST PRESERVE ITS OPEN CHARACTER;
- (vi) PARTICULAR ATTENTION SHOULD BE PAID TO LANDSCAPE AND NATURE CONSERVATION ISSUES, SPECIFICALLY IN RELATION TO CLAUSE (v) OF POLICY RT18.

**Reasons and Explanations**

- (i) To protect the rural areas of the Borough from visually intrusive development.
- (ii) To protect areas of the Borough of high landscape/ecological value from inappropriate development.
- (iii) To preserve the openness of the Green Belt.
- (iv) To protect the amenity of nearby residents.

**Policy Derivation**

PPG2 "Green Belts"  
 PPG9 "Nature Conservation"  
 PPG13 "Transport"  
 PPG16 "Archaeology and Planning"  
 PPG17 "Sport and Recreation"  
 Cheshire Replacement Structure Plan (2011) Policy TR4  
 "Golf Course Proposals in Historic Landscapes" English Heritage 1991  
 "Golf Courses in the Countryside" Countryside Commission 1993  
 "On Course Conservation" Nature Conservancy Council 1990

## Noisy Sports

### RT20

**PROPOSALS FOR THE PERMANENT USE OF LAND FOR NOISY SPORTS WILL BE ALLOWED PROVIDED THAT THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) PROPOSED DEVELOPMENT WILL BE ASSESSED IN RESPECT OF ITS NOISE IMPACT ON NOISE SENSITIVE DEVELOPMENT OR AREAS VALUED FOR THEIR TRANQUILLITY. ACCOUNT WILL BE TAKEN OF ALL APPLICABLE STATUTORY STANDARDS, BRITISH STANDARDS, AND RULES OF GOVERNING BODIES AND OTHER APPROPRIATE GUIDES, WITH REFERENCE TO THE COUNCIL'S ENVIRONMENTAL SERVICES DIVISION;**
- (ii) THAT THE PROPOSAL INCORPORATES A SCHEME INDICATING NOISE MITIGATION MEASURES TO BE INCORPORATED AT THE SITE. THIS SCHEME WILL BE REVIEWED AT INTERVALS TO ALLOW A PROGRESSIVE IMPROVEMENT OF THE NOISE ENVIRONMENT AS CHANGES IN TECHNOLOGY AND REGULATION TAKE PLACE. CONDITIONS WILL ALSO BE IMPOSED LIMITING THE HOURS AND/OR DAYS OF USE WHERE APPROPRIATE;**
- (iii) IN THE CASE OF GUN SPORTS, THE PROPOSED DEVELOPMENT WOULD NOT RESULT IN EXCESSIVE NOISE LEVELS AT THE BOUNDARIES OF NOISE SENSITIVE DEVELOPMENT;**
- (iv) WITHIN THE AREAS LISTED IN POLICIES NE2, NE3, NE11 AND WOODLAND AREAS OF NATURE CONSERVATION VALUE, SUCH DEVELOPMENT WILL NOT BE ALLOWED WHERE THERE WOULD BE A DAMAGING EFFECT ON WILDLIFE HABITATS OR IMPORTANT PHYSICAL FEATURES;**
- (v) THAT THE PROPOSAL INCORPORATES A PLAN TO SHOW HOW THE SITE WILL BE MANAGED, TO MINIMISE THE IMPACT OF ACTIVITY ON AREAS OF WILDLIFE IMPORTANCE AND TO ENSURE ADEQUATE WOODLAND/ COUNTRYSIDE MANAGEMENT;**
- (vi) THE PROPOSAL SHOULD NOT DISRUPT OR LEAD TO THE LOSS OF PUBLIC ACCESS SUCH AS FOOTPATHS, BRIDLEWAYS AND CYCLE ROUTES OR PLACE THEIR USERS IN ANY DANGER;**
- (vii) THE PROPOSAL SHOULD NOT CAUSE UNACCEPTABLE TRAFFIC CONGESTION, OR GENERATE TRAFFIC FLOWS WHICH WOULD BE HARMFUL TO THE ENVIRONMENT SUCH AS HEAVY TRAFFIC FLOWS ON A MINOR ROAD THROUGH A VILLAGE OR RURAL AREA.**

### Reasons and Explanations

- (i) Provision of a management plan can help to identify areas of wildlife importance and ensure that they are protected from damage.
- (ii) To protect the environmental character of the area.
- (iii) To protect the amenity of nearby residents.
- (iv) In the interests of highway safety.
- (v) Woodland of nature conservation value includes SSSIs, ancient semi-natural woodlands (the Borough Council and English Nature hold inventories of these), ASCVs and areas identified by the Borough Council for their importance to wildlife in a local context.

**Policy Derivation**

PPG2 "Green Belts"

PPG9 "Nature Conservation"

PPG17 "Sport and Recreation"

PPG24 "Planning and Noise"

Cheshire Replacement Structure Plan (2011) Policy TR2

**Motor Sports****RT21**

**PROPOSALS FOR THE PERMANENT USE OF LAND FOR MOTOR SPORTS WILL BE ALLOWED PROVIDED THAT THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) **WITHIN THE AREAS LISTED IN POLICIES NE2, NE3, NE11 AND WOODLAND AREAS OF NATURE CONSERVATION VALUE SUCH DEVELOPMENT WILL NOT BE ALLOWED WHERE THERE WOULD BE A DAMAGING EFFECT ON WILDLIFE HABITATS OR IMPORTANT SPECIAL FEATURES;**
- (ii) **THE SITE SHOULD BE WELL SCREENED FROM ADJACENT COUNTRYSIDE BY EXISTING OR PROPOSED LANDSCAPING;**
- (iii) **THE PROPOSED DEVELOPMENT SHOULD NOT BE WITHIN 400M OF A SIGNIFICANT NUMBER OF DWELLINGS, NOISE SENSITIVE DEVELOPMENT OR AREAS VALUED FOR THEIR TRANQUILLITY;**
- (iv) **PROPOSALS FOR BUILT DEVELOPMENT (SUCH AS CHANGING ROOM AND TOILETS) AND CAR PARKING AREAS SHOULD BE OF A SMALL SCALE; INVOLVE MINIMAL TREE LOSS AND BE SYMPATHETIC, IN TERMS OF DESIGN AND MATERIALS USED, TO THE SURROUNDING AREA;**
- (v) **PROPOSALS WITHIN THE GREEN BELT MUST PRESERVE ITS OPEN CHARACTER;**
- (vi) **PROPOSALS SHOULD NOT DISRUPT OR LEAD TO THE LOSS OF PUBLIC ACCESS, SUCH AS FOOTPATHS, BRIDLEWAYS AND CYCLE ROUTES;**
- (vii) **WHERE THE ACTIVITY IS LIKELY TO GENERATE HIGH NOISE LEVELS, CONDITIONS WOULD BE ATTACHED TO A PLANNING APPLICATION, LIMITING HOURS OF USE AND CONTROLLING NOISE EMISSIONS DURING UNSOCIABLE HOURS;**
- (viii) **THE DEVELOPMENT SHOULD NOT CAUSE UNACCEPTABLE TRAFFIC CONGESTION OR GENERATE TRAFFIC FLOWS WHICH WOULD BE HARMFUL TO THE ENVIRONMENT, SUCH AS HEAVY TRAFFIC FLOWS ON A MINOR ROAD THROUGH A VILLAGE OR RURAL AREA;**
- (ix) **THE DEVELOPMENT SATISFIES THE HIGHWAY AUTHORITY'S ACCESS AND PARKING REQUIREMENTS;**
- (x) **THAT THE PROPOSAL INCORPORATES A PLAN TO SHOW HOW THE SITE WILL BE MANAGED TO MINIMISE THE IMPACT OF ACTIVITY ON AREAS OF WILDLIFE IMPORTANCE AND TO ENSURE ADEQUATE WOODLAND/ COUNTRYSIDE MANAGEMENT.**

**Reasons and Explanations**

- (i) Motor sports can cause damage and disturbance to the countryside.
- (ii) To protect the environmental character of the area.

- (iii) To protect the amenity of nearby residents and to preserve the character of noise sensitive areas.
- (iv) To protect areas of the Borough of high landscape/ecological value from inappropriate development.
- (v) To preserve the openness of the Green Belt.
- (vi) Woodland of nature conservation value includes SSSIs, ancient semi-natural woodlands (the Borough Council and English Nature hold inventories of these); ASCVs, areas identified by the Borough Council for their importance to wildlife in a local context.

#### **Policy Derivation**

PPG9 "Nature Conservation"

PPG17 "Sport and Recreation"

PPG24 "Planning and Noise"

Cheshire Replacement Structure Plan (2011) TR2

### **Tourist/Recreation Related Facilities**

#### **RT22**

**THE FOLLOWING SITES ARE IDENTIFIED FOR TOURIST/RECREATION RELATED FACILITIES AND ARE SHOWN ON THE PROPOSALS MAP**

**RT22.1 THE LION SALT WORKS, MARSTON (1.94 HA)**

**RT22.2 LAND ADJACENT TO THE ANDERTON LIFT, ANDERTON (3.22 HA)**

**RT22.3 FORMER HIGHWAYS DEPOT, OFF WHARTON ROAD AND FORMER SQUASH CLUB, BRADFORD ROAD, WINSFORD (2.15 HA)**

**RT22.4 FOURWAYS' QUARRY, OAKMERE (92.20 HA) (REF. POLICIES RT11 AND MW3)**

**RT22.5 NUNSMERE, SANDIWAY (28.25 HA) (REF. POLICIES RT11 AND MW3)**

**ANY PROPOSALS FOR THESE SITES MUST:**

- (i) NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED IN THE BUILT ENVIRONMENT CHAPTER AND THE NATURAL ENVIRONMENT CHAPTER;**
- (ii) SATISFY THE HIGHWAY AUTHORITY'S REQUIREMENTS FOR ACCESS AND PARKING.**

#### **Reasons and Explanations**

- (i) To assist in the reopening of the Lion Salt Works as an important visitor attraction.
- (ii) The Anderton Lift is an important landmark; one of the major aims of the Plan is the restoration of the Lift, followed by the construction of a visitor interpretation centre, with associated facilities, adjacent to the Lift.
- (iii) To ensure that any development is of a good standard and design.
- (iv) In the interests of highway safety.
- (v) Public access to the river banks in Northwich and Winsford is an essential element of the River Weaver Valley Initiative and, in Northwich also, the Northwich Environmental Strategy.

- (vi) Fourways' Quarry is identified for non-engine powered water sports (sailing, sailboarding, canoeing and fishing) and strictly ancillary development (water sports club with changing facilities and a fishing club) and timber chalets (the number and location to be agreed with the Borough Council) to be used only in conjunction with the recreational uses, not as permanent dwellings. Any proposal should be accompanied by an Ecological Management Plan for the site.
- (vii) Nunsmere, Sandiway, is identified for water skiing use, along with the development of timber chalets (the number and location to be agreed with the Borough Council) to be used only in conjunction with the recreational uses, not as permanent dwellings. Any proposal should be accompanied by an Ecological Management Plan for the site.
- (viii) The development of allocation RT22.2 will take place in accordance with a Development Brief which will be published as supplementary planning guidance.

#### **Policy Derivation**

PPG9 "Nature Conservation"

PPG17 "Sport and Recreation"

PPG21 "Tourism"

Cheshire Replacement Structure Plan (2011) Policy TR1 and Policy TR2

### **Mooring Facilities**

#### **RT23**

#### **MOORING FACILITIES WILL BE PERMITTED AS FOLLOWS:**

- (i) PROPOSALS FOR FURTHER DEVELOPMENT OF THE CHESHIRE CANALS TO EXPLOIT THEIR RECREATIONAL POTENTIAL FOR BOATING, CRUISING, WALKING, CYCLING OR ANGLING WILL BE ALLOWED IN AREAS WHERE CANALS ARE UNDERUSED AND NOT ALLOWED WHERE THEY ARE OVERUSED;
- (ii) FURTHER LINEAR MOORINGS WILL NOT BE ALLOWED. (EXCEPTIONS MAY BE MADE WHERE THE PROPOSALS ARE FOR THE EXTENSION OF LINEAR OR LAYBY MOORING FACILITIES AT EXISTING LOCATIONS WHERE PRESSURE FROM BOAT NUMBERS IS CLEARLY DEMONSTRATED AND THE DEVELOPMENT WOULD NOT RESULT IN THE OBSTRUCTION OF THE WATERWAY FOR OTHER USERS). INSTEAD MOORINGS WILL BE ALLOWED ONLY AT SEPARATE MOORING BASINS FOR 50-100 BOATS AND EXCEPTIONALLY FOR UP TO 200 BOATS, OR ALTERNATIVELY AT SMALL SCALE TRANSIT MOORING FACILITIES FOR UP TO APPROXIMATELY 50 BOATS;
- (iii) MAJOR BOATING CENTRES FOR ACCOMMODATING 200-250 BOATS MUST BE SPACED AT INTERVALS OF ABOUT ONE DAY'S CRUISING;
- (iv) PROPOSALS FOR THE SMALL SCALE EXPANSION OF EXISTING MARINAS WILL BE ALLOWED;
- (v) PROPOSALS FOR MOORING FACILITIES IN THE OPEN COUNTRYSIDE/ GREEN BELT WHICH INCLUDE BUILT DEVELOPMENT WHICH IS NOT CONSIDERED TO BE NECESSARY (SUCH AS A HOTEL, RESTAURANT ETC) WILL NOT BE ALLOWED.

**PROPOSALS MUST SATISFY THE GENERAL REQUIREMENTS FOR RECREATION/ TOURIST DEVELOPMENTS SET OUT IN POLICY RT1**

## Reasons and Explanations

- (i) The provision of mooring facilities alongside the canal should be encouraged, whilst avoiding boat traffic congestion and the uneconomic duplication of facilities.
- (ii) Linear moorings can restrict the use of the canal for other activities. Mooring basins and transit facilities provide limited facilities for mooring without causing obstruction to the use of the canal.
- (iii) Boating centres provide a wide range of facilities and services. These should be located sensibly in relation to each other and the needs of the travelling public on the canals.
- (iv) Alternative uses of the canal towpaths for recreation, such as walking and cycling, will ensure that the canal routes continue to be used.
- (v) The waterways in Vale Royal have a wide variety of mooring facilities available, however demand may result in pressure for the expansion of existing facilities and the creation of new ones. This policy aims to accommodate such demand, whilst not compromising the quality and attractiveness of the areas through which these waterways pass.

### Policy Derivation

PPG2 - "Green Belts"

PPG17 - "Sport and Recreation"

Cheshire Replacement Structure Plan (2001) Policies TR7 and TR9

## The Weaver and Dane Valleys

### RT24

**REFER TO POLICIES NE16 AND NE17 IN THE NATURAL ENVIRONMENT CHAPTER  
ALL DEVELOPMENT PROPOSALS FOR LAND ADJACENT TO THE RIVERS WEAVER  
AND DANE SHOULD INCORPORATE THE FOLLOWING POINTS:**

- (i) SAFEGUARD EXISTING ACCESS ROUTES TO THE RIVERSIDE AND, WHERE APPROPRIATE, ESTABLISH ADDITIONAL ACCESS POINTS;**
- (ii) PROVIDE FOR PUBLIC ACCESS ALONG THE WHOLE LENGTH OF BOTH BANKS OF THE RIVERS WEAVER AND DANE IN NORTHWICH. PROPOSALS WHICH ARE PREJUDICIAL TO THE ACHIEVEMENT OF THE ABOVE WILL NOT BE ALLOWED.**

### Reasons and Explanations

- (i) Improved access to the river valleys is important if they are to be used as a recreational facility for both water and non-water based activities.
- (ii) Public access to the river banks in Northwich is an essential ingredient of the Northwich Environmental Strategy.
- (iii) Improving public access to the River Weaver is a key element of the Weaver River Valley Initiative.

### Policy Derivation

PPG17 "Sport and Recreation"

Cheshire Replacement Structure Plan (2011) Policy TR2 and TR5

## The Winsford Flashes

RT25

**THE BOROUGH COUNCIL WILL RESIST ANY DEVELOPMENT PROPOSALS AROUND THE WINSFORD FLASHES WHICH CONFLICT WITH THEIR USE AS A RECREATIONAL AND AMENITY RESOURCE, ESPECIALLY IN TERMS OF PUBLIC ACCESS.**

### Reasons and Explanations

- (i) The Bottom Flash is a valuable recreation and amenity resource in the heart of Winsford, and continued efforts will be made to retain and enhance this feature as a recreational facility by improving access to it.
- (ii) The recreational potential of the Flash is further enhanced through its connection to the River Weaver and the national canal network via a restored Anderton Lift.

### Policy Derivation

PPG17 - "Sport and Recreation"

Cheshire Replacement Structure Plan (2001) Policy TR2

## The Whitegate Way

RT26

**ANY DEVELOPMENT PROPOSALS FOR LAND BETWEEN HIGH STREET AND ROEHURST LANE, WINSFORD, SHOULD MAKE PROVISION FOR AN EXTENSION TO THE WHITEGATE WAY, INCLUDING A LANDSCAPING SCHEME, FROM ITS JUNCTION WITH BRADFORD ROAD SOUTHWARDS TO THE HIGH STREET, WINSFORD AS SHOWN ON THE PROPOSALS MAP.**

### Reasons and Explanations

- (i) Such a proposal could make beneficial use of an area of derelict land, improve the environment and make a countryside recreation facility more accessible to the local population, specifically those on foot, bicycle and on horse.

### Policy Derivation

PPG17 - "Sport and Recreation"

Cheshire Replacement Structure Plan (2001) Policy TR7

## Delamere Forest

RT27

**FURTHER LOW INTENSITY RECREATIONAL DEVELOPMENT PROPOSALS WILL BE ALLOWED WITHIN DELAMERE FOREST, IN AN AREA IDENTIFIED ON THE PROPOSALS MAP, IF IT IS CLEAR THAT IT WOULD NOT RESULT IN UNACCEPTABLE LEVELS OF CONGESTION ON ROADS AND WOULD NOT RESULT IN A DETERIORATION OF THE LOCAL ENVIRONMENT.**

### Reasons and Explanations

- (i) To protect the environment. This area already experiences considerable pressures from existing recreational uses. Development of any additional uses may result in long term damage to the environment.
- (ii) In the interests of highway safety.
- (iii) Low intensity recreation includes walking, cycling and horse riding.

### **Policy Derivation**

PPG17 - "Sport and Recreation"

Cheshire Replacement Structure Plan (2001) Policy TR1

## **The After-use of Wet Mineral Workings for Water Sports**

Refer to Policies MW1 to MW4 in the AFTER USE OF MINERAL WORKINGS AND WASTE DISPOSAL (LANDFILL) SITES Chapter.

## **Oulton Park Motor Racing Venue**

### **RT28**

**PROPOSALS FOR NEW MOTOR SPORTS RELATED DEVELOPMENT WITHIN OULTON PARK RACING VENUE, AS DEFINED ON THE PROPOSALS MAP, WILL BE ALLOWED PROVIDED THAT THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) NEW BUILT DEVELOPMENT SHOULD BE ANCILLARY TO THE USE OF THE SITE FOR MOTOR RACING PURPOSES;**
- (ii) NEW BUILT DEVELOPMENT SHOULD BE SITED IN ASSOCIATION WITH EXISTING BUILDINGS ON THE SITE, OR WHERE ENVIRONMENTAL IMPACT IS REDUCED AND SHOULD NOT DETRACT FROM THE CHARACTER AND APPEARANCE OF THE LOCALITY;**
- (iii) PROPOSALS SHOULD NOT LEAD TO LOSS OF EXISTING TREES WITHIN THE SITE. WHERE BUILT DEVELOPMENT WILL BE VISIBLE FROM OUTSIDE THE SITE, PROPOSALS SHOULD BE ACCOMPANIED BY A SUITABLE LANDSCAPING SCHEME;**
- (iv) WHERE PROPOSALS ARE LIKELY TO LEAD TO AN INCREASE IN THE LEVEL OR DURATION OF NOISE, CONDITIONS WOULD BE ATTACHED TO A PLANNING PERMISSION, LIMITING HOURS OF USE AND CONTROLLING NOISE EMISSIONS;**
- (v) PROPOSALS SHOULD NOT RESULT IN AN UNACCEPTABLE INCREASE IN LEVELS OF TRAFFIC CONGESTION, ANY PROPOSAL RESULTING IN INCREASED TRAFFIC FLOW SHOULD BE ACCOMPANIED BY DETAILS OF THE EFFECTS ON THE HIGHWAY NETWORK, POINTS OF ACCESS AND AVAILABILITY OF ON-SITE PARKING. A TRAFFIC IMPACT ASSESSMENT MAY BE REQUIRED.**

### **Reasons and Explanations**

- (i) Oulton Park Motor Racing Circuit is an important national leisure and tourist attraction which has existed for over 40 years. It is unique to the area, and is the only RACMSA licensed motor racing facility in the County. It is important that the site is reserved for motor racing related uses, and that any new built development in the open countryside is necessary to the efficient operation of the racetrack.**
- (ii) To protect the environmental character of the area.**
- (iii) To protect the amenities of nearby residents, in particular the village of Little Budworth.**

### **Policy Derivation**

PPG9 "Nature Conservation"

PPG17 "Sport and Recreation"

PPG24 "Planning and Noise"

## IMPLEMENTATION

The provision of recreation and tourism facilities in the Plan area will involve a variety of public bodies, private groups and organisations. The policies of this Plan seek to facilitate these opportunities and encourage private initiative and investment.

The Borough Council will use its development control powers to direct private investment to serve the policies of the Plan. Any planning application for recreation and tourism development will be considered on its merits in the light of the policies contained in this Plan.

The Borough Council offers a range of grant aid to private groups and organisations involved in recreation provision within the Borough. Grants are also available for the improvement and provision of facilities at village halls and sports facilities. Private groups can obtain funding or bid for resources for specific projects (such as the provision or upgrading of facilities) from bodies such as the National Lottery, Foundation for Sports and the Arts, the Sports Council (if the project meets the bodies' strategic aims) and the North West Arts Board for arts based developments. Other organisations such as the Regional Tourist Board give advice to those wishing to set up facilities for recreation or tourism.

Cheshire County Council also provides recreational facilities which meet the strategic needs of the County. Under the National Parks and Access to the Countryside Act 1949, the Countryside Act 1968 and Wildlife and Countryside Act 1981, these needs include medium and long distance footpaths, country parks and tourist facilities. In the present economic climate, limitations placed on resources have resulted in there being currently no significant proposals for such facilities. The County Council, however, is looking to consolidate existing facilities, to increase the level and diversity of usage by the public, and to encourage partnerships with the private sector to create multi-facilities. Expansion of the policy for the dual use of educational facilities, such as school buildings and sports grounds, by private groups and other bodies is representative of these aims.

The existence of open spaces and amenity land within the towns and rural areas of the Borough, as identified within a Borough wide survey, provide suitable locations for recreation. The Borough Council will seek to protect such sites from development, through the operation of the development control system and the identification of such sites on the proposals map, to enable the continuation of their function for formal and informal recreation.

Delamere Forest is an important recreational and tourist resource within Vale Royal. Forest Enterprise, the section of the Forestry Commission responsible for the management of the forest, will aim to increase and maintain the facilities for visitors to the forest, such as waymarked walks, picnic sites, visitor centres and car parks. The development of the Mersey Forest will also increase the size and diversity of the forestry resource for recreation within the Borough.

It is recognised that tourism development in the countryside contributes to the Borough's employment base. Craft workshops and the provision of holiday accommodation can make good use of redundant buildings and help the local economy.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

The improvement of existing, and provision of new, tourism and recreational facilities may encourage additional travel. The provision of more local facilities may reduce travel distances and enable more journeys to be made by public transport, walking and cycling, thereby limiting transport emissions. Tourist destinations in rural areas, in particular, are likely to result in additional transport emissions.

### **Use of Natural Resources**

Having more local recreational facilities may allow more travel by public transport, cycle or foot as opposed to the car which will benefit air quality. Certain new development, e.g. new tourist accommodation, will increase water demand, but overall additional water demand will not be substantial. Recreation facilities utilising large areas of land will generally be "soft" land uses with limited permanent built development. Policies seek to safeguard important wildlife habitats. There is also significant scope for new tree planting as part of new open space and recreation facilities.

### **Local Environment**

Recreational uses are likely, in general, to retain the openness of the countryside. New and improved recreational facilities can considerably improve the quality of the built environment and enhance quality of life. Overall it is likely to increase accessibility and open space.

## INTRODUCTION

The overall strategy of the Local Plan is to concentrate development in the urban areas which have existing public transport infrastructure and where there are a mixture of uses in reasonably close proximity offering the opportunity for walking and cycling. The Plan seeks to provide for a choice between a range of transport modes in order that more sustainable forms of transport such as cycling, walking and public transport will become increasingly attractive and practical options.

Through the concentration of development in the main towns of the Borough it is also hoped that in addition to more trips being possible by sustainable forms of transport, the length of trips by private car will be shorter. Accordingly, it will be necessary to provide for a full range of land uses in and adjacent to Northwich and Winsford's built up area, therefore land is allocated for employment, housing, leisure and shopping in these areas.

In addition to offering the possibility of a choice of modes of transport through the mixing and proximity of different land uses the Borough Council can offer practical incentives to use more sustainable forms of transport and ensure that new developments incorporate such measures. The Borough and County Council were recently successful in their bid for funding for a package of transportation measures in Northwich. The 'Package Bid' will include the provision of cycle lanes and routes and cycle parking in and around Northwich Town Centre and improvements to bus services and information. The scheme will also lead to the improvement of crossings for pedestrians and investigations, and potentially implementation of an extension to the existing pedestrian priority scheme in the main shopping street.

The Local Plan Review also outlines measures which seek to control certain private car journeys, existing car parking standards will be implemented in a different way and will be revised at a strategic level in the near future and it is likely that revised standards will be expressed in terms of a range of maximum and operational minimum standards for broad classes of development. The Borough Council will continue to manage the public off-street car parking in the town centres and will encourage, through appropriate management, the use of certain car parks for short-stay users rather than commuters. Where car parking standards cannot be met, commuted sums will be required from developers to help not only to provide parking at alternative locations but to also contribute to measures to provide public transport, walking and cycling.

The Borough Council recognises that the Manchester Ship Canal is an important commercial waterway which runs through the northern part of the Borough which is used for the import and export of bulk goods into Cheshire. Proposals for increasing the volume of traffic using the waterway which result in demand for additional facilities will need to be considered against all relevant policies in the Plan.

The transportation objectives of the Local Plan are consistent with the objectives of the Local Transport Plan (LTP). The Local Transport Plan is drawn up by the County Council, in partnership with others, and replaces the Transport Policies and Programmes (TPP) system for allocating resources for local transportation expenditure. The LTP covers all forms of transport, and is designed to co-ordinate and improve local transport provision with the aim of providing real alternatives to travel by road. The Borough Council is a key partner with Cheshire County Council in developing a Strategy for capital spending in Vale Royal as part of the LTP. The LTP also contains a 'supporting statement' by the Borough Council setting out how through its own service delivery the LTP will be effectively implemented. This focuses particularly on development control policies.

Encouraging travel by more sustainable alternatives to the private car, which is the objective of many of the Plan's transportation policies, will contribute to controlling air pollution, traffic congestion and noise. This will also assist in meeting a number of the objectives and action points in Vale Royal's Local Agenda 21.

## Traffic Generation

### T1

**THE ESTABLISHMENT OF NEW LAND USES OR THE EXPANSION OF EXISTING USES WILL NOT BE PERMITTED WHERE:**

- (i) THE PROPOSED USE WOULD, BASED ON TRAFFIC IMPACT ASSESSMENT, OR OTHER ASSESSMENT, NECESSITATE CONSIDERABLE PUBLIC INVESTMENT;**
- (ii) THE PROPOSED USE WOULD LEAD TO DETRIMENTAL ENVIRONMENTAL IMPACTS INCLUDING DETRIMENT TO RESIDENTIAL AMENITY;**
- (iii) THE DEVELOPMENT WOULD PREJUDICE THE SAFE AND FREE FLOW OF TRAFFIC ON A TRUNK ROAD, OR RESULT IN A SIGNIFICANT RISK TO SAFETY ON ANY HIGHWAY;**
- (iv) THERE IS NO PRESENT PUBLIC TRANSPORT LINK OR NO POTENTIAL FOR SUCH A LINK;**
- (v) DEVELOPERS OF MAJOR SITES WILL BE REQUIRED TO PREPARE A TRANSPORTATION STRATEGY AND TO CONTRIBUTE TOWARDS MEASURES WHICH WILL ENSURE THE TRIP AND TRAFFIC GENERATION (BOTH CARS AND HEAVY GOODS VEHICLES) CAUSED BY THEIR PROPOSAL IS KEPT TO A MINIMUM.**

### Reasons and Explanations

- (i) In certain areas even small developments could have a seriously detrimental effect on safety or the environment, this will be particularly the case in rural or residential areas. Accordingly, it will be necessary to ensure that such developments are assessed and if necessary controlled.
- (ii) The implementation section to the rear of this chapter explains in more detail the need for a comprehensive Traffic Impact Assessment, the scope and the nature of preparation of the assessment itself. The implementation section also gives information with regard to trunk roads and the need to meet requirements of the Highways Agency.

- (iii) The Highways Agency requirements with regard to access onto roads are set out in Circular Roads 4/88.
- (iv) Developments should be capable of being served by public transport otherwise, dependent upon the type of development, large amounts of private vehicles may result.
- (v) Travel to work figures at present indicate that people in Vale Royal travel predominately by car to their place of work. Whilst to a degree this reflects the distance they travel this is not always the case. Accordingly new proposals will be expected to contribute to measures which will ensure that the modal split between cars, buses and other forms of transport is kept to a reasonable level. However to inform these contributions developers and the Council will work together to produce a trip minimisation strategy which will address the way all of the journeys to the site will be made with the intention of reducing use of private cars and therefore use of energy and level of emissions.
- (vi) Major sites will include:
  - (a) Development sites of two hectares or over;
  - (b) Housing development of 50 units or over;
  - (c) Office developments of 1000sq m or over (gross);
  - (d) Retail developments of 1000 sq m or over (gross).

It is, however, impossible to quantify all development types that may give rise to a need for a transportation strategy and therefore the above list is not exhaustive.

#### Policy Derivation

Circular 4/88

Guidelines for Traffic Impact Assessment - The Institute of Highways and Transportation  
PPG13 "Transport"

## Public Transport

### T2

**WITHIN ALL MAJOR TOWN CENTRE DEVELOPMENT PROPOSALS, PROVISION SHOULD BE MADE FOR TAXI RANKS AND WAITING AREAS. THE RANKS THEMSELVES SHOULD BE LOCATED SO THAT THEY ARE FULLY ACCESSIBLE TO PEOPLE WITH DISABILITIES.**

#### Reasons and Explanations

- (i) Taxis provide vital transportation links for people with disabilities or people in areas not linked by public transport.

#### Policy Derivation

PPG13 - "Transport"

### T3

**WITHIN NEW DEVELOPMENTS WHERE DEVELOPMENT CAN ONLY TAKE PLACE WITH IMPROVEMENTS TO PUBLIC TRANSPORT SERVICES FOLLOWING TRAFFIC IMPACT ASSESSMENT OR OTHER ASSESSMENT, DEVELOPERS SHOULD PROVIDE OR MAKE CONTRIBUTIONS TOWARDS THE PROVISION OF ACCESS AND FACILITIES FOR BUSES, SUCH AS, LAY-BYS, TURNING FACILITIES, WAITING AREAS AND INFORMATION DISPLAY AREAS.**

### Reasons and Explanations

- (i) In order that new developments can be fully accessed by public transport facilities;
- (ii) In order that public transport is given additional advantages within new developments which ensure its improved use;
- (iii) In order to encourage the use of more sustainable forms of transport.

#### Policy Derivation

PPG13 "Transport"

### T4

**THE BOROUGH COUNCIL WILL WHEN CONSIDERING ANY FUTURE DEVELOPMENT PROPOSALS, ENSURE THAT ACCESS TO TOWN/VILLAGE CENTRES IN THE BOROUGH, WILL BE RETAINED FOR PUBLIC TRANSPORT USERS.**

### Reasons and Explanations

- (i) In order to ensure that when areas of the Borough are redeveloped or limitations are placed on access, access for public transport would be retained either in its present form or in new locations of equal proximity. For example if a street is pedestrianised or given pedestrian priority, bus access should be carefully considered and if routes need to be altered consideration given to the distance away from facilities and services;
- (ii) It is of great importance to maintain public transport access in order to ensure town centres are accessible to all sections of the community. Public transport provides a more space efficient and sustainable alternative to private cars;
- (iii) The use of public transport reduces congestion and pollution.
- (iv) Public transport access to town centres maintains both vitality and viability.

#### Policy Derivation

PPG6 - "Town Centres and Retail Developments"

PPG13 - "Transport"

### T5

**THE BOROUGH COUNCIL WILL ONLY PERMIT NEW DEVELOPMENT AT RAILWAY STATIONS IF IT CAN MEET ALL OF THE FOLLOWING CRITERIA:**

- (i) IT DOES NOT LEAD TO A REDUCTION OF STATION FACILITIES FOR MEMBERS OF THE PUBLIC, ESPECIALLY PEOPLE WITH DISABILITIES;**
- (ii) IT DOES NOT LEAD TO A REDUCTION IN CAR PARKING SPACES FOR MEMBERS OF THE PUBLIC;**
- (iii) IT DOES NOT LEAD TO THE EXCLUSION OF MEMBERS OF THE PUBLIC FROM AREAS OF THE PLATFORM WHICH COULD REDUCE THE LONG TERM VIABILITY OF THE STATION AND ITS SERVICES.**
- (iv) IT DOES NOT PREJUDICE THE PRESENT OR FUTURE USE OF THE STATION FOR FREIGHT MOVEMENT.**

### Reasons and Explanations

- (i) The reduction of parking facilities at certain stations could lead to a reduction of usage which would assist the justification for station closures. The Borough Council strongly wishes to encourage the use of more sustainable forms of transport such as rail;

- (ii) Although at present the freight potential of the existing railways has not been fully explored due to the lack of market demand, this situation may change over time as congestion, fuel prices and taxation make rail freight a more attractive alternative;
- (iii) There have been proposals for the conversion of properties at railway stations including conversions to residential use which could lead to the incremental 'privatisation' of station yards.

**Policy Derivation**

PPG13 - "Transport"

**T6**

**THE BOROUGH COUNCIL WILL SPECIFICALLY SAFEGUARD LAND FROM DEVELOPMENT AS INDICATED ON THE PROPOSALS MAP FOR THE EXPANSION AND/OR IMPROVEMENT OF FACILITIES ESPECIALLY IMPROVED ACCESS FOR PEOPLE WITH DISABILITIES, AT THE FOLLOWING RAILWAY STATIONS:**

- (1) WINSFORD;
- (2) HARTFORD;
- (3) NORTHWICH;
- (4) GREENBANK;
- (5) FRODSHAM;
- (6) HELSBY;
- (7) LOSTOCK GRALAM.

**Reasons and Explanations**

- (i) The Borough Council is concentrating new development in and around Northwich and Winsford and accordingly, it may be necessary to expand facilities at the stations that serve these areas.
- (ii) The Borough Council wishes to work with the rail operating companies and Railtrack to provide the best possible facilities in order to encourage the use of more sustainable transport modes such as cycle parking and information for cyclists.
- (iii) In order to ensure that railway stations and their facilities are accessible to people with disabilities.
- (iv) Through the Northwich Package Bid the passenger facilities at Northwich Station are being upgraded. The Package Bid is a bid to Central Government for resources to implement a 'package' of measures which together form an overall strategy which meet transport objectives consistent with those of the Structure and Local Plan.
- (v) The Vale Royal Public Transport Liaison Committee monitors the provision of public transport services. It comprises representatives of Town, Parish, Borough and County Councils as well as bus and train users. It advises the County Council's Transport Co-ordination Service on local issues and originates ideas for new services. It also acts as a forum for local opinion when service cuts have to be considered.

**Policy Derivation**

PPG13 "Transport"

Cheshire Replacement Structure Plan (Cheshire 2011) - Policy T8

## T7

**THE BOROUGH COUNCIL WILL SAFEGUARD THE LINE OF THE NORTHWICH - MIDDLEWICH - SANDBACH RAILWAY WITHIN VALE ROYAL AS SHOWN ON THE PROPOSALS MAP FROM DEVELOPMENT WHICH WOULD PREVENT FUTURE USE FOR PASSENGER AND/OR FREIGHT RAIL SERVICES.**

### Reasons and Explanations

- (i) The Northwich/Sandbach Line is presently only used for freight services and as a diversionary route for passenger services while the main West Coast Line is undergoing engineering works. However, the route could be used to serve existing and new development at Gadbrook for passenger and freight. Accordingly in order to meet this long term objective the Borough Council feel it is fully justified in ensuring the route is safeguarded in the long term.
- (ii) PPG13 states that stations can be the focus of travel intensive development and accordingly this line could provide a service to the Major Inward Investment site at land south of the A556 and west of Gadbrook Park/Northwich-Middlewich-Sandbach railway line.

### Policy Derivation

PPG13 "Transport"

## T8

**THE BOROUGH COUNCIL WILL SAFEGUARD FROM DEVELOPMENT ANY RAILWAY LINE PREDOMINATELY USED FOR NON PASSENGER SERVICES OR NOT PRESENTLY IN USE FOR RAIL SERVICES SUCH AS:**

- (i) HELSBY/MOULDSWORTH (PART OF THE NATIONAL CYCLE NETWORK);
- (ii) RAILWAY LINK ADJACENT TO NEW WARRINGTON ROAD;

**DEVELOPMENT WILL ONLY BE PERMITTED IF IT WOULD NOT PREJUDICE:**

- (i) THE FUTURE REOPENING OF THE LINE FOR RAIL SERVICES;
- (ii) THE USE OF THE ROUTE OF THE LINE AS A CYCLEWAY, FOOTPATH AND/OR BRIDLEWAY;
- (iii) THE USE OF THE ROUTE AS A LINEAR PARK;
- (iv) THE LINE'S ROLE AS A WILDLIFE CORRIDOR.

### Reasons and Explanations

- (i) In order to ensure that rail corridors continue to be available for reuse for rail purposes in the future.
- (ii) In order that rail corridors are not developed in a manner which will prevent them being used for sustainable transport or tourism.
- (iii) Any development on or adjacent to these lines would need to take into account the presence of significant pipelines.

### Policy Derivation

PPG13 "Transport"

## Pedestrians

### T9

**THE BOROUGH COUNCIL WILL PERMIT NEW DEVELOPMENTS IF THEY INCLUDE THE FOLLOWING WHERE THEY ARE CURRENTLY LACKING AND THEIR PROVISION WOULD BE OF BENEFIT:**

- (i) **PEDESTRIAN ROUTES WHICH PROVIDE DIRECT LINKS BETWEEN FACILITIES;**
- (ii) **SIGNS TO/FROM PUBLIC TRANSPORT FACILITIES AND LOCAL FACILITIES SUCH AS SHOPS;**
- (iii) **MEASURES TO ENSURE THE SAFETY OF PEDESTRIANS SUCH AS PEDESTRIAN CROSSINGS, SAFETY BARRIERS, LIGHTING AND TRAFFIC CALMING.**

#### Reasons and Explanations

- (i) Developers can meet the requirements of this Policy through the necessary contributions, with measures being taken on highway land where necessary.
- (ii) Developers, when planning new developments, should ensure that footpaths and cycle ways are included as an integral part of the design. Various issues will need to be addressed when cycle ways and footpaths are segregated from the highway such as the need for good overlooking, well designed lighting schemes and landscaping. It is anticipated through good design many of the problems perceived to be associated with segregated footways and cycle ways can be overcome.

#### Policy Derivation

PPG13 "Transport"

### T10

**THE BOROUGH COUNCIL HAS IDENTIFIED AN AREA ALONG WITTON STREET UP TO VENABLES ROAD WHICH WILL BE SAFEGUARDED FOR A FUTURE PEDESTRIAN PRIORITY SCHEME AS SHOWN ON THE PROPOSALS MAP.**

#### Reasons and Explanations

- (i) Public consultation was carried out in March and April 1999 on the options to extend the pedestrianised length of Witton Street up to the junction with Venables Road. The results of the public consultation show that there is some public support, although those with a commercial interest are concerned that there will be disbenefits and possible closure of businesses which rely on passing trade. Alternative options and schemes are now being considered to improve pedestrian facilities which will involve further public consultation.

#### Policy Derivation

PPG6 "Town Centres and Retail Developments"

PPG13 "Transport"

Herring Baker Harris "County-wide Retail Study" July 1995

## T11

**THE BOROUGH COUNCIL WILL ENSURE THAT EXISTING PUBLIC RIGHTS OF WAY ARE INCORPORATED INTO DEVELOPMENT PROPOSALS TO ENSURE THEIR LONG TERM USE.**

### **Reasons and Explanations**

- (i) The Borough Council is keen to ensure that existing footpaths and bridleways are maintained as they offer the opportunity for sustainable travel for both day to day and leisure purposes.
- (ii) Information on existing public rights of way are held by the County Council.

## **Cycling**

## T12

**THE BOROUGH COUNCIL WILL NOT ALLOW DEVELOPMENTS, INCLUDING NEW ROAD SCHEMES, UNLESS THEY INCORPORATE THE FOLLOWING WHERE APPROPRIATE:**

- (i) **THE PROVISION OF, OR CONTRIBUTION TOWARD, SEGREGATED OR SEPARATE DIRECT CYCLE ROUTES LINKING FACILITIES WITH THE DEVELOPMENT. WHERE SEPARATE ROUTES ARE NOT POSSIBLE INVESTIGATION OF THE UTILISATION OF ANY SPARE ROAD CAPACITY AND THE RELOCATION OF ROAD SPACE WILL BE REQUIRED;**
- (ii) **THE PROVISION OF, OR CONTRIBUTION TOWARD, THE REQUIRED LEVEL OF CYCLE PARKING AS SET OUT IN THE COUNTY CYCLE PARKING STANDARDS;**
- (iii) **THE PROVISION OF A CONTRIBUTION TO JUNCTION IMPROVEMENTS TO ASSIST CYCLISTS.**

## T13

**THE BOROUGH COUNCIL WILL CONTINUE TO IDENTIFY AND/OR SIGN RURAL CYCLE ROUTES WHICH UTILISE MINOR COUNTRY ROADS AND SEEK FUNDING FOR TRAFFIC CALMING WHERE NECESSARY. THE ROUTES WOULD BE USED PREDOMINANTLY FOR RECREATIONAL CYCLING AND ARE DETAILED IN THE PUBLICATION "CYCLE RIDES IN VALE ROYAL". AS AND WHEN RESOURCES ARE AVAILABLE FURTHER ROUTES OF THIS KIND WILL BE IDENTIFIED, PUBLICITY MATERIAL UPDATED AND ROUTES SIGNED.**

## T14

**THE BOROUGH COUNCIL WILL SAFEGUARD A ROUTE INDICATED ON THE PROPOSALS MAP WHICH IS THE PROPOSED VALE ROYAL SECTION OF THE NATIONAL CYCLE NETWORK AND INCLUDES THE WEAVER VALLEY CYCLE WAY. THE ROUTE INDICATED ON THE PROPOSALS MAP IS A PRELIMINARY INDICATION. THE FINAL ROUTE WILL BE IDENTIFIED FOLLOWING ENVIRONMENTAL ASSESSMENT, ENGINEERING INVESTIGATIONS AND SAFETY AUDIT WHERE APPROPRIATE. WHERE THE PROPOSED ROUTE WOULD HAVE A DETRIMENTAL IMPACT ON A SITE OF ACKNOWLEDGED IMPORTANCE IN POLICY NE2 AND NE3 AND THIS CANNOT BE ADDRESSED THROUGH THE DETAILED DESIGN OR THROUGH MITIGATION MEASURES AN ALTERNATIVE ROUTE WILL NEED TO BE INVESTIGATED.**

**Reasons and Explanations**

- (i) The National Cycle Network has been given support at a national level through the funding from the millennium fund for survey work. A route has been indicated on the proposals map and some surveys were carried out, however, it is possible that more detailed survey work will indicate that the route may have a detrimental impact of sites of landscape or nature conservation value and it may be necessary in certain cases to vary from the indicated route for a variety of reasons such as safety. The detailed design of any section of the route will need to incorporate mitigation measures for nature conservation and cycle calming.
- (ii) Long distance cycle routes can provide both a valuable leisure resource but also sections of the route allow for journeys to work and shop and it is a more sustainable form of transport.

**T15**

**THE BOROUGH COUNCIL WILL ACTIVELY SUPPORT THE TRAFFIC CALMING OF BYPASSED ROADS AND THEIR FUTURE PRIORITY USE FOR PUBLIC TRANSPORT AND CYCLING. SPECIFIC PROPOSALS INDICATED ON THE PROPOSALS MAP ARE:**

- (1) LONDON ROAD, DAVENHAM;
- (2) LONDON ROAD, LEFTWICH;
- (3) WHARTON ROAD, WINSFORD (BYPASSED ROAD).

**T16**

**THE BOROUGH COUNCIL WILL PURSUE A PROGRAMME OF CYCLE PARKING PROVISION TO SERVE EXISTING DEVELOPMENT. FACILITIES IN NORTHWICH TOWN CENTRE WILL BE PROVIDED AS PART OF THE NORTHWICH PACKAGE BID. IN THE REMAINDER OF THE BOROUGH SITES WILL BE IDENTIFIED FOR CYCLE PARKING AT LOCAL SHOPPING AREAS, COMMUNITY AND PUBLIC BUILDINGS AND VILLAGE CENTRES AND IMPLEMENTED AS RESOURCES PERMIT.**

**T17**

**THE BOROUGH COUNCIL WILL IDENTIFY A SERIES OF:**

- **SEGREGATED CYCLEWAYS**
- **SHARED PEDESTRIAN CYCLE ROUTES**
- **WHERE THESE ARE NOT POSSIBLE THEY WILL SEEK THE REALLOCATION OF EXISTING ROAD SPACE FOR CYCLISTS OR INVESTIGATE THE USE OF MINOR ROADS WITH, WHERE NECESSARY, SPEED CONTROL.**

**THE BOROUGH COUNCIL WILL SEEK TO WORK IN PARTNERSHIP TO ENSURE THAT SECURE CYCLE PARKING FACILITIES ARE AVAILABLE AT A WIDE RANGE OF EXISTING DEVELOPMENTS SUCH AS TOWN CENTRES, RAIL STATIONS AND COUNCIL BUILDINGS.**

**Reasons and Explanations**

- (i) Cycling provides a healthy and sustainable form of transport which would reduce traffic congestion and pollution;
- (ii) Levels of cycle usage in Vale Royal are fairly low although in some areas of Northwich, for example, Rudheath, over 9% of people travel to work by bike. Therefore, the provision of safer, and segregated routes may encourage both an increase in cycling to reach work and shopping facilities, but also may increase cycling as a leisure activity.

- (iii) The proposals for cycling in the Plan use a variety of routes and aim to cater for a wide range of users and uses. Preliminary investigations of several routes have already been carried out and further works will be undertaken in Northwich as part of the Northwich Package Bid.
- (iv) A budget has been identified for the provision of cycle racks and the Borough Council will continue to identify and secure funding for the implementation of cycle parking and cycle routes.

#### **Policy Derivation**

PPG13 'Transport'

Cheshire Replacement Structure Plan (Cheshire 2011) - Policy T1

Northwich Package Bid : Part of the "Transport Policies and Programmes 1995"

Sustrans Feasibility Study : The Helsby-Mouldsworth Railway Line.

## **Freight**

### **T18**

**THE BOROUGH COUNCIL WILL NOT PERMIT PROPOSALS FOR LARGE SCALE WAREHOUSING AND DISTRIBUTION FACILITIES UNLESS THEY MEET ALL OF THE FOLLOWING CRITERIA:**

- (i) **THE SITE CAN BE SERVED BY RAIL AND/OR COMMERCIAL WATERWAY;**
- (ii) **THE PROPOSAL WOULD NOT LEAD TO AN UNACCEPTABLE INCREASE IN TRAFFIC EITHER IN A SENSITIVE RESIDENTIAL OR RURAL AREA FOLLOWING TRAFFIC IMPACT ASSESSMENT;**
- (iii) **THE PROPOSED DEVELOPMENT IS WELL RELATED TO EXISTING EMPLOYMENT AREAS;**
- (iv) **THE PROPOSED DEVELOPMENT IS NOT WITHIN THE GREEN BELT, SSSI, ASCV, ASLEV.**

**THE FOLLOWING SITE AS SHOWN ON THE PROPOSALS MAP IS ALLOCATED FOR WAREHOUSING AND DISTRIBUTION PURPOSES:**

- (i) **LAND AT WINSFORD INDUSTRIAL ESTATE ADJACENT TO THE WEST COAST MAINLINE (POLICY E5.17)**

#### **Reasons and Explanations**

- (i) The type of development to which this Policy refers is proposals of approximately 10,000 square metres (100,000 square feet) upwards.

### **T19**

**THE DEVELOPMENT OF LAND ADJACENT TO THE RIVER WEAVER FOR WATER BASED FREIGHT FACILITIES WILL BE PERMITTED WITHIN THE POLICY BOUNDARIES OF WINSFORD AND NORTHWICH PROVIDED THAT THE PROPOSAL MEETS ALL THE FOLLOWING CRITERIA:-**

- (i) **THE PROPOSAL DOES NOT CONFLICT WITH THE BOROUGH COUNCIL'S AIMS FOR TOURISM AND RECREATION;**
- (ii) **THE PROPOSAL DOES NOT DETRACT FROM AREAS OF ACKNOWLEDGED NATURE CONSERVATION AND LANDSCAPE IMPORTANCE.**

**Reasons and Explanation**

- (i) The use of heavy lorries to transport heavy goods causes environmental problems in residential areas. Lorries cause vibration, noise and exhaust fumes and can also pose a safety hazard where they go through residential areas. It is necessary to look at alternative methods of moving heavy goods for the future which may soon be more viable as proposed improvements to the West Coast Main Line and links to Europe are implemented.
- (ii) The Weaver Navigation offers opportunities for water based freight, however much of the Weaver Valley is an area of Special County Value and according development should be confined to the areas adjoining the river within Northwich and Winsford Policy Boundaries.

**Policy Derivation**

PPG13 - "Transport"

**Car Parking****T20**

**DEVELOPMENTS SHOULD PROVIDE CAR PARKING IN ACCORDANCE WITH THE RELEVANT CAR PARKING STANDARDS, SET OUT IN APPENDIX 9. LEVELS LESS THAN THE STANDARDS MAY BE ACCEPTABLE WHERE:**

- (i) **THE PROPOSAL IS WITHIN THE TOWN CENTRE POLICY BOUNDARY OF NORTHWICH OR WINSFORD OR THE DEFINED SHOPPING AREA OF FRODSHAM; OR**
- (ii) **THE PROPOSAL IS AN AREA IDENTIFIED AS HIGHLY ACCESSIBLE BY PUBLIC TRANSPORT;**
- (iii) **THE PROPOSAL IS WITHIN SHORT WALKING DISTANCE OF AN AREA OF PUBLIC CAR PARKING;**
- (iv) **THE REDUCED LEVEL OF PROVISION WOULD NOT LEAD TO A REDUCTION OF RESIDENTIAL AMENITY IN THE SURROUNDING AREA, THROUGH MORE ON STREET PARKING.**

**WHERE REDUCED LEVELS OF CAR PARKING ARE PROVIDED IN ACCORDANCE WITH THE ABOVE CRITERIA, CONTRIBUTIONS WILL BE SOUGHT TO EITHER PROVIDE CAR PARKING OFF-SITE OR CONTRIBUTE TOWARDS MEASURES TO FACILITATE ACCESS BY PUBLIC TRANSPORT, WALKING, OR CYCLING.**

**Reasons and Explanations**

- (i) The existing car parking standards do not set operational and non-operational standards just a single standard which is set as a minimum. The standards are being reviewed in the light of PPG13 but are not presently available. Accordingly, in order to go some way to meeting the requirements of PPG13 with the existing standards the policies require that the standards are met but not exceeded and that in certain circumstances the standards will be relaxed and commuted sums paid in lieu of spaces.
- (ii) The County Standards are available in Appendix 9.
- (iii) The revised parking standards are likely to be expressed in terms of non-operational and operational standards and will also consider accessibility of the development in terms of public transport and pedestrians/cyclists.

- (iv) The commuted sums that are secured when standards are relaxed will either be used to provide or improve public car parking facilities or to provide infrastructure or improvements to facilitate access by public transport, bicycle or by pedestrians. It is also possible that the commuted sums could be utilised to ensure that the relaxation of standards does not lead to parking in neighbours' residential areas causing problems for local residents.
- (v) Appendix 9 sets out the current parking standards.

#### **Policy Derivation**

PPG13 "Transport"

#### **T21**

**THE COUNCIL WILL SEEK TO ENSURE AN APPROPRIATE SUPPLY OF ATTRACTIVE, CONVENIENT AND SAFE PARKING FOR SHOPPERS AND OTHER SHORT-TERM PARKERS IN TOWN AND VILLAGE CENTRES. DEVELOPMENT WHICH INVOLVES THE LOSS OF PUBLIC PARKING WHICH PROVIDES FOR SHOPPERS AND VISITORS IN DEFINED TOWN AND VILLAGE CENTRES WILL ONLY BE PERMITTED IF:**

- (i) AN APPROPRIATE LEVEL OF REPLACEMENT PROVISION CAN BE ACCOMMODATED AS PART OF THE DEVELOPMENT;**
- (ii) AN APPROPRIATE LEVEL OF REPLACEMENT PROVISION CAN BE MADE AT A CONVENIENT LOCATION IN PROXIMITY TO THE TOWN OR VILLAGE CENTRE.**

#### **Reasons and Explanations**

- (i) In order to ensure that adequate town centre car parking exists for the needs of shoppers.
- (ii) In order that local residents living close to the town centre do not suffer a loss of residential amenity.
- (iii) In order that the economic viability of the town centre is maintained.
- (iv) There is no specific definition of what constitutes a convenient location as this will vary between centres. The greater level of attraction of the centre the longer the distance people will be willing to walk. However, as an indication of what may constitute an unacceptable distance, PPG6 states that people are unlikely to walk more than 200 metres to car parks located at adjacent town centre sites. In considering what constitutes a convenient location topography, major roads and directions of pedestrian routes and safety from car parks to town centre facilities along with distance will be key considerations.

### **Provision of Access For People with Disabilities**

#### **T22**

**THE BOROUGH COUNCIL WILL NEGOTIATE WITH DEVELOPERS TO ENSURE THAT THE NEEDS OF PEOPLE WITH DISABILITIES ARE PROVIDED FOR WITHIN ALL NEW DEVELOPMENTS. CONSIDERATION FOR THE DISABLED SHOULD BE MADE IN THE FOLLOWING MATTERS:**

- (i) THE USE OF SURFACE MATERIALS**
- (ii) THE POSITIONING OF STREET FURNITURE AND LANDSCAPING**

**(iii) THE GENERAL LAYOUT OF THE DEVELOPMENT****(iv) THE DESIGN AND LOCATIONS OF CASHPOINT FACILITIES (ATMs)****Reasons and Explanations**

- (i) In order that people with disabilities can move around new developments with the minimum amount of effort and in order that all areas are accessible.
- (ii) The Policy relates to those areas not presently covered by other legislation, namely Part M of the Building Regulations.

**Policy Derivation**

PPG13 "Transport"

**Roadside Facilities****T23**

**NEW ROADSIDE FACILITIES WILL BE ALLOWED PROVIDED THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) **THEY ARE SITUATED ADJACENT TO THE MAJOR ROADS THROUGH THE BOROUGH, I.E. THE A49, THE A54 AND THE A556 AND ARE NEAR A LARGE VILLAGE OR TOWN BUT THEY ARE NOT DIRECTLY ACCESSED FROM THE M6 OR M56 MOTORWAYS. ACCESS REQUIREMENTS FOR SUCH PROPOSALS WILL NEED TO MEET THE REQUIREMENTS OF THE HIGHWAYS AGENCY;**
- (ii) **IN GREEN BELTS, ONLY REST AREAS PROVIDING TOILETS AND PICNIC TABLES WILL BE ALLOWED, AND ONLY WHERE ALTERNATIVE LOCATIONS OUTSIDE THE GREEN BELT ARE NOT AVAILABLE. IN AREAS DESIGNATED AS ASCVS AND ASLEVS ONLY REST AREAS PROVIDING TOILETS AND PICNIC TABLES WILL BE ALLOWED ONLY IN LOCATIONS NOT DAMAGING TO THE LOCAL ENVIRONMENT;**
- (iii) **THERE IS A PROVEN NEED FOR THE PARTICULAR FACILITY TAKING ACCOUNT OF GOVERNMENT ADVICE, EXISTING PROVISION AND COMMERCIAL DEMAND;**
- (iv) **THEY SATISFY ACCESS AND PARKING REQUIREMENTS;**
- (v) **THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON THE VISUAL AMENITY OF THE SURROUNDING AREA. THE DETAILS OF THE DEVELOPMENT SATISFY THE BOROUGH COUNCIL IN RESPECT OF LAYOUT, SIGNAGE, LANDSCAPING, SCALE OF BUILDINGS, DESIGN AND MATERIALS USED, WITH SPECIFIC REGARD TO THE CHARACTER OF THE SURROUNDING AREA;**
- (vi) **THEY SHOULD CATER FOR ALL USERS WITH THE EXCEPTION OF HEAVY GOODS VEHICLES.**

**Reasons and Explanations**

- (i) To confine the environmental impact of large roadside facilities which include parking, fuel, telephones, picnic areas, refreshments, limited shopping facilities and overnight accommodation intended only for breaks in journeys to areas close to the major routes through the Borough and to try to limit the number of cars travelling on rural roads.
- (ii) To restrict development in areas where it would have a detrimental impact.

- (iii) In the interest of highway safety and visual impact.
- (iv) To reiterate and emphasise the requirements of the Highways Agency with regard to trunk roads as set out in Circular 4/88.
- (v) When assessing such proposals the Council will have regard to other policies within this Plan, in particular, policy T1.

#### **Policy Derivation**

PPG13 "Transport"

Cheshire Replacement Structure Plan (Cheshire 2011) - Policy T11

Circular Roads 4/88

## **Lorry Parks**

### **T24**

**PROPOSALS FOR LORRY PARKS WHICH ACCOMMODATE OVERNIGHT STAYS WILL ONLY BE ALLOWED IF THEY MEET THE FOLLOWING CRITERIA:**

- (i) **THEY ARE SITUATED ADJACENT TO THE MAJOR ROADS THROUGH THE BOROUGH WHICH ARE THE A54, A556 AND A49, BUT NOT DIRECTLY ACCESSED FROM THE M6 OR M56. ACCESS FOR SUCH PROPOSALS WILL NEED TO MEET THE REQUIREMENTS OF THE HIGHWAYS AGENCY;**
- (ii) **THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT UPON THE VISUAL AMENITY OF THE SURROUNDING AREA AND ANY IMPACT SHOULD BE REDUCED THROUGH THE EFFECTIVE USE OF LANDSCAPING/ SCREENING AND THE SENSITIVE USE OF SIGNAGE;**
- (iii) **THE PARK SHOULD NOT BE ACCESSED THROUGH A RESIDENTIAL AREA OR HAVE A DETRIMENTAL EFFECT ON THE AMENITY OF A RESIDENTIAL AREA;**
- (iv) **THE PARK SHOULD NOT BE PROPOSED ON LAND WHICH IS DESIGNATED GREEN BELT, SSSI, ASLEV OR ASCV;**
- (v) **ANY ASSOCIATED BUILT DEVELOPMENT SHOULD BE OF AN APPROPRIATE SCALE AND THE DESIGN, MATERIALS, SIGNAGE SHOULD HAVE THE REGARD TO THE AMENITY OF THE SURROUNDING ENVIRONMENT;**
- (vi) **ESSENTIAL FACILITIES MUST BE PROVIDED FOR OVERNIGHT STAYS, FOR EXAMPLE TOILETS;**
- (vii) **THE SURFACING AND DRAINAGE ARRANGEMENTS SHOULD BE SUITABLE TO PROTECT WATERCOURSES AND THE NATURAL ENVIRONMENT FROM POTENTIALLY HARMFUL LEAKS OR SPILLS FROM LORRIES;**
- (viii) **THE DEVELOPMENT SHOULD INCORPORATE BASIC SAFETY FEATURES IN ORDER TO ADDRESS FIRES OR LEAKAGES;**
- (ix) **DEVELOPMENTS OF THIS KIND SHOULD, IF AT ALL POSSIBLE, BE WELL RELATED TO LARGE EMPLOYERS AND HGV USERS, AS LONG AS THIS DOES NOT CONFLICT WITH ANY OF THE ABOVE CRITERIA.**
- (x) **WHERE SITES ARE PROPOSED IN THE OPEN COUNTRYSIDE THE DEVELOPMENT WILL BE ALLOWED PROVIDED IT MEETS ALL THE CRITERIA AND IS LOCATED ON PREVIOUSLY DEVELOPED LAND.**

**Reasons and Explanations**

- (i) In order that such facilities are generally concentrated on industrial estates or close to the companies that regularly use lorries.
- (ii) In order that the impact of lorry parks on residential areas is minimised.
- (iii) In order that lorries are concentrated onto roads that are already deemed suitable for HGV traffic.
- (iv) Suitable drainage may include inceptors to prevent harmful substances damaging watercourses or wildlife.
- (v) To reiterate the requirements of the Highways Agency with regard to trunk roads.

**Policy Derivation**

Circular Roads 4/88

**General Highways Policies****T25**

**THE BOROUGH COUNCIL WILL SAFEGUARD LAND FROM ANY OTHER DEVELOPMENT ON THE ROAD LINE INDICATED ON THE PROPOSALS MAP FOR THE FOLLOWING SCHEME:-**

- (i) THE A54 WINSFORD RAILWAY STATION TO STANTHORNE;**

**Reasons and Explanations**

- (i) Land needs to be safeguarded in order that the long term aims of the LTP, Local Plan and Structure Plan can be achieved.
- (ii) If the land was not safeguarded from development, building could take place which may need to be the subject of compulsory purchase in the future and this would be unsatisfactory for all parties.
- (iii) The road proposal put forward is to remove dangerous bends.

**Policy Derivation**

Cheshire Replacement Structure Plan (2001) - Policy T4

**T26**

**THE BOROUGH COUNCIL WILL REQUIRE NEW DEVELOPMENTS TO INCLUDE APPROPRIATE TRAFFIC CALMING MEASURES.**

**Reasons and Explanations**

- (i) Measures of this kind should be designed with public transport providers, emergency vehicle operators and cyclists in mind and should take into consideration the latest Department of Transport advice and research with respect to design.

**Policy Derivation**

PPG13 - "Transport"

## IMPLEMENTATION

### LOCAL TRANSPORT PLAN

The transportation objectives of the Local Plan are consistent with the objectives of the Local Transport Plan (LTP). The Local Transport Plan is drawn up by the County Council, in partnership with others, and replaces the Transport Policies and Programmes (TPP) system for allocating resources for local transportation expenditure. The LTP covers all forms of transport, and is designed to co-ordinate and improve local transport provision with the aim of providing real alternatives to travel by road. The Borough Council is a key partner with the Cheshire County Council in developing a Strategy for capital spending in Vale Royal as part of the LTP. The LTP also contains a 'supporting statement' by the Borough Council setting out how through its own service delivery the LTP will be effectively implemented. This focuses particularly on development control policies.

### TRAFFIC IMPACT ASSESSMENT

A requirement for Traffic Impact Assessment is now clearly stated as part of the general policy for development and the general transportation policy. The TIA process starts well before carrying out an actual assessment with the determination of whether there is in fact a need to carry out the assessment. TIAs deal with a wide range of issues not just traditional highways issues, but matters such as road safety inside and outside the site. Most TIAs relate to fairly large proposals, however, smaller development proposals in sensitive locations may also need to be the subject of TIAs.

Whilst it is not easy to generalise about when a TIA is necessary, it should normally be produced when one or other of the following thresholds are exceeded:

- Traffic to and from the development exceeds 10% of the two way traffic flow on the adjoining highway.
- Traffic to and from the development exceeds 5% of the two way traffic flow on the adjoining highway where traffic congestion exists or will exist within the assessment period or in a sensitive location.

Where a proposal is likely to have an impact on a trunk road it will be necessary for the developer to meet the specific requirements of the Highways Agency, who may for example consider small percentage changes on roads at or near capacity to be material considerations. The Highways Agency also have a policy of restricting new Highway Accesses onto trunk roads in order to ensure that the primary role of such routes, to provide the safe and free movement of long distance through traffic, continues. Prospective applicants are encouraged to discuss proposals which may result in a material increase in the volume or a material change in the character of traffic entering or leaving a trunk road with the Highways Agency at the earliest opportunity.

The TIA should be preceded by a scoping study. This establishes the data to be collected, area of analysis, methodology and years of assessment. The actual TIA should reflect the size and nature of the application and the outcome of the discussions with regard to the scope of the TIA between the applicants and the Highway/Planning Authority. Developers are referred to the document "Guidelines for Traffic Impact Assessment" produced by the Institution of Highways and Transportation which details the above information more fully.

## ACCESSIBILITY PROFILES

When the County and Borough Councils re-examine the car parking standards it is anticipated that the standards will be linked to accessibility. An accessibility profile is in essence a contour around a location of good public transport access such as a railway or bus station. Locations within, for example, a 10 minute walk of such facilities may be subject to slightly different policies on car parking standards and density of development. In general terms the areas of highest accessibility tend to be concentrated in town centres where there will usually be a bus interchange or station and a railway station.

The Borough Council will consider where the areas of greatest accessibility are within the Borough. Accessibility will relate not only to numbers of bus services passing along a street, but the frequency and duration of the service and the number and type of location served. Once the areas of highest access are identified, then it will be possible to take account of the accessibility to allow for less actual parking provision and the provision of commuted payments which could be used to improve public transport facilities. In addition these locations could be used for high density and trip generating development. It is evident that Northwich Town Centre has a good accessibility profile and accordingly the Plan has identified a range of sites within shopping, employment, leisure and housing, all of which will be highly accessible to areas of employment such as Gadbrook Park by both bus and the newly created cycle route. The details of the accessibility contours will be set out in Supplementary Planning Guidance.

## WORKING IN PARTNERSHIP

In order to encourage and ensure that facilities and provision are available for all transport users the Borough Council needs to work with a wide range of other organisations.

To maintain bus routes and where possible extend services and facilities for passengers, funding will continue to be sought from Cheshire County Council. For example, a long term aim of the Borough Council in conjunction with Cheshire County Council's Cheshire Bus, was to introduce a redesigned bus interchange at Watling Street, Northwich to allow provision for increased services and passenger space/amenity. Railway infrastructure such as track and station buildings are in the ownership of Railtrack, with rail services operated by a variety of rail operating companies. The Borough Council will seek to develop the opportunities for rail travel. Through the operation of the development control system and discussions with Railtrack, car and cycle parking and other facilities at stations will be safeguarded and improved.

The development and extension of facilities for cyclists will be encouraged by the Borough Council in conjunction with the County Council, Groundwork Trust and Sustrans. All of the above organisations are involved in some degree to securing cycle parking and new cycle routes in the Borough.

Through working with a range of partners and through the preparation of the Local Transport Plan the Borough Council hope to reduce the growth in the number of private car trips and promote more sustainable transport options.

## ENVIRONMENTAL APPRAISAL

### Global Environment

In tandem with locational policies for new development which seek to reduce the need to travel, the aim of many of the transport policies is to promote a better choice of transport means in order to minimise motorised journeys, particularly the use of the car. There is an emphasis therefore on encouraging public transport use along with cycling and walking. The movement of freight by rail or waterway is also promoted as an alternative to road transport. Encouraging more sustainable transport modes should assist in controlling vehicle emissions and, indirectly, industrial emissions from the production of vehicles. Associated with this, could be a reduction in the use of energy and fossil fuels. Importantly, developers are required to consider the location of development in relation to public transport accessibility and measures to minimise trip generation particularly in respect of the private car.

### Use of Natural Resources

Policies which encourage the use of public transport and cycling and walking as an alternative to the private car, along with providing the opportunity for freight movement by rail or waterway can contribute to improvements in air quality. Transport related deployments such as infrastructure provision, warehouse and distribution parks, roadside facilities, lorry parks, roadbuilding and car parking will result in land take. They may also involve the loss of trees and wildlife habitats, involve the use of mineral resources and affect groundwater and surface water quality.

### Local Environment

It is recognised that an efficient and reliable transport system is essential to the economic wellbeing of the Borough and therefore quality of life. Policies will seek to encourage a choice of transport means with an emphasis on more sustainable modes to reach shopping, leisure and workplace destinations. This may also improve the quality of the built environment.

New transport related developments pose a great threat to local environments, particularly their effect on nature conservation and landscape intrusion, however, policies do seek to control these effects.

# SHOPPING AND TOWN CENTRE DEVELOPMENT

## chapter 9

### INTRODUCTION

In order to develop retail and other town centre uses which attract people, e.g. leisure, entertainment and public and commercial offices in a way that reduces the need to travel by car or to make journeys solely for the purpose of shopping, the Local Plan outlines a strategy which seeks to concentrate new retail and other town centre uses in appropriate defined town centres and smaller village and local centres. The concentration of retail uses will ensure the continued health and well being of village and local shopping facilities which serve a range of needs and other uses which attract a lot of people. The centres themselves are served by public transport and in the case of the larger centres combine in one location a whole range of services and facilities such as leisure, public services and personal services. Accordingly, large and small centres offer both accessibility by a range of transportation means and the opportunity to use one journey for several purposes thus reducing the need to travel.

The major shopping areas in Vale Royal are in the town centres of Northwich and Winsford. Northwich has both convenience (food predominantly) and comparison (non food) floorspace and draws people from the surrounding areas for both food and non food shopping. Winsford has more localised appeal and is predominantly a convenience centre. Below the two main centres in the hierarchy, there are a wealth of smaller centres. The largest of this tier in the retail hierarchy is Frodsham. These centres such as Hartford, Helsby and Tarporley predominantly provide for convenience shopping needs on a daily and weekly basis but also provide for the evening economy with attractive restaurants and pubs. It should be noted that both Frodsham and Tarporley are historic centres which also have an element of speciality and high quality retail such as ladies clothes and gifts. Finally, at a localised level, the smaller village and suburban areas of Winsford and Northwich have limited retail facilities which seek to meet essential day to day needs and will generally be characterised by convenience only floorspace with in some cases small libraries and health facilities.

The policies in the Local Plan seek to ensure that all of the Borough's retail centres, wherever they are in the retail hierarchy will remain both vital and viable. The Borough Council recognises the need for innovation in retailing, but this should not be to the detriment of existing retail facilities' vitality and viability. Vitality is a term which reflects how busy the town or large village centre is at different times of the day and in different parts of the shopping area. Viability reflects the ability of the centre to attract continuing investment so that it can be maintained, improved and changed to meet new needs. In order to allow for reinvestment, centres need to be making profits, in centres in decline, reinvestment will be low.

The viability of town and larger village centres may be compromised if the development of newer formats of retailing are permitted outside of the defined town and village centres. Accordingly, sites for a variety of retail formats, leisure, entertainment and also mixed use sites in Northwich are identified in the two main centres. The larger retail formats proposed in the town centres would not generally be appropriate in larger villages because of the smaller catchments in these centres. Only if no site is available in the town centres will sites adjacent to the town centre be deemed acceptable. These centres also have in some cases public offices and facilities such as libraries and health centres.

The vitality and viability of town centres can be enhanced through both the environmental improvement of town centres and the encouragement of a mixture of users such as leisure, residential and employment along with retailing which will encourage usage of the town centre at all times of day and reduce the need to travel. The Local Plan has outlined a strategy which ensures that the retail core of centres will remain but that a diversity of use can occur outside core retail areas which will support the shopping function of those centres.

## General Policies

### STC1

**PROPOSALS FOR THE DEVELOPMENT OF SHOPPING USES (A1) IN THE DEFINED SHOPPING AREAS WHICH ARE OF A SCALE WHICH REFLECTS THE SHOPPING AREAS EXISTING CATCHMENT AND THEIR POSITION IN THE RETAIL HIERARCHY WILL BE ALLOWED.**

**PROPOSALS FOR LEISURE, COMMERCIAL, PUBLIC OFFICES AND ENTERTAINMENT FACILITIES AS APPROPRIATE WILL BE ENCOURAGED IN NORTHWICH AND WINSFORD TOWN CENTRES AND IN LARGE VILLAGE CENTRES AND LOCAL CENTRES IF THEY COMPLY WITH POLICIES STC7, STC8 AND STC11.**

**THE DEFINED CENTRES SHOWN ON THE PROPOSALS MAP ARE AS FOLLOWS:**

#### **TOWN CENTRES:**

**NORTHWICH  
WINSFORD**

#### **LARGE VILLAGE CENTRES:**

**FRODSHAM  
TARPORLEY  
HARTFORD  
WEAVERHAM  
HELSEBY**

#### **LOCAL CENTRES:**

##### **NORTHWICH:**

**STATION ROAD  
MIDDLEWICH ROAD  
CHESTER ROAD, CASTLE**

**WINSFORD:****HIGH STREET****DELAMERE STREET****Reasons and Explanations**

- (i) The policy indicates the hierarchy of centres in Vale Royal, the list does not include the retail areas in small villages or individual or small groups of shops in residential areas. However, there are policies to cover shops not in defined centres at the end of the chapter.
- (ii) The policy differentiates between A1 and other uses. A1 uses include as set out in the use classes order Post Offices, shops, travel agents, hire agencies and hairdressers. These are considered to be the main anchor use for retail areas. Whilst other uses such as financial services and food and drink uses are important to support the main retail uses, it is important that they do not begin to dominate the centres.
- (iii) To ensure that new development is concentrated in the existing retail areas which are generally more accessible by a range of transport modes.
- (iv) To ensure that new shopping development is not totally out of scale with its surroundings which is likely to result in an adverse impact on the existing retail development, e.g. a large superstore in a local centre or in some large village centres.
- (v) The policy also provides for a range of activities to be accommodated in a number of different sized centres to accord with the provisions of PPG6 as revised.

**Policy Derivation**

PPG13 - "Transport"

PPG6 - "Town Centres and Retail Developments"

**STC2**

**IN ORDER TO PROVIDE FOR THE FUTURE SHOPPING AND LEISURE REQUIREMENTS OF THE BOROUGH, SEVERAL SITES HAVE BEEN ALLOCATED AND ARE SHOWN ON THE PROPOSALS MAPS AS EITHER SHOPPING SITES, PART OF MIXED SITES OR LEISURE SITES. SHOPPING DEVELOPMENT WILL BE ALLOWED ON ALL (SHOPPING) OR PART (MIXED SITES) OF THE SITES LISTED BELOW APART FROM THE REGAL CINEMA SITE WHICH IS ALLOCATED FOR LEISURE USE:**

**NORTHWICH:**

**STC2.1 LAND AT BARONS QUAY AND NORTH AND WEST OF LEICESTER STREET (SHOPPING).**

**STC2.2 LAND NORTH AND WEST OF WEAVER WAY (MIXED). ANY DEVELOPMENT OF THIS SITE MUST OPEN UP THE RIVER FRONTAGE.**

**STC2.3 LAND COMPRISING THE REGAL CINEMA AND CAR PARK (LEISURE USE)**

**WINSFORD:**

**STC2.4 LAND AT DENE DRIVE (SHOPPING). IN WINSFORD BECAUSE OF THE CONSTRAINTS OF THE TOWN CENTRE.**

**STC2.5 LAND AT THE OLD HIGH STREET (SHOPPING). (LOCATED IN LOCAL CENTRE ADJACENT TO TOWN CENTRE AND ACCORDINGLY SUBJECT TO POLICY STC6).**

## Reasons and Explanations

- (i) These sites provide accessible locations for shopping development which can be reached by a range of modes of transport. Because these locations are accessible, it is accepted that the sites are for shopping. An element of complimentary uses such as financial services, food and drink and possibly leisure uses will form a part of the scheme. However, the predominant use of the site should be shopping uses (A1) in the mixed schemes uses will vary and these are set out in the General Strategy. Again, through the mixing of different uses, it is anticipated that the need to travel will be reduced.
- (ii) Land at Barons Quay had outline consent in 1994, however no development has commenced and the consent has lapsed and has not yet been renewed. Accordingly the Barons Quay and Weaver Way sites are included as allocations rather than commitments. A planning brief will be prepared setting out the development principles of these sites.
- (iii) Whilst a number of sites are affected by the Barons Quay mines it is the current policy of the Borough Council together with the landowners affected to actively seek ways in which the necessary financial resources, including assistance from the Government agencies, can be provided to stabilise the abandoned rock salt mines. The objective is to secure the long-term future for both the existing land uses and for any redevelopment of the land within the policy boundaries. In view of the complexity of the issues to be resolved the Borough Council recognises that this is unlikely to be achieved in the short term but is confident that the problems will be resolved within the lifetime of the Plan.
- (iv) The policy also provides for a range of activities to be accommodated in a number of different sized centres to accord with the provisions of PPG6 as revised.
- (v) All recent Planning consents are listed in the Vale Royal Borough Retail Monitor which is produced on a regular basis.
- (vi) Mixed use sites, which include an element of shopping development, are included within the General Strategy Chapter.
- (vii) The Local Plan is allocating the Regal Cinema site for leisure use in view of its town centre location and in accordance with PPG6.

### Policy Derivation

PPG6 - "Town Centres and Retail Developments"

### STC3

**IN ORDER TO ENCOURAGE VITALITY IN TOWN, VILLAGE AND LOCAL CENTRES, THE MAINTENANCE OF THE HISTORIC FABRIC, THE BEST USE OF VACANT FLOOR SPACE AND A MORE SUSTAINABLE FORM OF LAND USE, THE BOROUGH COUNCIL WILL PERMIT THE USE OF UPPER FLOORS ABOVE SHOPPING, FINANCIAL SERVICES, FOOD AND DRINK USES AND EXISTING OFFICES IN THE SHOPPING AREAS AS DEFINED IN STC1 TO BE USED FOR RESIDENTIAL PURPOSES PROVIDED THE FOLLOWING CRITERIA CAN BE MET:**

- (i) SATISFACTORY SEPARATE ACCESS CAN BE ACHIEVED;**
- (ii) CONVERSION WOULD NOT LEAD TO CHANGES IN THE BUILDING'S APPEARANCE WHICH WOULD BE UNACCEPTABLE IN CONSERVATION TERMS;**

- (iii) **SOME PARKING PROVISION CAN BE ARRANGED AT AN APPROPRIATE LEVEL;**
- (iv) **THE ACCOMMODATION WOULD NOT BE UNDULY AFFECTED BY OTHER EXISTING TOWN CENTRE USES.**

#### **Reasons and Explanations**

- (i) Introducing more residents into central areas provides caretakers for the town and local centres which are predominantly empty at night. The presence of residents can deter crime and also improve security for those coming into the town, village and local centres.
- (ii) Allowing people to live above shops enhances the vitality of the town, village and local centres but can also provide valuable additional income to retailers which may help them to retain viable businesses.
- (iii) Living above the shop allows the potential for sustainable living where most shops and services could be reached on foot and public transport routes should be in close proximity.
- (iv) The conversion of upper floors can help to maintain and enhance the historic buildings in town and village centres.

#### **Policy Derivation**

PPG6 - "Town Centres and Retail Developments"  
 PPG1 - "General Policy and Principles"  
 PPG3 - "Housing"  
 PPG15 - "Planning and the Historical Environment"

## **Design**

### **STC4**

**THE BOROUGH COUNCIL WILL REQUIRE THE HIGHEST STANDARDS OF DESIGN, SIGNAGE AND ADVERTISING IN NEW AND REFURBISHED PREMISES, PARTICULARLY IN THE CONSERVATION AREAS.**

#### **Reasons and Explanations**

- (i) To maintain and enhance the visual quality of the town centre, local centres and village centres.
- (ii) To ensure the attractiveness and vitality of these centres is retained.
- (iii) Retailers should have regard to the design guidance produced by the Borough Council with regard to shop fronts in Northwich.
- (iv) The Council is currently preparing a design strategy for Northwich which will be approved as Supplementary Planning Guidance.

#### **Policy Derivation**

PPG6 - "Town Centres and Retail Developments"  
 PPG15 - "Planning and the Historic Environment"  
 VRBC - "Northwich Shop Front Design Guide"

## STC5

**THE BOROUGH COUNCIL WILL ONLY ALLOW THE INSTALLATION OF SHUTTERS ON PREMISES IN CONSERVATION AREAS WHERE THEY MEET THE FOLLOWING CRITERIA:**

- (i) **THE RETAILER HAS SHOWN THAT THERE IS A GENUINE NEED FOR IMPROVED SECURITY WHICH CANNOT BE MET BY THE REINFORCING OF GLASS AND STALL RISERS;**
- (ii) **THE SHUTTERS USED SHOULD ALLOW LIGHT FROM THE SHOP WINDOW TO PASS INTO THE STREET;**
- (iii) **THE SHUTTERS SHOULD ALLOW PEDESTRIANS TO SEE THE SHOP WINDOW DISPLAY WHEN THE SHOP IS CLOSED;**
- (iv) **THE SHUTTERS SHOULD BE HOUSED WITHIN THE SHOP FRONT AND SHOULD NOT NEED ADDITIONAL HOUSING BOXES;**
- (v) **THE SHUTTERS SHOULD BE PAINTED IN AN APPROPRIATE MANNER IN ORDER TO MINIMISE THEIR IMPACT ON THE STREET SCENE.**

**OUTSIDE THE CONSERVATION AREAS IN THE DEFINED TOWN, VILLAGE AND LOCAL CENTRES, THE ABOVE CRITERIA WILL GENERALLY APPLY, BUT SOLID SHUTTERS MAY BE ACCEPTABLE IN THE FOLLOWING CIRCUMSTANCES:**

- (i) **THE RETAIL DEVELOPMENT IS A LARGE SINGLE STOREY MODERN UNIT OF OVER 500 SQ M;**
- (ii) **THEY WOULD NOT HAVE A DETRIMENTAL IMPACT UPON THE AMENITY OF THE AREA;**
- (iii) **THE SHUTTERS WOULD BE PAINTED IN A SUITABLE COLOUR AND FINISH;**
- (iv) **THE RETAIL DEVELOPMENT DOES NOT HAVE ANY FRONTAGES ONTO A PEDESTRIANISED STREET OR PEDESTRIANISED AREA;**
- (v) **ALTERNATIVES SUCH AS BOLLARDS HAVE BEEN CONSIDERED AND THE APPLICANT CAN SHOW THEY WERE NOT SUITABLE;**
- (vi) **THE INSTALLATION OF SHUTTERS WOULD NOT REDUCE THE VITALITY OF THE SHOPPING AREA.**

IN ADDITION TO THE POLICY, AN ILLUSTRATION APPEARS AT THE END OF THE IMPLEMENTATION SECTION TO GUIDE DEVELOPERS.

### **Reasons and Explanations**

- (i) Solid shutters can have an adverse effect on the environment of town centres making them appear uninviting.
- (ii) Shutters do not encourage vitality and viability especially in the evening when they block our light and stop window shopping.
- (iii) Solid shutters are prone to vandalism themselves from graffiti.
- (iv) Often solid shutters are left with unpainted bare aluminium which is unattractive and obtrusive.

### **Policy Derivation**

PPG6 - "Town Centres and Retail Developments"  
PPG15 - "Planning and the Historic Environment"  
Circular 5/94 "Planning Out Crime"

## Sites Adjacent to the Defined Town Centre Boundaries

### STC6

ALL SHOPPING AND OTHER KEY TOWN CENTRE USES WILL BE LOCATED WITHIN NORTHWICH AND WINSFORD TOWN CENTRES. WHERE SITES HAVE BEEN ALLOCATED FOR SUCH PURPOSES AND THESE SITES ARE BOTH SUITABLE AND AVAILABLE, THEN THESE SHOULD BE DEVELOPED FIRST. SHOPPING PROPOSALS ON SITES NOT ALLOCATED MUST ALSO NOT HARM THE VITALITY AND VIABILITY OF THE TOWN CENTRE. PROPOSALS OUTSIDE TOWN CENTRE BOUNDARIES WILL NEED TO MEET THE FOLLOWING CRITERIA:

- (i) THERE IS A CLEARLY DEMONSTRATED NEED FOR THE DEVELOPMENT;
- (ii) FOR EDGE OF CENTRE PROPOSALS IT IS EVIDENCED THAT ALL TOWN CENTRE OPTIONS HAVE BEEN THOROUGHLY ASSESSED;
- (iii) FOR OUT OF CENTRE PROPOSALS IT IS EVIDENCED, IN ADDITION, THAT FIRSTLY ALL EDGE OF CENTRE OPTIONS, SECONDLY ALL LOCAL CENTRE OPTIONS (IF THE DEVELOPMENT IS OF A SIZE APPROPRIATE TO ITS CATCHMENT) AND, THIRDLY SITES ADJACENT TO EXISTING OUT OF CENTRE DEVELOPMENTS HAVE BEEN THOROUGHLY ASSESSED;
- (iv) THAT THE PROPOSAL DOES NOT UNDERMINE THE DEVELOPMENT PLAN STRATEGY AND PREJUDICE THE DEVELOPMENT OF ALLOCATED SITES;
- (v) TOGETHER WITH ANY RECENT COMPLETED DEVELOPMENTS AND OUTSTANDING PLANNING PERMISSIONS, THE PROPOSAL WOULD NOT PREJUDICE THE VITALITY AND VIABILITY OF ANY CENTRE DEFINED IN POLICY STC1 OR OUTSIDE THE BOROUGH;
- (vi) THE DEVELOPMENT IS ACCESSIBLE BY A CHOICE OF MEANS OF TRANSPORT AND A SIGNIFICANT PROPORTION OF VISITORS CAN REACH THE SITE BY PUBLIC TRANSPORT;
- (vii) THE DEVELOPMENT WILL BE EASILY AND SAFELY ACCESSIBLE FOR PEDESTRIANS, CYCLISTS AND DISABLED PEOPLE INCLUDING THOSE FROM THE SURROUNDING AREA;
- (viii) FACILITIES AND SERVICES ARE NOT PROVIDED WHICH DUPLICATE THOSE IN LOCAL CENTRES, E.G. PHARMACIES AND POST OFFICES;
- (ix) CAR AND SECURE CYCLE PARKING IS PROVIDED. CAR PARKING FOR EDGE OF CENTRE SITES MUST BE MADE AVAILABLE FOR ALL SHORT STAY TOWN CENTRE USERS;
- (x) THERE IS A SAFE PEDESTRIAN LINK BETWEEN EDGE OF CENTRE SITES AND THE TOWN CENTRE;
- (xi) THE SITE IS NOT ALLOCATED FOR OTHER PURPOSES IN THE PLAN. IF THE SITE IS DESIGNATED FOR PLAYING FIELDS OR OPEN SPACE, RETAIL DEVELOPMENT WILL ONLY BE PERMITTED IF REPLACEMENT FACILITIES OF EQUAL RECREATIONAL AND AMENITY VALUE ARE PROVIDED.

## Reasons and Explanations

- (i) The strategy of the Plan reflects advice in PPG6 and requires that uses which attract large numbers of people are sited in locations where access by a choice of means of transport, not only by car, is easy and convenient. Concentrating such uses will allow single multi-purpose trips reducing the need to travel and will also reinforce the vitality and viability of town centres. The sequential approach set out in the policy requires site options to be considered in the following order - allocated town centre sites, other town centre sites, edge of centre sites, local centre sites (if appropriate) and finally out of centre sites.
- (ii) 'Other key town centre uses' include commercial and public offices, entertainment, leisure and other such uses.
- (iii) What constitutes an edge of centre location will be determined by what is an easy walking distance. This will vary between uses and depend upon local topography including barriers to pedestrians such as major roads or car parks and the attractiveness of the route to the town centre. PPG6 advises that this distance in relation to shopping is likely to be up to 200-300 metres from the primary retailing area. For other key town centre uses this distance may be greater, for example, offices which, it is advised, is likely to be up to around 500 metres from a public transport interchange.
- (iv) When assessing all other site options, particularly those within town centres, developers/retailers will need to be flexible about the format, design and scale of the development and consider the use of multiple sites.
- (v) To be genuinely accessible by public transport it will need to be sufficiently frequent, reliable, convenient and come directly passed or into the development from a wide catchment area.

### Policy Derivation

PPG6 - "Town Centres and Retail Developments"

PPG13 - "Transport"

Cheshire Replacement Structure Plan (2011), Policy TCR1

## Defined Town and Large Village Centres

### STC7

**WITHIN NORTHWICH AND WINSFORD TOWN CENTRES AND THE LARGE VILLAGE CENTRES, AS DEFINED IN POLICY STC1, THE LOSS OF A1 USES WILL BE RESISTED.**

**CHANGES OF USE TO A2 AND A3 USES WILL BE PERMITTED WHERE ALL THE FOLLOWING CRITERIA CAN BE MET:**

- (i) **THE VITALITY AND VIABILITY OF THE CENTRE OR THAT PARTICULAR PART OF THE CENTRE WOULD NOT BE ADVERSELY AFFECTED.**
- (ii) **THE CHANGE OF USE WOULD NOT LEAD TO THE PERCENTAGE OF SHOP FRONTAGE IN A1 USE FALLING BELOW THE FOLLOWING PERCENTAGES OF THE TOTAL AND WOULD NOT LEAD TO A CONCENTRATION IN ANY PARTICULAR FRONTAGE OF NON-A1 USES:**
  - (a) **NORTHWICH PRIMARY SHOPPING AREA, 80%**
  - (b) **THE DEFINED RETAIL AREA OF WINSFORD, 60%**
  - (c) **THE DEFINED RETAIL AREA OF FRODSHAM, 60%**

- (iii) **WITHIN DEFINED LARGE VILLAGE CENTRES (EXCEPT FRODSHAM), WHERE IT IS EVIDENCED THAT THE PROPERTY HAS BEEN PROPERLY MARKETED (NORMALLY FOR AT LEAST A 12 MONTH PERIOD) AT A REASONABLE PRICE/RENT AND NO TENANT/PURCHASER HAS BEEN FOUND.**
- (iv) **THE USE WOULD NOT BE DETRIMENTAL TO THE AMENITY OF NEIGHBOURING OCCUPIERS BY REASON OF FUMES, NOISE OR PARKING.**

#### **Reasons and Explanations**

- (i) Whilst there is a need to ensure a diversity of uses generally in town and village centres, the use which is central to its function is shopping and therefore in Northwich an area has been defined where shopping uses will be specifically concentrated and protected.
- (ii) The Borough Council is keen to ensure that no further loss of shopping uses in town centres occurs, this will particularly be the case in the primary retail area of Northwich Town Centre.
- (iii) The Primary Retail Area of Northwich Town Centre has been re-surveyed and it has been found that of the shop front length 85% of all shop front length was in A1 use. Accordingly as the policy allows up to 20% non A1 uses in the primary retail area, this allows a degree of flexibility following marketing of properties for A1 use. Areas of the town centre have strong concentrations of non A1 uses such as A2 uses banks, building societies and those uses dominate certain areas. The policy aims to ensure that such concentrations of non A1 uses do not also take over the primary core which should be the focus of shopping facilities in the town.
- (iv) The defined retail area of Winsford Town Centre has also been re-surveyed. It has been found that 60% of the shop front length was in A1 use. The policy allows for up to 40% of non A1 uses in the defined retail area which provides for a degree of flexibility following marketing of properties for A1 use. The policy aims to ensure that the principal shopping function of the defined retail area is protected whilst allowing some non A1 uses which can add to the range of facilities available. A similar approach is set out for Frodsham where a recent survey revealed 59% of the retail frontage to be in Class A1 use.
- (v) In order to obtain accurate information on recent rental values and prices the Borough Council may seek the views of an independent valuer to verify the price/rental values.

#### **Policy Derivation**

PPG6 - "Town Centre and Retail Developments"  
Countywide Retail Study

#### **STC8**

#### **THE LOSS OF EXISTING A2 AND A3 UNITS WILL BE RESISTED IN TOWN CENTRES AND LARGE VILLAGES:**

- (i) **OUTSIDE THE PRIMARY RETAIL AREA, CHANGES TO COMMERCIAL AND PUBLIC OFFICES, LEISURE AND ENTERTAINMENT USES WILL BE PERMITTED.**
- (ii) **IN LARGE VILLAGES CHANGES OF USE FROM A2 AND A3 TO SMALL SCALE PUBLIC OFFICES AND FACILITIES SUCH AS BRANCH LIBRARIES AND COUNCIL AREA OFFICES AND OTHER SMALL SCALE LEISURE USES WILL BE ALLOWED.**

**THE EXCEPTION TO THE ABOVE WILL BE IF THE CHANGE RESULTS IN THE LOSS OF A PUBLIC HOUSE WHICH PROVIDES A VITAL COMMUNITY FACILITY.**

## Reasons and Explanations

- (i) In order to ensure that the diversity of uses is retained in town and village centres.
- (ii) In order to ensure that facilities such as banks which provide an essential service in towns and villages which is complimentary to the shopping function of the centre are not lost and replaced by residential and office development.
- (iii) Within the General Development Order changes of use from A2 to A1 are permitted development and changes of use from A3 to A1 and A2 are also permitted development.
- (iv) A2 and A3 uses are necessary in Town Centres as they are complimentary to the main shopping uses and many people combine shopping trips with trips to banks in particular. This was identified strongly in the countywide retail study.
- (v) Facilities such as public houses in villages can provide more than a place to drink, they provide a community focus and, in some cases, where other facilities are limited can sell basic items.

### Policy Derivation

PPG6 - "Town Centre and Retail Developments"

PPG13 - "Transport"

## STC9

**WITHIN THE LARGE VILLAGE AND TOWN CENTRE SHOPPING AREAS AS DEFINED ON THE PROPOSALS MAP, THE LOSS OF EXISTING GROUND AND UPPER FLOOR RESIDENTIAL USES WILL NOT BE ALLOWED EXCEPT WHERE THE PROPOSAL MEETS ALL OF THE FOLLOWING CRITERIA:**

- (i) THE CHANGE OF USE WOULD NOT HAVE A DETRIMENTAL EFFECT ON THE ARCHITECTURAL QUALITY OF THE BUILDING OR WHERE APPROPRIATE THE CHARACTER OF THE CONSERVATION AREA;**
- (ii) IT IS EVIDENCED THAT THE PROPERTY HAS BEEN PROPERLY MARKETED FOR RESIDENTIAL USE (NORMALLY FOR AT LEAST A 12 MONTH PERIOD) AT A REASONABLE PRICE/RENT AND THAT NO PURCHASER/TENANT HAS BEEN FOUND;**
- (iii) THE PROPOSED USE WOULD BE ONE WHICH WOULD BENEFIT FROM THE AVAILABILITY OF PUBLIC TRANSPORT PROVISION AND ITS LOCATION IN THE VILLAGE OR TOWN CENTRES WOULD REDUCE THE NEED TO TRAVEL BY PRIVATE CAR.**

## Reasons and Explanations

- (i) In order that existing residential uses are not displaced from the town and village centres, where they assist vitality in the evening and contribute to the feeling of safety and security.
- (ii) To encourage the opportunity for a mix of uses which would reduce the need to travel to enable travel by more sustainable modes.
- (iii) Residential uses in towns and village centres give the centres their character and help to ensure the future of listed buildings or other buildings in the Conservation Area or of architectural merit.

### Policy Derivation

PPG6 - "Town Centres and Retail Developments"

PPG13 - "Transport"

## Large Proposals in Large Village Centres

### STC10

**RETAIL WAREHOUSING AND SUPERSTORE PROPOSALS WILL GENERALLY NOT BE APPROPRIATE IN THE LARGE VILLAGE AND LOCAL CENTRES AND WILL NOT BE ALLOWED ADJACENT OR OUTSIDE OF THE VILLAGE CENTRES. SUPERMARKET PROPOSALS WILL ONLY BE ALLOWED IN THE DEFINED LARGE VILLAGE CENTRES OR, AFTER AN ASSESSMENT OF ALL SITE OPTIONS WITHIN THE DEFINED CENTRE, ON THE EDGE OF CENTRE, IF THE PROPOSAL MEETS THE FOLLOWING CRITERIA:**

- (i) IT IS DEMONSTRATED THAT THERE IS A CLEARLY DEFINED NEED FOR THE PROPOSAL;**
- (ii) THE PROPOSAL IS OF AN APPROPRIATE SIZE FOR THE EXISTING CATCHMENT OF THE VILLAGE CENTRE;**
- (iii) THE PROPOSAL WOULD NOT USE LAND ALLOCATED FOR OTHER PURPOSES OR RESULT IN THE LOSS OF EMPLOYMENT LAND OR PUBLIC CAR PARKING;**
- (iv) THE PROPOSAL WOULD NOT COMPROMISE THE EXISTING CHARACTER DIVERSITY OR VITALITY OR VIABILITY OF THE EXISTING SHOPPING AREA;**
- (v) THE PROPOSAL WOULD NOT AFFECT THE AMENITY OF THE LOCAL RESIDENTS BY VIRTUE OF NOISE, TRAFFIC GENERATION OR NOISE OR LIGHT POLLUTION.**

#### Reasons and Explanations

- (i) In order to ensure larger proposals go to centres higher in the retail hierarchy such as the town centres of Winsford and Northwich.
- (ii) In order to maintain the character, vitality and viability of the smaller centres and to ensure valuable open space or employment land is not used for large retail proposals.

#### Policy Derivation

PPG6 - "Town Centres and Retail Developments"

## Local Centres in Winsford and Northwich

### STC11

**THE BOROUGH COUNCIL WILL RESIST THE LOSS OF GROUND FLOOR CLASS A1, A2 AND A3 USES IN THE DEFINED LOCAL CENTRES. HOWEVER, CHANGES OF USE TO RESIDENTIAL, PUBLIC FACILITIES AND PUBLIC OFFICES AND COMMUNITY FACILITIES OF AN APPROPRIATE SMALLER SCALE WILL BE PERMITTED IN SUCH CENTRES WHERE THE FOLLOWING CRITERIA CAN BE MET:**

- (i) IT IS EVIDENCED THAT THE PROPERTY HAS BEEN PROPERLY MARKETED FOR CLASS A1, A2 AND A3 USES (NORMALLY FOR AT LEAST A 12 MONTH PERIOD) AT A REASONABLE PRICE/RENT AND THAT NO TENANT/PURCHASER HAS BEEN FOUND;  
AND**
- (ii) WHERE THE CHANGE WOULD NOT BE DETRIMENTAL TO THE VITALITY AND VIABILITY FOR THE LOCAL CENTRE AND WOULD NOT LEAD TO A LOSS OF A BASIC FACILITY OR SERVICE; AND**

**(iii) WHERE THE CHANGE OF USE WOULD NOT BY VIRTUE OF NOISE, TRAFFIC/ PARKED CARS OR FUMES BE DETRIMENTAL TO RESIDENTIAL AMENITY.**

**Reasons and Explanations**

- (i) The locations of the local centres is predominantly within residential areas and accordingly as the centres are more prone to long-term vacancies, it may be necessary to allow some flexibility in the future use of vacant units.
- (ii) Local centres are highly accessible and they provide for the needs of people with limited mobility such as the elderly and accordingly whilst there is a need for flexibility in certain cases, these changes should not compromise the usefulness of the local shopping.

**Policy Derivation**

PPG6 - "Town Centres and Retail Developments"

**STC12**

**THE LOSS OF EXISTING UPPER AND GROUND FLOOR RESIDENTIAL USES WILL BE RESISTED EXCEPT WHERE THE PROPERTY WAS IN CLASS A1, A2 OR A3 USE WITHIN THE LAST FIVE YEARS AND THE PROPOSAL IS FOR ONE OF THESE USES, OR THE FOLLOWING CRITERIA ARE MET:**

- (i) THE PROPOSED USE WOULD NOT BE DETRIMENTAL TO THE SURROUNDING TOWNSCAPE;**
- (ii) THE PROPOSED USE IS EITHER A SHOP, FOOD AND DRINK OR FINANCIAL SERVICES USE WHICH CANNOT BE ACCOMMODATED IN ANY EXISTING NON-RESIDENTIAL PROPERTY IN THE DEFINED CENTRE;**
- (iii) IT IS EVIDENCED THAT THE PROPERTY HAS BEEN PROPERLY MARKETED FOR RESIDENTIAL USE (NORMALLY FOR AT LEAST A 12 MONTH PERIOD) AT A REASONABLE PRICE/RENT AND THAT NO PURCHASER/TENANT HAS BEEN FOUND;**
- (iv) PROPOSALS FOR A3 USES WILL NOT BE DETRIMENTAL TO LOCAL RESIDENTIAL AMENITY BY REASON OF FUMES, NOISE AND PARKING PROBLEMS.**

**Reasons and Explanations**

- (i) In order that existing residential uses are not displaced from the town and village centres where they assist vitality and the feeling of security.
- (ii) To encourage the opportunity for a mix of uses which would reduce the need to travel.
- (iii) Residential uses in towns and villages give the centres their character and can help to ensure the future of listed buildings or buildings of architectural merit.
- (iv) To ensure that if the retail sector is depressed and changes of use take place that when the retail sector improves its position units could revert back to retail uses.

## All Smaller Villages with or without Defined Policy boundaries

### STC13

**IN THE AREAS LISTED ABOVE PROPOSALS FOR THE CHANGE OF USE OF EXISTING BUILDINGS INTO INDIVIDUAL SHOPS WILL BE ALLOWED IF THEY MEET ALL OF THE FOLLOWING CRITERIA:**

- (i) THE PROPOSALS INCLUDE ARRANGEMENTS WHERE NECESSARY FOR ACCESS AND CAR PARKING.
- (ii) THE PROPOSAL IS NOT DETRIMENTAL TO THE VITALITY AND VIABILITY OF THE EXISTING VILLAGE OR LOCAL CENTRE.
- (iii) THE LEVEL OF TRAFFIC GENERATED SHOULD NOT BE DETRIMENTAL TO THE AREA.
- (iv) THE PROPOSAL SHOULD NOT BE DETRIMENTAL TO RESIDENTIAL AMENITY OR THE CHARACTER OF THE AREA.
- (v) THE PROPOSAL SHOULD REDUCE THE NEED TO TRAVEL.
- (vi) THE PROPOSAL SHOULD BE OF AN APPROPRIATE SCALE FOR ITS LOCATION AND CATCHMENT AND OF AN APPROPRIATE DESIGN WITH APPROPRIATE SIGNAGE AND SHOPFRONT.

#### Reasons and Explanations

- (i) In order to ensure that there is the scope for an appropriate level of shopping provision in small villages and residential areas. Generally this provision will be for basic goods such as newspapers, food and facilities such as post offices.
- (ii) To ensure that proposals are of an appropriate scale which does not have a detrimental impact on its residential setting and does not draw people in from outside the local area.

### STC14

**THE LOSS OF EXISTING VILLAGE SHOPS (A1 USES) WILL BE STRONGLY RESISTED. CHANGES OF USE TO NON-A1 USES WILL NOT BE ALLOWED EXCEPT IN THE FOLLOWING CIRCUMSTANCES:**

**CHANGES TO A2 AND A3 WILL BE PERMITTED ONLY WHERE ALL THE FOLLOWING CRITERIA HAVE BEEN MET:**

- (i) THE PREMISES HAVE BEEN PROPERLY MARKETED FOR A PERIOD OF AT LEAST 18 MONTHS AT A REASONABLE PRICE/RENT AND NO PURCHASER/TENANT HAS BEEN FOUND;
- (ii) THE PROPOSAL DOES NOT LEAD TO THE LOSS OF A SHOP WHICH IS THE ONLY SOURCE OF BASIC FOODSTUFF OR A FACILITY SUCH AS A POST OFFICE;
- (iii) ANY PROPOSED CLASS A3 USE DOES NOT LEAD TO A LOSS OF RESIDENTIAL AMENITY BY REASON OF FUMES AND NOISE AND DOES NOT LEAD TO PARKING PROBLEMS.

**CHANGES OF USE TO RESIDENTIAL WILL ONLY BE PERMITTED WHERE ALL THE FOLLOWING CRITERIA HAVE BEEN MET:**

**IN THE CASE OF NON BASIC FOOD OR NON-FOOD FACILITY:**

- (i) THE PREMISES HAVE BEEN PROPERLY MARKETED FOR AN A1 USE, AS SET OUT ABOVE, AND NO SUCH USE HAS COME FORWARD;**
- (ii) THE PREMISES HAVE BEEN PROPERLY MARKETED FOR AN A2 OR A3 USE FOR A FURTHER 12 MONTHS AND NO SUCH USE HAS COME FORWARD.**

**IN THE CASE OF BASIC FOOD OR NON-FOOD FACILITY:**

- (i) THE PREMISES HAVE BEEN PROPERLY MARKETED FOR A SIMILAR USE FOR A PERIOD OF 30 MONTHS, AND NO SUCH USE HAS COME FORWARD;**
- (ii) SUBSEQUENT TO THAT PERIOD A FURTHER MARKETING FOR OTHER A1 USES OR A2 AND A3 USES FOR A PERIOD OF 12 MONTHS AND NO SUCH USE HAS COME FORWARD.**

**WITHIN SETTLEMENT POLICY BOUNDARIES A CHANGE OF USE WHICH RESULTS IN LOSS OF A PUBLIC HOUSE WHICH IS THE ONLY SUCH FACILITY AND PROVIDES FOR COMMUNITY NEEDS WILL BE RESISTED.**

**Reasons and Explanations**

- (i)** In order to ensure that villages retain their shopping facilities the powers of the Borough Council do not extend to giving financial assistance to village shops through the reduction of rates, as business rates are not under the control of local authorities. However through its planning control powers it can control changes of use.
- (ii)** To ensure that basic goods can be purchased without the need to travel long distances.
- (iii)** In some villages public houses are the only source of local supplies for residents and provide a community facility.
- (iv)** The policy draws a distinction between A1 basic food and non-food facilities and those A1 uses which are not. Given the great social importance of village shops and the benefits arising from them in reducing the need to travel for basic goods, this distinction is justified. The policy applies a more restrictive approach to basic food and non-food facilities. Basic food and non-food facilities include grocers, butchers, bakers, newsagents (including confectioners), shops selling goods to meet daily or weekly convenience needs, and post offices.

**Farm Shops**

**STC15**

**FARM SHOPS SELLING GOODS WHICH ARE NOT PRODUCED ON THE PARTICULAR HOLDING (I.E. ANCILLARY SALES) WILL BE ALLOWED WHERE ALL OF THE FOLLOWING CRITERIA ARE MET:**

- (i) THERE IS NO CONVENIENT VILLAGE SHOP MEETING THE DAILY CONVENIENCE SHOPPING NEEDS OF THE LOCAL COMMUNITY;**
- (ii) THE IMPORTED GOODS SOLD ARE THOSE WHICH MEET ONLY THE DAILY CONVENIENCE SHOPPING NEEDS OF THE LOCAL COMMUNITY;**
- (iii) THE SHOP DOES NOT GENERATE EXCESSIVE TRAVEL; AND**
- (iv) THE DEVELOPMENT WOULD NOT GIVE RISE TO HIGHWAY DANGERS AND MUST INCLUDE ADEQUATE ACCESS AND CAR PARKING ARRANGEMENTS.**

## Reasons and Explanations

- (i) The Council recognise that, in the absence of convenient village shops, farm shops can provide an important local service and can also contribute to the diversification of the rural economy. Where there is no local need there will be no proper justification for permitting non-ancillary sales from farm units.
- (ii) The scale of farm shops and the goods they sell will be limited to ensure that their function is clearly to meet local shopping needs. It is implicit that they will need to be close to the community they are intended to serve. This will also ensure that the need to travel is minimised.

## IMPLEMENTATION

In addition to the concentration of existing and new shopping uses in town centres, in order to ensure that there is vitality and viability of the centres at all times of the day, there is the need to allow uses which reinforce and complement the shopping function and make town centres more attractive to local shoppers, residents and visitors. Depending on the size of the centre where shopping uses cannot be found to occupy units it may be appropriate to allow a range of people attracting uses after marketing has taken place.

Particularly in town centres, it will be necessary to measure the centre's health using a range of measures such as levels of vacancy, pedestrian flow, rental growth and the number of multiples. Many of the factors have been assessed for the centres of Frodsham, Northwich and Winsford as part of the Countywide Retail Study. The study has measured the type, condition and use of all the centres floorspace including the level of vacancies and multiples representation. The study has also assessed the levels of turnover based on the results from a household survey, this indicates a general level of well being for each of the town centres concerned and also the scope for new floorspace. These results have generally informed the amount of land that has been allocated for shopping uses in the town centre. The household survey also outlines various qualitative comments made by members of the public and these will, as funding is available, inform the nature of improvements to the town centre. However, many of the improvements that are necessary cannot be implemented solely by the Borough Council. Accordingly, it is now proposed that a town centre partnership is established in Northwich to look at a wide range of strategic issues facing Northwich and the town centre.

In addition to this, it is proposed that in line with PPG6, funding should be sought for a permanent town centre manager in Northwich. Winsford already has a town centre caretaker and is managed by the leaseholder of the centre. In addition, it will be necessary for a Town Centre Forum to be set up in each of the major shopping centres in order that retailers, users, agents and developers can discuss where improvements could be made to the centres in terms of their competitiveness, design and safety. The Forum and Town Centre Managers could act as a point of contact and exchange facility between the public and private sector in order to ensure future vitality and viability.

In addition to the need for major improvements to the environment of town centres, there is a need to ensure good quality in the design of refurbished or new shop units or developments. Within Conservation Areas there are specific policies for changes of use and new developments in the Built Environment Chapter. In general terms, the Borough Council also has produced guidance in terms of shops advertisement guide. PPG6 has given further emphasis to the need for good design in new development and the Borough Council consider that insensitive development in town centres and villages can reduce their attractiveness to the public. In order to encourage both the attractiveness of the centres and their vitality during the evening, there are policies relating to shop front shutters. Circular 5/94 makes it clear that solid shutters can have an adverse environmental effect on town centres making areas appear 'dead' and contributing towards the creation of a hostile environment. In order to ensure town centres are safe places to go during the day and night, the Borough Council has secured some funding for CCTV in Northwich. Winsford Shopping Centre already has CCTV and is closed once the shops are closed. There are no leisure facilities within the enclosed shopping centre itself.

It is hoped that through the range of policies proposed and the location of housing close to many of the town and village centres, the well-being of the centres will be assured. In terms of transportation, it is anticipated that the Local Plan along with the approved Package Bid for Northwich will lead to real choice in the mode of transport used to reach town centres. In addition to this, the Transport Policies and Implementation Section sets out how car parking will be controlled and managed in order to favour shoppers rather than commuters. In the long term, through changes in car parking standards, finance will be diverted from the provision of car parking spaces to the provision of facilities and services for non-car users such as bus services. In the long term, it is anticipated that more town centre users will be encouraged to use more sustainable forms of transport to travel into the town centre.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

The strategy underpinning the policies is to locate and retain shopping, and other appropriate uses in defined centres. Concentrating these uses in locations where there are good public transport links can assist in reducing car use. It also means that a single journey can be used for several purposes, reducing the need to travel. Safeguarding and developing local shopping facilities also reduces the need to travel. Reducing the need to travel and ensuring accessibility by public transport can help to limit transport emissions and energy use.

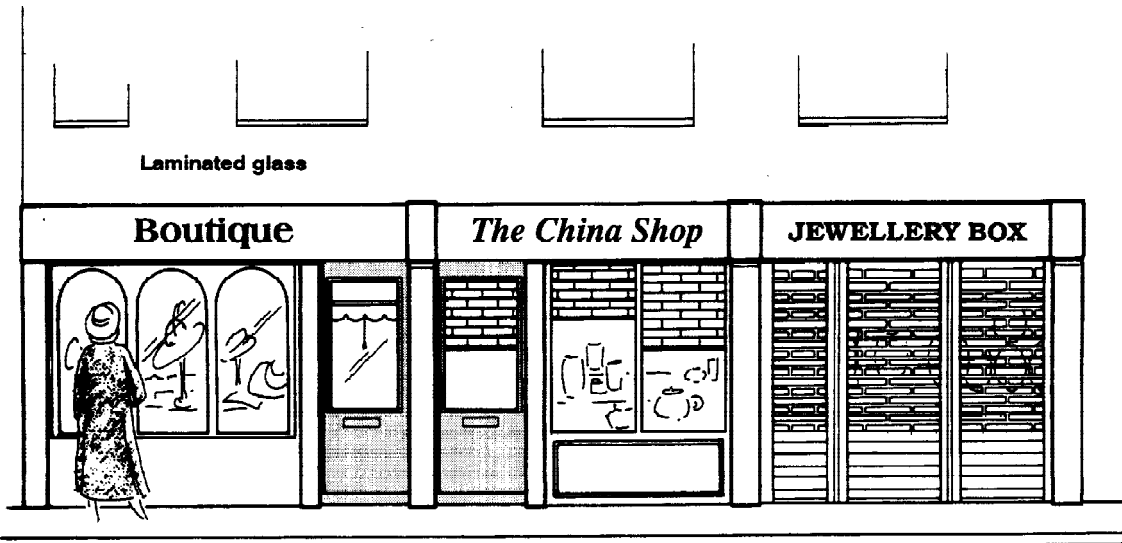
### **Use of Natural Resources**

The concentration of development in town centres and generally within settlements will facilitate the re-use of urban land rather than previously undeveloped sites. Utilising such sites is likely to impact less on wildlife habitats and trees. The re-use of sites may even result in environmental improvement through, for example, remediation of contamination or ground instability. Reducing the need to travel and locating new development where it is accessible by means other than the private car can help reduce the use of fossil fuels, thereby benefiting air quality. New development will use natural resources, particularly minerals and water. They will also produce waste and can reduce the quality of groundwater and surface water. There is the potential for recycling facilities at new retail schemes.

### **Local Environment**

There will be improved accessibility through a choice of means of transport particularly for those who do not have access to a car. Quality of life may also be improved through increasing the range and number of facilities available in a single location and not needing to travel significant distances to meet daily shopping needs. Requiring that new development is located within existing built-up areas and in particular allocating sites for new development will reduce the likelihood of greenfield developments. Concentrating new development in town, local and large village centres is likely to improve their vitality and viability and stimulate investment in the building fabric overall. New schemes provide an opportunity to enhance the appearance of a town and generally improve the quality of the built environment.

**FROM THE BEST FOR VITALITY IN THE EVENING TO THE WORST**



Laminated glass

**Boutique**

*The China Shop*

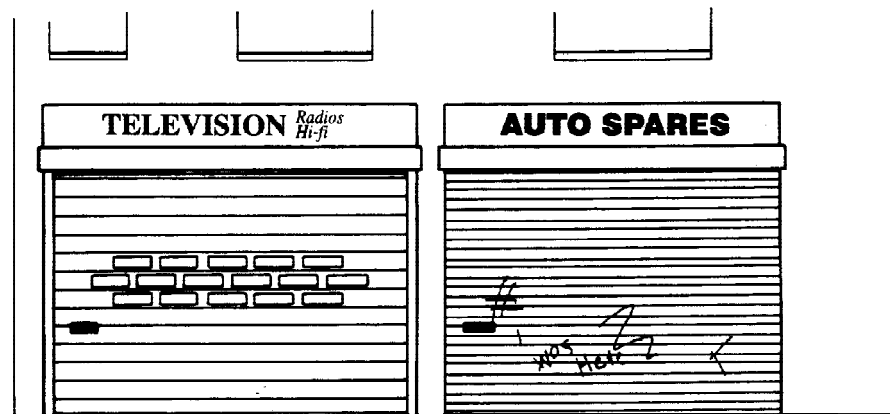
**JEWELLERY BOX**

Reinforced stall risers built into shop front good internal lighting of window

Reinforced stall risers and internal grills which mirror shop front design

External grills with solid panels reflecting position of stall riser

**THESE TYPES OF SECURITY MEASURES SHED LIGHT ONTO THE STREET AND WILL ALLOW OBSERVATION OF SHOPS AND WINDOW SHOPPING**



Solid shutters with transparent polycarbonate panels-

Solid Shutters

**THESE TYPES OF SECURITY MEASURES SHED NO LIGHT ONTO STREET AND DO NOT ALLOW OBSERVATION OF SHOPS**



## INTRODUCTION

Public service providers include a variety of bodies, in both private and public ownership, who carry out functions of a public character under statutory powers. They include the provision of facilities such as gas, water and electricity supplies. The Borough Council supports improvements to existing public services. As the population of the Borough increases and there is pressure for further development, there will be a need for new and improved public services.

This chapter provides guidance about how proposals for new public service development will be dealt with by the Borough Council. Sites which have already been identified for future public service development are shown on the proposals map. The policies also deal with potential future proposals for the re-use of redundant public service buildings, such as hospitals and schools. These policies aim to ensure that the needs of the population of Vale Royal Borough are satisfied, in terms of public service provision and that, where redundant public service buildings exist, the buildings or sites are brought into an appropriate alternative use.

The Implementation Section, at the end of this chapter, explains how the provision of public services relates to the policies and proposals of this Written Statement.

### Public Service Development in the Open Countryside/Green Belt

#### PS1

**PROPOSALS FOR PUBLIC SERVICE DEVELOPMENT WITHIN THE OPEN COUNTRYSIDE, AREAS OF SPECIAL COUNTY VALUE OR AREAS OF SIGNIFICANT LOCAL ENVIRONMENTAL VALUE WILL BE ALLOWED, WHERE IT CAN BE SHOWN THAT THEY ARE ESSENTIAL TO:**

- (i) THE MAINTENANCE OF AN EXISTING SERVICE OR UNDERTAKING;**
- (ii) AN EXISTING SOURCE OF EMPLOYMENT;**
- (iii) THE PROVISION OF A NEW SCHEME OR UNDERTAKING**

**AND PROVIDED IT DOES NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED IN THE BUILT ENVIRONMENT AND NATURAL ENVIRONMENT CHAPTERS AND IN PARTICULAR DOES NOT DETRACT FROM THE RURAL CHARACTER OF THE LOCALITY.**

**IN THE CASE OF PROPOSALS IN THE GREEN BELT ALL DEVELOPMENT IN ADDITION TO MEETING THE ABOVE CRITERIA, MUST ALSO PRESERVE THE OPENNESS OF THE GREEN BELT.**

#### Reasons and Explanations

- (i) Statutory undertakers include private and public bodies, who carry out functions of a public nature, such as water supply, education and road, rail and water transport.

- (ii) The Borough Council recognises that it may be necessary for statutory undertakers to carry out certain kinds of development in order to maintain and improve the provision of services.
- (iii) Every effort should be made to minimise the impact of such development on the existing rural environment.
- (iv) A development within the Open Countryside, Green Belt, Area of Special County Value/Significant Local Environmental Value to be carried out by a statutory undertaker will be allowed where it is a limited development which will form part of and be essential to the provision and improvement of public services and utilities. Where uses such as hospitals, electricity generating plant and substations, gas distribution substations, water and sewage treatment installations and public transport and related facilities are already established on sites within these special areas, this would not inhibit the continuation, improvement or reasonable extension of the use. However, where a proposal is made to locate within Areas of Significant Local Environmental or Special County Value an entirely new development, or a significant addition to or consolidation of an existing facility the Council will require the various public bodies concerned to show compelling reasons why a site outside these areas was not considered by them to be acceptable; and development of this kind will not be allowed, where no such compelling reason appears to exist.
- (v) Proposals for the redevelopment or change of use of such public buildings and facilities for purposes unconnected with operational requirements, will continue to be assessed on their merits. This means that development considered inappropriate in these special areas will not be allowed.

#### **Policy Derivation**

PPG 12 - "Development Plans and Regional Planning Guidance"  
Cheshire Replacement Structure Plan (2001) Policies Env 2, T6, T7 and T8

## **Public Services Development Proposals**

### **PS2**

**THE FOLLOWING SITES ARE ALLOCATED FOR PUBLIC SERVICES AND FACILITIES AND ARE SHOWN ON THE PROPOSALS MAP.**

#### **EDUCATION**

**PS 2.1 LAND AT KINGSMEAD (LEFTWICH GRANGE), DAVENHAM/NORTHWICH  
- FOR A NEW PRIMARY SCHOOL**

**PS 2.2 LAND AT GREVILLE DRIVE (EX-WHARTON SPORTS AREA), WINSFORD  
- FOR A REPLACEMENT JUNIOR SCHOOL**

**PS 2.3 LAND AT FIRDALE ROAD, NORTHWICH  
- FOR A SOCIAL SERVICE DAY CENTRE**

#### **Reasons and Explanations**

- (i) To ensure that sites required for the provision of services and facilities are protected from other forms of development.
- (ii) To improve services and facilities.

#### **Policy Derivation**

PPG12 - "Development Plans and Regional Planning Guidance"

## Improvement of Existing Public Service Facilities

### PS3

**PROPOSALS FOR THE EXTENSION OR REPLACEMENT OF PUBLIC SERVICE FACILITIES ON EXISTING SITES WILL BE ALLOWED PROVIDED THEY DO NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED IN THE NATURAL ENVIRONMENT AND BUILT ENVIRONMENT CHAPTERS.**

#### Reasons and Explanations

- (i) To satisfy the needs of the existing population by maintaining and improving services and facilities.

#### Policy Derivation

PPG12 - "Development Plans and Regional Planning Guidance"  
Cheshire Replacement Structure Plan (2001) Policies Env2, T6, T7 and T8.

## Redundant Public Service Buildings

### PS4

**PROPOSALS FOR THE RE-USE OF REDUNDANT PUBLIC BUILDINGS (EG SCHOOLS, OFFICES) WILL BE ALLOWED PROVIDED THEY DO NOT CONFLICT WITH THE RELEVANT POLICIES CONTAINED IN THE NATURAL ENVIRONMENT AND BUILT ENVIRONMENT CHAPTERS AND OTHER POLICIES OF THE PLAN.**

#### Reasons and Explanations

- (i) As circumstances change, public buildings may no longer be required for their existing uses and therefore become redundant. The Borough Council will then consider the best alternative use for each site/building, taking into account the other policies of the Plan.

#### Policy Derivation

PPG1 - "General Policies and Principles"  
PPG3 - "Housing"  
PPG7 - "The Countryside and the Rural Economy"  
Cheshire Replacement Structure Plan (2001) Policy Env2.

## Redundant Institutions in the Open Countryside/Green Belt

### PS5

**THE GRANGE HOSPITAL, WEAVERHAM AND THE CROSSLEY HOSPITAL (EAST), MANLEY, AS SHOWN ON THE PROPOSALS MAP, ARE IDENTIFIED AS REDUNDANT MAJOR INSTITUTIONAL SITES IN THE GREEN BELT. PROPOSALS FOR THE LIMITED INFILLING OR REDEVELOPMENT OF MAJOR INSTITUTIONAL SITES IN THE GREEN BELT WILL BE PERMITTED PROVIDED THAT:**

- A) THE PROPOSALS WOULD HAVE NO GREATER IMPACT THAN EXISTING DEVELOPMENT ON THE PURPOSES OF INCLUDING LAND IN THE GREEN BELT;
- B) REDEVELOPMENT WOULD RESULT IN SIGNIFICANT ENVIRONMENTAL IMPROVEMENT AND CONTRIBUTE TO THE ACHIEVEMENT OF THE OBJECTIVES FOR THE USE OF LAND IN THE GREEN BELT;

- C) ANY NEW BUILDINGS AS PART OF A REDEVELOPMENT SCHEME DO NOT OCCUPY A LARGER AREA OF THE SITE THAN, NOR EXCEED THE HEIGHT OF, THE ORIGINAL BUILDINGS;**
- D) IN THE CASE OF INFILLING, NEW BUILDINGS DO NOT EXCEED THE HEIGHT OF THE EXISTING BUILDINGS NOR LEAD TO A MAJOR INCREASE IN THE DEVELOPED PROPORTION OF THE SITE.**

**THE INFILLING OR REDEVELOPMENT OF REDUNDANT INSTITUTIONAL SITES WITHIN THE OPEN COUNTRYSIDE WILL BE PERMITTED, SUBJECT TO THE ABOVE CRITERIA, WHERE RELEVANT.**

### **Reasons and Explanations**

- (i) A number of institutions are becoming surplus to requirements as the owning authorities rationalise their operations and attempt to make savings in overheads. Many of these sites, by their very nature, are located in the open countryside or Green Belt where policies towards new development are restrictive. The Policy aims to make the best use of existing resources whilst maintaining the open character of these areas by limiting new development in the grounds, or redevelopment of the existing buildings, but only where an alternative institutional activity cannot be found.
- (ii) The redevelopment of such sites in the Green Belt should provide for environmental improvements without reducing the openness of the Green Belt.
- (iii) For the purposes of Clause (ii) of this Policy, the relevant area is the aggregate ground floor area of the existing buildings (the 'footprint') which excludes temporary buildings, open spaces with direct external access between the wings of a building and areas of hardstanding.
- (iv) Where sites include Listed Buildings, reference should be made to the relevant policies in the Built Environment chapter.

### **Policy Derivation**

PPG2 - "Green Belts"

Cheshire Replacement Structure Plan (2011) Policy Env2

## **Places of Worship**

### **PS6**

**THE COUNCIL WILL PERMIT PROPOSALS FOR NEW PLACES OF WORSHIP ON SITES WHERE THERE WOULD BE NO UNACCEPTABLE HARM TO AMENITY OR TRAFFIC.**

**WHERE SPECIFIC NEEDS ARE IDENTIFIED THE COUNCIL WILL SEEK TO IDENTIFY SITES AND LOCATIONS SUITABLE FOR SUCH PROVISION.**

### **Reasons and Explanations**

- (i) PPG12 recognises that Plans should have regard to social considerations, including the needs of religious groups, and should make provision for land for places of worship.
- (ii) The policy does not commit the Council to providing a site where there is an accepted need.

## IMPLEMENTATION

### PUBLIC SERVICES

A variety of public bodies and private organisations are involved in the provision of services for the public, and therefore in the implementation of the policies of this Plan. The Borough Council will aim to provide a framework for the actions of others through the application of these policies and the identification of sites for future public service development on the proposals map.

#### 1) WATER SUPPLY, DRAINAGE AND SEWERAGE

United Utilities is responsible for water supply, drainage and sewage disposal in the Plan area. Vale Royal Borough Council, under an agency agreement, is responsible for the laying and maintenance of pipes for carrying sewage from its origin to the point of treatment.

There are currently three re-sewerage schemes underway, programmed or under investigation by the Borough Council:

- a) Soot Hill sewer improvements at Anderton to relieve flooding of properties;
- b) Deansclough outfall, Winsford - investigation works into pollution of the River Weaver;
- c) Rilshaw Lane outfall, Winsford - investigation works into pollution of Rilshaw Lane Brook.

These schemes aim to replace/renovate old sewers, to remove the problems of flooding and to pinpoint and remedy the input of pollution into the drainage network.

A major investment programme is being undertaken by United Utilities, to update and expand the water treatment works in the Borough, in response to predicted population and employment increases.

The Environment Agency has embarked upon a massive programme of work aimed at improving the water quality of all rivers in the Mersey Basin.

The Mersey Basin Campaign, launched in 1985 by the Department of the Environment, has brought together a wide variety of Local Authorities, Government agencies, voluntary groups and private sector businesses in a bid to clean up water courses, reclaim derelict land, stimulate waterside development and recreation and increase public awareness of the water course. Vale Royal, situated in the southern catchment of the basin, has introduced the Weaver River Valley Initiative in conjunction with the Mersey Basin Campaign, County Council and other public and private interests. This project aims to identify the opportunities for development and environmental improvements along the river between Winsford and its confluence with the River Mersey. In addition, the Borough Council is one of a number of partners involved in the preparation of a Management Plan for the Mersey Estuary; the final Plan will be available in Autumn 1995.

#### 2) WASTE DISPOSAL

Cheshire County Council is the waste disposal authority for the Plan area. Policies for the forward planning and control of waste disposal are outlined within the Cheshire Waste Disposal Plan (1987) (covering the period up to the end of 1996). It is due for revision in 1995/6. The issuing of licences to operators of waste disposal sites is undertaken by the County Council to ensure the protection of water

resources and public health and the amenity of the local area during and after disposal. This function will be transferred to the Environment Agency in 1996.

The Borough Council is responsible for the collection and transportation of household refuse within its capacity as a tendered organisation. The disposal of household waste is by means of controlled tipping at licensed sites. Industrial waste is handled and disposed of largely by private firms by means of controlled tipping at licensed sites.

The Borough Council will support the County Council's development control policies for waste disposal sites to ensure high operational standards, landscaping and aftercare. If former landfill sites are used for purposes other than agriculture, forestry or nature conservation, the Borough Council may suggest planning conditions within its representations to the County Council, to ensure that development is in accordance with the policies of the Plan and that the future use of the land is sustainable over time.

### **3) EDUCATION**

Cheshire County Council is the Education Authority for the Plan area. The County Council has a Primary Development Plan which identifies sites which may be required for future development. The Borough Local Plan will safeguard these sites, where necessary, from other forms of development.

A review of County Council property within Vale Royal was undertaken by the County in 1992 of which educational properties formed a large section. The aims of the review are to improve the overall quality of County property for service delivery, through the identification of problems, and opportunities to release land or buildings to provide funding to solve the problems if the buildings become surplus to requirements. Vale Royal Borough Council has been involved in this review, through its responsibility for planning issues and the control of development on land or buildings to be released. The Borough Council will seek to ensure that land or buildings that are released, and any subsequent development will be in accordance with the policies of the Local Plan and not prejudice the consideration of future development options to be undertaken or planned by the Council.

### **4) SOCIAL SERVICES**

The provision of Social Services within the Borough has become increasingly directed towards "Care in The Community", in response to Governmental policies such as the National Health Service and Community Care Act of 1990. Within this, Local Authority Social Service Departments are required to provide a Community Care Plan to identify the provision for special needs groups. The Borough Council has contributed greatly to the development and implementation of this plan, in collaboration with statutory, voluntary and private agencies.

Over the Borough as a whole, the main need for Social Services will arise from the continuing increase in the elderly population, predicted for the next decade. This need will be met, where possible, by offering a greater range of community services to people in their own homes, such as the Careline Network for Security undertaken in association with voluntary groups, and warden services. At the 10 sheltered housing schemes in the Borough, luncheon clubs and day care services are provided in partnership with Social Services and voluntary bodies. Grants are also provided for the adaptation of Council housing to the needs of the elderly and disabled persons.

The Care in The Community policy also requires the rehabilitation of the mentally handicapped and recovered mentally ill in the community. In July 1994 work commenced on the replacement of the Tall Trees residence for persons with learning difficulties with cluster bungalows, move-on flats and houses for shared ownership. The Borough Council is also participating in the development of a Mental Health Services Strategy for the southern area of the South and East Cheshire Health District.

The rationalisation of health services and closure of hospitals within the Borough has led to discussions to ensure an appropriate range of services and accommodation to meet the needs of the Borough's population.

## ENVIRONMENTAL APPRAISAL

### Global Environment

The provision of additional local public service facilities could reduce the need to travel and assist in limiting transport emissions. The ability to walk or cycle to facilities may also assist in this aim. The reuse of redundant institutions in rural areas depending upon the intensity of the new use may increase vehicle journeys, in particular the private car given their likely inaccessibility by public transport. This could increase vehicle emissions and the use of energy and fossil fuels.

### Use of Natural Resources

An increase in vehicle usage as noted above will reduce air quality. The reuse of existing buildings and sites will involve the 'recycling' of land. In the case of redundant institutions there should be little or no take up of previously undeveloped land. Other public service development (Policy PS1) may take place on previously undeveloped land in rural areas. All development, even reuse of buildings, can increase waste production.

### Local Environment

Public service development which is locationally tied could also occur in areas of open countryside which may also be of landscape significance. Any development will need however to meet strict environmental protection criteria, however. New uses for redundant buildings are likely to improve their condition and appearance benefiting the quality of the built environment. Open space will be lost to provide a new school and day centre. Otherwise open space will not be materially affected.

# POLLUTION, HAZARDS AND CONTAMINATED LAND

## chapter 11

### INTRODUCTION

An important main objective to be achieved through the Local Plan is to ensure that the people of Vale Royal enjoy a high quality of life by the creation of a safe and healthy environment.

The general public are increasingly becoming knowledgeable and concerned about the quality of the environment and the risks from pollution. Pollution levels affect the quality of life in general and the working environment, and can be a major factor in investment decisions and thereby affect an area's prosperity.

In certain parts of Vale Royal, the presence of statutorily recognised hazardous installations (CIMAHSITES) can introduce problems. Whilst these plants are an important source of local employment, their very existence can have a blighting effect on certain kinds of development in the vicinity.

The objective of the policies is to recognise the risks to public safety, however remote and ensure that development takes account of safety factors.

### Air Pollution

#### P1

**NEW DEVELOPMENT WHICH HAS THE POTENTIAL TO CAUSE DIRECT HARM BY INCREASING THE LEVELS OF POLLUTION THROUGH EMISSIONS TO THE AIR TO AN UNACCEPTABLE EXTENT WILL NOT BE ALLOWED.**

#### Reasons and Explanations

- (i) To protect public health, the environment and to safeguard amenity.
- (ii) Air pollution can damage both the natural and built environment in addition to its potentially harmful effects on local residents. Whilst controls on air quality lie outside the scope of land use planning, the Local Plan can make a contribution towards reducing pollution by preventing development likely to increase unacceptable emissions into the air.
- (iii) In determining the acceptability of a proposed development the Borough Council will have regard to current legal standards and guidance in particular PPG23 "Planning and Pollution Control" and PPG24 "Planning and Noise". Where these are not available, account will be taken of relevant public health and environmental criteria, local circumstances and the level by which the emitted pollution exceeds normal background levels.

### **Policy Derivation**

PPG23 "Planning and Pollution Control"

PPG24 - "Planning and Noise"

Cheshire Replacement Structure Plan (2011) Policy GEN7

## **P2**

**NEW DEVELOPMENT WHICH IS SENSITIVE TO POLLUTION BY AIR AND ODOUR WILL NOT BE PERMITTED IN AREAS WHERE THE EXISTING LEVELS OF POLLUTION HAVE THE POTENTIAL TO CAUSE UNACCEPTABLE DAMAGE OR NUISANCE TO THE NEW USE.**

### **Reasons and Explanations**

- (i) To prevent creation of situations where uses which are incompatible are located close together and to avoid uses which are not appropriate to environmentally sensitive areas.
- (ii) The Borough Council will have regard to current environmental standards, guidelines and advice to assess the effect on development such as contained in PPG23 "Planning and Pollution Control".

### **Policy Derivation**

PPG23 "Planning and Pollution Control"

Cheshire Replacement Structure Plan (2011) Policy GEN7

## **Noise Pollution**

## **P3**

**THE COUNCIL WILL NOT PERMIT DEVELOPMENT:**

- (i) **WHICH WILL CAUSE AN UNACCEPTABLE INCREASE IN THE BACKGROUND NOISE LEVEL FOR THE AREA.**
- (ii) **WHICH IS SENSITIVE TO NOISE AND WHICH IS PROPOSED NEAR TO EXISTING RAILWAYS OR NEW ROADS FORMING PART OF THE PRIMARY ROUTE NETWORK OR OTHER EXISTING SOURCES OF SIGNIFICANT NOISE UNLESS THE DEVELOPER IS ABLE TO DEMONSTRATE THAT PLANNING OBLIGATIONS AND CONDITIONS RELATING TO NOISE ATTENUATION AND NOISE INSULATION WILL MITIGATE THE EFFECTS OF NOISE.**

**DEVELOPERS WILL BE EXPECTED TO PROVIDE INFORMATION ON NOISE LEVELS WHERE A SENSITIVE DEVELOPMENT IS LOCATED NEAR AN EXISTING OR POTENTIAL NOISE SOURCE.**

### **Reasons and Explanations**

- (i) Nuisance from noise in all its forms is the most common source of complaint, particularly road traffic noise from major roads or where noisy industrial uses are located near housing. Railway noise complaints are received, but to a lesser extent.
- (ii) This policy is intended to avoid the creation of new noise by controlling the amount of noise arising from a new noise source and making sure that new noise sensitive developments such as housing, hospitals and schools are not located near existing noise sources or where such developments are allowed that any mitigation measures required are put in place as part of the development.

- (iii) For housing development near roads and railways, the Council may require mitigation measures between the edge of the carriageway or railway line and dwellings in order to reduce vibration and noise problems.
- (iv) In determining whether a proposed noisy development is acceptable, the Borough Council will have regard to "Planning Noise Guidelines" (CCC), and PPG24 "Planning and Noise" and any other relevant legal standards or guidance.

#### **Policy Derivation**

PPG24 "Planning and Noise"  
Cheshire Replacement Structure Plan (2011) Policy GEN7  
Planning Noise Guidelines Cheshire County Council

## **Light Pollution**

### **P4**

**WHERE A DEVELOPMENT REQUIRES THE PROVISION OF EXTERNAL LIGHTING, DETAILS OF THE SCHEME SHOULD BE SUBMITTED AS PART OF THE PLANNING APPLICATION. THERE WILL ALSO BE A REQUIREMENT TO DEMONSTRATE TO THE COUNCIL THAT THE SCHEME PROPOSED IS THE MINIMUM NEEDED FOR SECURITY AND WORKING PURPOSES AND THAT IT MINIMISES POTENTIAL POLLUTION FROM GLARE AND SPILLAGE PARTICULARLY TO:**

- (i) **RESIDENTIAL AND COMMERCIAL AREAS;**
- (ii) **AREAS OF NATURE CONSERVATION INTEREST;**
- (iii) **AREAS OF SPECIAL COUNTY VALUE AND AREAS OF SIGNIFICANT LOCAL ENVIRONMENTAL VALUE AND OTHER OPEN AREAS;**
- (iv) **TO DRIVERS USING NEARBY HIGHWAYS.**

#### **Reasons and Explanations**

- (i) Outdoor lighting can cause intensive and unnecessary pollution of the countryside. Poorly designed or badly aimed lights are responsible for 'sky glow' and can affect the amenity of surrounding areas.
- (ii) Applicants will need to demonstrate that lighting is needed in the interests of public safety, for security reasons or is an essential requirement of the use proposed.
- (iii) Carefully designed lighting can enhance the appearance of some buildings. The internal lighting of premises in town centres can promote vitality and viability especially in the evening by encouraging window shopping.
- (iv) Other relevant policies include RT1, RT19 and STC6.

#### **Policy Derivation**

PPG6 "Town Centres and Retail Developments"  
PPG17 "Sport and Recreation"

## **Groundwater**

### **P5**

**DEVELOPMENTS WILL NOT BE ALLOWED WHICH, IN THE OPINION OF THE BOROUGH COUNCIL, AFTER CONSULTATION WITH THE ENVIRONMENT AGENCY, POSE AN UNACCEPTABLE RISK TO THE QUALITY OR YIELD OF GROUNDWATER.**

## Reasons and Explanations

- (i) Groundwater resources are a vital source of water for public supply, industry and agriculture, as well as sustaining the base flows of rivers. Some activities, such as the disposal of effluent in soakaways; landfilling of unsealed sites over permeable bedrock; or inappropriate storage of chemicals, can result in the pollution of groundwater with potentially serious health risks. Since the clean up of contaminated water is difficult and very expensive, the Council will seek to prevent or reduce the risk of ground water pollution by refusing consent for developments which it considers pose an unacceptable risk to groundwater. In particular the redevelopment of contaminated land can lead to leachates and drainage posing serious risks of major pollution of groundwater.
- (ii) The Borough contains a number of areas designated as Source Protection Zones I, as defined in the Environment Agency's Policy and Practice for the Protection of Groundwater. These include public water boreholes at Eddisbury, Organsdale, Delamere, Sandyford and Cotebrook. There is also the Nitrate Vulnerable Zone in the Delamere-Willington-Utkinton region as designated by MAFF.

### Policy Derivation

PPG12 "Development Plans and Regional Planning Guidance"  
National Rivers Authority Guidance Notes for Development Plans  
PPG23 "Planning and Pollution Control"  
Cheshire Replacement Structure Plan (2011) Policy GEN7

## Hazardous Installations

### P6

**DEVELOPMENT WHICH MAY BE POTENTIALLY HAZARDOUS TO LIFE OR HEALTH WILL NOT BE ALLOWED IF IT:**

- (i) **INCREASES THE RISK TO HUMAN HEALTH TO AN UNACCEPTABLE LEVEL;  
OR**
- (ii) **INVOLVES MORE OF THE PUBLIC BEING EXPOSED TO AN UNACCEPTABLE  
LEVEL OF RISK.**
- (iii) **WOULD RESTRICT THE TYPE OF DEVELOPMENT WHICH COULD TAKE  
PLACE ON SURROUNDING LAND/PROPERTY FOLLOWING ENVIRONMENTAL  
RISK ASSESSMENT REQUIREMENTS.**

### Reasons and Explanations

- (i) To avoid increasing the risks to human life and health to an unacceptable level and to protect the environment.
- (ii) The advice of the Health and Safety Executive will be sought on such planning applications where appropriate.
- (iii) Where the proposed hazardous development is likely to affect the public in an adjacent district or where it is likely to affect a County Council establishment, the appropriate Borough Council and County Council will be consulted.

### Policy Derivation

Cheshire Replacement Structure Plan (2011) Policy GEN7

**P7**

**DEVELOPMENT OF A NON-HAZARDOUS NATURE IN THE VICINITY OF HAZARDOUS INSTALLATIONS WILL NOT BE ALLOWED IF IT WOULD INVOLVE MORE OF THE PUBLIC BEING EXPOSED TO AN UNACCEPTABLE LEVEL OF RISK IN EITHER:**

- (i) AREAS ALREADY SUBJECT TO SIGNIFICANT RISK LEVELS; OR**
- (ii) AREAS WHERE IT IS KNOWN THAT FUTURE RISK LEVELS ARE CERTAIN TO INCREASE AS A RESULT OF HAZARDOUS DEVELOPMENT.**

**Reasons and Explanations**

- (i) To avoid increasing the risk to life and health to an unacceptable level.
- (ii) The advice of the Health and Safety Executive will be sought on applications which are located within prescribed consultation distances of hazardous developments which include high pressure pipelines.
- (iii) In determining the acceptability of a proposed development the Borough Council will have regard to the current legislation, standards and guidance available including: The Control of Major Accident Hazards Regulations 1984, the Housing and Planning Act 1986, the Planning (Hazardous Substances) Act 1990 and DoE Circular 11/92 "Planning Controls for Hazardous Substances". The Council will also require the submission of an overall risk assessment in considering development proposals within a designated hazard site.

**Policy Derivation**

Cheshire Replacement Structure Plan (2001) Policy ENV21

## Contaminated and Derelict Land

**P8**

**BEFORE DETERMINING PLANNING APPLICATIONS FOR SITES WHICH ARE KNOWN OR STRONGLY SUSPECTED TO BE ADVERSELY AFFECTED BY LAND CONTAMINANTS OR LANDFILL GAS, THE BOROUGH COUNCIL WILL REQUIRE THE DEVELOPER TO CARRY OUT A SITE INVESTIGATION WHERE APPROPRIATE TO:**

- (i) ASSESS THE NATURE AND DEGREE OF CONTAMINATION; AND**
- (ii) IDENTIFY SPECIFIC REMEDIAL MEASURES TO DEAL WITH ANY HAZARD AND SAFEGUARD FUTURE DEVELOPMENT AND NEIGHBOURING USES.**

**PLANNING PERMISSION WILL ONLY BE GRANTED ON SUCH SITES PROVIDED THAT ALL OTHER RELEVANT POLICIES OF THE LOCAL PLAN ARE SATISFIED AND THAT ANY SPECIFIC REMEDIAL MEASURES REQUIRED TO DEAL WITH HAZARDS ARE INCORPORATED WITHIN THE DEVELOPMENT, SUBJECT TO THE SATISFACTION OF THE BOROUGH COUNCIL WHO WILL ATTACH CONDITIONS TO THIS EFFECT.**

**Reasons and Explanations**

- (i) To protect the environment and safeguard public health. This policy applies to both former landfill sites or those developments proposed within 250 metres of current or former landfill sites.

- (ii) In appropriate cases the advice of consultants, the Health and Safety Executive, Environment Agency etc., will be sought and any recommendations produced by the Department of the Environments Inter-Department Committee on the Redevelopment of Contaminated Land will be applied when considering the acceptability of proposed development.
- (iii) To reflect the advice contained in Planning Policy Guidance Note 23 "Planning and Pollution Control" which clearly places the responsibility of assessing whether a site is contaminated upon the developer.
- (iv) The Council will have regard to existing sources of information particularly Cheshire County Council's "Potentially Contaminated Land Survey" 1987 and will provide information and advise to developers.

#### **Policy Derivation**

DOE Circular 21/87 "Development of Contaminated Land"  
National Rivers Authority Guidance Notes for Development Plans  
PPG23 "Planning and Pollution Control"

#### **P9**

**DEVELOPMENT WILL BE ALLOWED WHICH BRINGS DERELICT LAND INTO BENEFICIAL USE, MAKES IT CAPABLE OF SUCH A USE OR RECLAIMS IT, PROVIDED THAT THIS DOES NOT UNACCEPTABLY HARM ANY WILDLIFE HABITAT.**

**WHERE THE SITE INCLUDES FEATURES OF WILDLIFE VALUE, PROPOSALS SHOULD PROVIDE FOR THEIR RETENTION. WHERE THIS CANNOT ACCEPTABLY BE ACHIEVED, PROVISION SHOULD BE MADE FOR THEIR REPLACEMENT ELSEWHERE.**

#### **Reasons and Explanations**

- (i) Land is a valuable resource which should be put to beneficial use wherever possible. Derelict land can be unattractive and a disincentive to new investment in surrounding areas.
- (ii) The development of derelict land can reduce the need to develop greenfield sites, reduce the need to travel, bring facilities closer together and help to improve the general environment of the area.
- (iii) Some sites are ecologically so valuable in their derelict state that it would be beneficial to retain them in this condition. Where this is the case they are identified as designated sites and are protected by policies NE2 and NE3.
- (iv) Problems of contamination, the cost of reclamation, its location and access can often act against the reuse of derelict land for housing or employment. Reclamation for amenity, environmental and recreation purposes can also be of considerable value to the local area.
- (v) Derelict/contaminated sites may also contain archaeological remains which should be investigated.

#### **Policy Derivation**

DOE Circular 21/87 "Development of Contaminated Land"  
PPG9 "Nature Conservation"  
Cheshire Replacement Structure Plan (2011) Policy R4  
National Rivers Authority Guidance Notes for Development Plans  
PPG23 "Planning and Pollution Control"

## IMPLEMENTATION

The Borough Council will implement policies for the control and mitigation of pollution through the action of the development control process in consultation with the appropriate statutory control agencies. Regard will be had to the current legal standards for air and water quality and noise levels when assessing proposals for new developments and extensions to existing development. Mitigation measures such as noise barriers/landscaping or filters for air emissions may be required within development proposals.

Advice will be sought from the Environment Agency to determine the potential effect of development on surface and groundwater resources.

The Environment Agency exercise wide ranging powers over existing developments and land uses to control the level and standard of discharges to and abstractions from water courses and groundwater supplies, whilst regular monitoring of water resources combine to reduce the risk of pollution to water.

Planning applications for development which may be potentially hazardous to life or health will be considered by the Borough Council having regard to current legislation, guidance and standards and in consultation with the Health and Safety Executive and other Statutory Bodies.

One of the aims of the Plan is to bring derelict and vacant land into beneficial use. This can be achieved by a variety of means:-

- (a) Allocating such land to specific uses.
- (b) Encouraging developers to use such land.
- (c) Direct involvement in reclamation schemes.
- (d) Supporting initiatives such as the Mersey Basin Campaign, River Weaver Valley Initiative and the Mersey Community Forest, which covers most of the Vale Royal Area.

The County Council and Borough Council have concurrent powers to reclaim derelict land. The Borough Council will consider the desirability of derelict land reclamation as a means of bringing sites into beneficial use and securing environmental improvements. Borough funding and design programmes may be used for improvements on Council owned land. Central Government has in recent years changed the method for funding the regeneration of urban areas through the grouping of programmes for environmental, economic and social improvement into the Single Regeneration Budget (SRB). This is distributed to Local Authorities and others who are successful in demonstrating that the investment of funds from Central Government will initiate further private sector investment and activity. Part of the SRB is administered by English Partnership, being devoted to improving derelict land. Vale Royal Borough Council has sought and will continue to seek support for regeneration and reclamation through these funding mechanisms.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

Policy P1 specifically seeks to prevent development which is likely to cause direct harm by increasing the levels of pollution through emissions to the air. By not permitting development which is likely to significantly increase air or water pollution, biodiversity can be protected.

### **Use of Natural Resources**

Air and water quality are specifically protected. The use of derelict land is encouraged which may reduce the demand for land not previously developed elsewhere.

### **Local Environment**

The reuse on derelict land involves the recycling of land resources and depending upon its location can enhance the appearance of open countryside or the built environment. Depending upon its end use it may increase public access and open space.

## INTRODUCTION

Natural resources are particularly evident in the countryside, and it is very important that they are wisely stewarded in order that we do not deprive future generations of resources that we currently enjoy. Elements worthy of protection include naturally occurring good quality soils and the appearance and character of the landscape. Without protection these valued features can be easily lost through gradual small changes. The policies in this and other chapters such as the Natural Environment chapter seek to ensure that the countryside we currently enjoy is not degraded over time. However, there is a need to recognise that the countryside is not a museum but needs to support a rural economy and rural employment.

In recent years changes in agriculture have meant that the rural economy is no longer heavily reliant upon agriculture but has diversified. Agricultural diversification and alternative rural enterprises will play an increasingly important role in the future and, accordingly, it is important that existing sites and disused buildings are used to provide employment opportunities in rural areas and are not lost to residential uses. The provision of rural employment can also contribute to the reduction in the need to travel whilst the location of inappropriate uses which generate large amounts of the traffic will generally not be permitted as it leads to unsustainable forms of development.

Means must be found to accommodate new businesses in rural areas without this jeopardising the character and attractiveness of the open countryside. The Local Plan seeks to achieve this balance by encouraging the redevelopment of existing buildings for non residential employment creating uses.

### Agricultural Land

#### RE1

**THE USE OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3a) FOR ANY FORM OF DEVELOPMENT WHICH RESULTS IN THE LOSS OF SUCH LAND TO AGRICULTURAL USE WILL NOT BE ALLOWED EXCEPT WHERE IT IS EVIDENCED THAT THE FOLLOWING CRITERIA CAN BE MET:**

- (i) **ALTERNATIVE LAND ON PREVIOUSLY DEVELOPED SITES AND ON LAND WITHIN THE BOUNDARIES OF EXISTING DEVELOPED AREAS IS GENUINELY NOT AVAILABLE;**
- (ii) **THAT THERE IS AN OVERRIDING NEED FOR THE DEVELOPMENT AND IT MEETS THE OBJECTIVES OF THE LOCAL PLAN PARTICULARLY THOSE IN RELATION TO SUSTAINABLE DEVELOPMENT AND TRAVEL;**
- (iii) **LAND OF GRADES 3B, 4 AND 5 IS NOT AVAILABLE OR HAS A STATUTORY DESIGNATION RELATING TO LANDSCAPE, WILDLIFE, HISTORIC INTEREST OR ARCHAEOLOGY WHICH WOULD OUTWEIGH THE AGRICULTURAL GRADING;**

**EVEN WHERE DEVELOPERS ARE ABLE TO SATISFY ALL OF THE ABOVE CRITERIA THEY WILL BE DIRECTED TOWARDS SITES GRADED 3a AND REQUIRED TO PROVIDE EVIDENCE THAT ALL SUCH SITES HAVE BEEN CONSIDERED.**

### **Reasons and Explanations**

- (i) Good quality agricultural land is relatively limited in this country and, once lost, cannot be replaced. Furthermore, the current agricultural surpluses are historically a new phenomenon. It cannot be assumed that they will continue over the longer term. Therefore the best and most versatile agricultural land is a nationally important resource for the longer term and should in general be protected from irreversible development.
- (ii) The best and most versatile land will be regarded as Grade 1, 2 and 3a in the Ministry of Agriculture, Fisheries and Food's Agricultural Land Classification.
- (iii) Although the protection of our agricultural resource is important, there are occasions when this factor is outweighed by other considerations. In recognition of this fact, the policy does allow exceptions, but only in cases where all alternative options have been open to consideration, and when full public consultation (in the form of the Local Plan process) has taken place.

### **Policy Derivation**

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"  
Cheshire 2011 Replacement Structure Plan Policy GEN1.

## **RE2**

**WHERE DEVELOPMENT IS ALLOWED WHICH INVOLVES THE LOSS OF AGRICULTURAL LAND, THE COUNCIL MAY IMPOSE PHASING CONDITIONS SO THAT THE MINIMUM AMOUNT OF LAND, CONSISTENT WITH THE NATURE OF THE DEVELOPMENT, IS TAKEN OUT OF AGRICULTURAL USE AT ANY ONE TIME, EG ALLOWING GRAZING TO CONTINUE ON LAND ALLOCATED FOR INDUSTRIAL/ HOUSING DEVELOPMENT UNTIL DEVELOPMENT IS READY TO COMMENCE.**

### **Reasons and Explanations**

- (i) To protect the appearance of the countryside and areas on the urban fringe, agricultural land with planning permission for development should be properly maintained until the development is commenced. In the time between the grant of planning permission and its implementation, the land must not become an eyesore by falling into a disused state.

## **New Agricultural Buildings**

### **RE3**

**NEW AGRICULTURAL BUILDINGS SHOULD:**

- (i) **BE SITED AND DESIGNED SO THAT THEY DO NOT UNDULY DETRACT FROM THE AMENITY OF PEOPLE LIVING NEARBY;**
- (ii) **USE MATERIALS, COLOURS AND DESIGNS WHICH MINIMISE THE VISUAL IMPACT ON THE SURROUNDINGS;**
- (iii) **BE OF AN APPROPRIATE APPEARANCE AND INTERNAL LAYOUT FOR THE AGRICULTURAL PURPOSE INTENDED FOR THE BUILDING AND SHOULD NOT EXCEED THESE REQUIREMENTS;**

- (iv) **WHERE APPROPRIATE USE BOTH EXISTING AND SOFT LANDSCAPING AND TREE PLANTING TO SCREEN THE BUILDING;**
- (v) **WHEREVER POSSIBLE BE LOCATED CLOSE TO AN EXISTING GROUP OF BUILDINGS.**

#### **Reasons and Explanations**

- (i) The Borough Council will wish to protect the appearance of the countryside by the exercise of reasonable control over the siting and design of agricultural buildings.

#### **Policy Derivation**

PPG1 "General Policies and Principles"

PPG12 "Development Plans and Regional Planning Guidance"

Cheshire 2011 Replacement Structure Plan Policy GEN1, GEN2

Cheshire County Council Farm Buildings - A Design Guide 1972

#### **RE4**

**PROPOSALS FOR NEW BUILDINGS AND OTHER STRUCTURES ASSOCIATED WITH LIVESTOCK THAT ARE NOT PERMITTED UNDER ANY DEVELOPMENT ORDER WILL ONLY BE ALLOWED WHERE THEY SATISFY THE FOLLOWING CRITERIA:**

- (i) **THEY SHOULD NOT UNDULY DETRACT FROM THE AMENITY ENJOYED BY OCCUPIERS OF EXISTING OR PROPOSED BUILDINGS DESCRIBED IN THE TOWN AND COUNTRY PLANNING GENERAL PERMITTED DEVELOPMENT ORDER 1995 AS "PROTECTED BUILDINGS" BY REASON OF SMELL, NOISE, DUST, VISUAL INTRUSION OR THE ATTRACTION OF TRAFFIC.**
- (ii) **THEY SHOULD PROVIDE DETAILS OF THE ARRANGEMENTS FOR THE DISPOSAL OR OTHER TREATMENT OF MANURE AND OTHER WASTES, AND SATISFY THE BOROUGH COUNCIL THAT AGRICULTURAL WASTES CAN BE MANAGED WITHOUT DETRIMENT TO AMENITY OR TO THE ENVIRONMENT.**

#### **Reasons and Explanations**

- (i) Some buildings to be used for the accommodation of livestock will require planning permission from the Borough Council. The Borough Council recognises that such buildings will be necessary to the role of agriculture as an important and developing industry in the local economy. However, protection must also be given to the amenity of those people living in or otherwise using buildings close to existing or proposed livestock buildings.
- (ii) "Protected Buildings" are permanent dwellings and other buildings occupied by people within 400 metres of the proposed livestock unit, excluding buildings within the agricultural unit and dwellings on other agricultural units. (A full definition is contained in the General Permitted Development Order 1995).
- (iii) The amenity enjoyed by people living in or otherwise using the countryside should not be unreasonably diminished by the practice of storage, treatment, transport or disposal of agricultural wastes.
- (iv) The incidence of local environmental pollution caused by the storage, treatment, transport or disposal of agricultural wastes must be minimised.
- (v) MAFF and the Environment Agency will be requested to provide general advice or information as appropriate in order to assist the Borough Council's consideration of planning applications, where appropriate the Council will take on expert advice where appropriate and necessary.

### **Policy Derivation**

PPG7 "The Countryside and the Rural Economy"

PPG23 "Planning and Pollution Control"

Cheshire Replacement Structure Plan Policy ENV18

## **Change of Use of Agricultural and Other Rural Buildings**

### **RE5**

**APPLICATIONS FOR THE CHANGE OF USE OF AGRICULTURAL BUILDINGS (INCLUDING STABLES) MADE WITHIN 4 YEARS OF THE COMPLETION OF THE BUILDING AS EITHER PART OF PERMITTED DEVELOPMENT OR FOLLOWING A PLANNING CONSENT WILL NEED TO BE ACCOMPANIED BY THE FOLLOWING:**

- (i) EVIDENCE OF THE ORIGINAL INTENDED USE FOR THE BUILDING IF ERECTED UNDER PERMITTED DEVELOPMENT;**
- (ii) EVIDENCE THAT THE BUILDING WAS USED FOR A SUBSTANTIAL PART OF THE PRECEDING PERIOD FOR THE INTENDED AGRICULTURAL PURPOSE;**
- (iii) EVIDENCE THAT THE CHANGE OF USE WILL NOT GENERATE THE NEED FOR A REPLACEMENT STRUCTURE.**

**ANY PROPOSAL FOR A CHANGE OF USE SHOULD ALSO MEET THE CRITERIA IN POLICY GS7.**

### **Reasons and Explanations**

- (i) PPG7 makes it clear that Local Authorities should, if they consider farm buildings are being built with the intention of early conversion, investigate the history of the building to establish whether it was ever actually used for agricultural reasons. PPG2 also states that applications made for the reuse within four years of agricultural buildings erected under the GDO should be carefully examined.
- (ii) There have been cases within Vale Royal where permitted development rights have been used to erect buildings which have then been converted to other uses, this has often necessitated further replacement structures which can detract from the open aspect or character of the Green Belt or Open Countryside. This policy seeks to ensure that permitted development is not used to allow development which would generally not be acceptable in such areas.
- (iii) Agricultural buildings if allowed to proliferate can lead to a detrimental impact on the Green Belt and if a number of these are then converted this can lead to development of an inappropriate scale in areas which are only accessible by private transport. Development of this land is not sustainable and PPG13 makes it clear that isolated development including residential development should be avoided.
- (iv) The new uses proposed may put pressures on the countryside which were not anticipated when the original building was given consent in terms of visual impact, nature conservation and traffic generation.

### **Policy Derivation**

PPG 7 "The Countryside - Environmental Quality and Economic and Social Development"

PPG 2 "Green Belts"

PPG13 "Transport"

## Withdrawal of Agricultural Permitted Development Rights Following a Change of Use

### RE6

THE BOROUGH COUNCIL WILL CONSIDER WHETHER OR NOT IT WOULD BE APPROPRIATE TO CONSIDER THE REMOVAL OF AGRICULTURAL PERMITTED DEVELOPMENT RIGHTS IN ANY OF THE FOLLOWING CASES:

- (i) WHERE SEVERAL APPLICATIONS FOR CHANGE OF USE HAVE TAKEN PLACE TO BUILDINGS AT THE AGRICULTURAL HOLDING OR UNIT WITHIN FOUR YEARS OF THEIR COMPLETION UNDER PERMITTED DEVELOPMENT RIGHTS OR IN CERTAIN CIRCUMSTANCES FOLLOWING PLANNING CONSENT.
- (ii) WHERE THIS HAS LED TO FURTHER BUILDINGS BEING ERECTED AS REPLACEMENTS UNDER PERMITTED DEVELOPMENT RIGHTS AND THIS COULD BE CONSIDERED TO HAVE LED TO A PROLIFERATION OF BUILDINGS WHICH IS AFFECTING THE OPEN CHARACTER OF THE GREEN BELT AND OPEN COUNTRYSIDE.
- (iii) WHERE THE CHANGES OF USE OF GROUPS OR INDIVIDUAL AGRICULTURAL BUILDINGS HAVE CUMULATIVELY LED TO A CHANGE IN CHARACTER OF THE COUNTRYSIDE AND HAVE LED TO AN INCREASE IN TRAFFIC GENERATION.
- (iv) WHERE THE BUILDINGS PREVIOUSLY ERECTED UNDER PERMITTED RIGHTS HAVE NEVER BEEN USED FOR THE AGRICULTURAL USE TO WHICH THE PERMITTED DEVELOPMENT RIGHTS RELATE.

### Reasons and Explanations

- (i) When the proliferation of farm buildings could have a seriously detrimental effect on the openness of the countryside it is then appropriate to consider whether it is necessary to attach a condition withdrawing permitted development rights with respect to an agricultural unit or holding. The Borough Council will only consider such a step where such development is having a detrimental impact and will ensure that such conditions fairly and reasonably relate to the proposed development.
- (ii) Within the permitted development system there is a requirement for the Borough Council to be notified of the proposal and whilst the authority cannot challenge the principal of development, matters such as siting and design can be discussed.

#### Policy Derivation

PPG 2 "Green Belts"

PPG 7 "The Countryside and the Rural Economy"

## Agricultural Workers' Dwellings

### RE7

THE DEVELOPMENT OF AN AGRICULTURAL WORKERS DWELLING WILL ONLY BE ALLOWED IN THE FORM OF A PERMANENT DWELLING IF THE FOLLOWING CRITERIA CAN BE MET:

- (i) THERE IS A CLEARLY ESTABLISHED EXISTING FUNCTIONAL NEED FOR ONE OR MORE WORKERS;

- (ii) **THE NEED RELATES TO FULL-TIME WORKERS AND NOT PART-TIME EQUIVALENTS;**
- (iii) **THE UNIT AND AGRICULTURAL ACTIVITY CONCERNED HAVE BEEN ESTABLISHED FOR AT LEAST THREE YEARS AND HAVE BEEN PROFITABLE FOR AT LEAST ONE OF THESE AND HAVE A CLEAR PROSPECT OF REMAINING FINANCIALLY SOUND;**
- (iv) **THE FUNCTIONAL NEED CANNOT BE MET BY ANOTHER DWELLING ON THE UNIT OR OTHER ACCOMMODATION IN THE AREA;**
- (v) **THE DWELLING SHOULD BE APPROPRIATELY LOCATED AND WHEREVER POSSIBLE SHOULD BE SITED WITHIN, OR DESIGNED IN RELATION TO A NEARBY GROUP OF DWELLINGS OR FARM COMPLEX;**
- (vi) **THE DWELLING SHOULD BE OF AN APPROPRIATE SIZE, COST AND DESIGN TO MEET ONLY THE NEEDS OF THE RELEVANT AGRICULTURAL ACTIVITY AND UNIT; THE REQUIREMENT OF THE ENTERPRISE IS THE ONLY RELEVANT FACTOR;**
- (vii) **IN APPROPRIATE CIRCUMSTANCES PERMISSIONS FOR SUCH DWELLINGS WILL BE SUBJECT TO CONDITIONS REMOVING PERMITTED DEVELOPMENT RIGHTS IN ORDER TO ENSURE THAT SUCH PROPERTIES ARE NOT EXTENDED BEYOND WHAT IS REQUIRED FOR AGRICULTURAL PURPOSES. PLANNING OBLIGATIONS (SEE SECTION 106 AGREEMENT) WILL BE USED WHERE APPROPRIATE TO TIE A NEW DWELLING TO ADJACENT FARM BUILDINGS OR TO THE AGRICULTURAL LAND OF THE UNIT TO PREVENT SALE OF ANY ELEMENT SEPARATELY WITHOUT FURTHER APPLICATION TO THE BOROUGH COUNCIL.**
- (viii) **THE PERMISSION WILL BE GRANTED SUBJECT TO A CONDITION ENSURING THE DWELLING IS OCCUPIED ONLY BY A PERSON SOLELY OR MAINLY WORKING IN THE LOCALITY IN AGRICULTURE OR IN FORESTRY OR A WIDOW OR WIDOWER OF SUCH A PERSON, AND TO ANY RESIDENT DEPENDANTS. OCCUPANCY CONDITIONS MAY ALSO BE IMPOSED ON EXISTING DWELLINGS ON THE AGRICULTURAL UNIT WHICH ARE UNDER THE CONTROL OF THE APPLICANT AND NEED TO BE USED IN CONNECTION WITH THE FARM.**

**WHERE A PROPOSAL IS UNABLE TO MEET (iii) OF THE CRITERIA, CONSIDERATION WILL BE GIVEN TO A TEMPORARY FORM OF ACCOMMODATION PROVIDED THAT ALL OTHER CRITERIA CAN BE MET AND ANY FURTHER CRITERIA CAN BE MET AS FOLLOWS:**

- (ix) **THERE IS CLEAR EVIDENCE THAT THE ENTERPRISE IN EXISTENCE OR PROPOSED HAS BEEN PLANNED ON A SOUND FINANCIAL BASIS AND THAT CLEAR EVIDENCE OF A FIRM INTENTION AND ABILITY TO DEVELOP THE ENTERPRISE CONCERNED IS PROVIDED BY THE APPLICANT.**

#### **Reasons and Explanations**

- (i) PPG7 makes it clear that agricultural or forestry workers dwellings should serve the requirements of the agricultural enterprise and should not therefore just be a reflection of the desires of the potential occupants or owners. Many agricultural workers dwellings have been built at a scale and cost out of proportion with the needs and the income of the agricultural unit. PPG7 makes it clear that "Dwellings which are unusually large in relation to the agricultural needs of the unit or unusually expensive to construct in relation to the income it can sustain in the long term, should not normally be permitted".

- (ii) In determining applications which may be permitted as an exception to general policy, the Borough Council will normally require the applicant to provide detailed information about the farm holding or woodland enterprise. This will normally take the form of an agricultural questionnaire, which the Borough Council will send to the applicant to complete. In addition, an independent appraisal of the farm holdings by a suitably qualified agricultural surveyor will usually be required.

**Policy Derivation**

PPG 7 "The Countryside - Environmental Quality and Economic and Social Development"

**RE8**

**THE REMOVAL OF AN AGRICULTURAL OR FORESTRY OCCUPANCY CONDITION WILL ONLY BE PERMITTED IN EXCEPTIONAL CIRCUMSTANCES WHERE ALL THE FOLLOWING CRITERIA ARE MET:**

- (i) **THE APPLICANT CAN PROVIDE EVIDENCE THAT THERE IS NO CONTINUING NEED FOR THE DWELLING FOR SOMEONE SOLELY, MAINLY OR LAST WORKING IN AGRICULTURE OR FORESTRY IN THE AREA; AND**
- (ii) **THE PROPERTY HAS BEEN MARKETED FULLY TO THE RELEVANT WORKING COMMUNITY IN THE AREA OF THE HOLDING AT A PRICE WHICH REFLECTS THE RESTRICTIONS IMPOSED BY THE OCCUPANCY CONDITION. EVIDENCE WILL BE REQUIRED THAT THE LOCAL FARMING/FORESTRY COMMUNITY HAVE BEEN CONTACTED AND MADE AWARE OF THE PROPERTY'S AVAILABILITY. IT WILL BE THE THOROUGH NATURE OF ANY MARKETING OF SUCH A DWELLING IN ASSOCIATION WITH THE LENGTH OF TIME MARKETED WHICH WILL BE KEY CONSIDERATIONS;**
- (iii) **THERE HAS BEEN NO INTEREST SHOWN BY A POTENTIAL PURCHASER WHO WOULD HAVE A REALISTIC PROSPECT OF COMPLYING WITH THE OCCUPANCY CONDITION.**

**Reasons and Explanations**

- (i) To clarify the circumstances in which an exceptional case can justify the removal of an agricultural or forestry occupancy condition.
- (ii) To indicate the evidence that should be provided to indicate that there is a lack of demand for the property as a dwelling for someone who has worked solely, mainly or last in agriculture and forestry in the area. It is expected that the time period for marketing will be at least two years but this should reflect the situation at the time of the application.

**Policy Derivation**

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"

**Equestrian Development**

**RE9**

**EQUINE DEVELOPMENT IN THE OPEN COUNTRYSIDE AND GREEN BELT WILL BE ALLOWED WHERE ALL THE FOLLOWING CRITERIA CAN BE MET:**

- (i) **THE PROPOSED DEVELOPMENT IS NOT DETRIMENTAL TO THE OPENNESS OF THE GREEN BELT OR THE CHARACTER OF THE LANDSCAPE IN THE OPEN COUNTRYSIDE IN TERMS OF THE PROPOSAL DUE TO THEIR SCALE, DESIGN, SITING AND THE MATERIALS USED;**

- (ii) THE PROPOSAL SHOULD NOT BE DETRIMENTAL TO ANY SITE OF ACKNOWLEDGED LANDSCAPE, HISTORICAL, ARCHAEOLOGICAL OR NATURE CONSERVATION VALUE OR RESULT IN THE LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND;
- (iii) THE PROPOSED DEVELOPMENT SHOULD NOT BE DETRIMENTAL TO THE AMENITY OF NEIGHBOURING USES;
- (iv) THE APPLICANT INDICATES THE LOCATION OF ALL ELEMENTS ASSOCIATED WITH THE PROPOSED EQUINE DEVELOPMENT AND WHERE NECESSARY INCLUDES THESE WITHIN THE APPLICATION. IN THE CASE OF A LARGER SCALE EQUINE DEVELOPMENT ASSOCIATED ELEMENTS WILL INCLUDE GRAZING LAND, GALLOPS AND MENAGES. APPLICANTS MAY BE REQUESTED TO PROVIDE AN ASSESSMENT OF THE EFFECT OF THEIR PROPOSAL ON EROSION, ON THE VEGETATION ON LAND TO BE USED AND ON RIGHTS OF WAY.

WHERE JUMPS ARE REQUIRED AS PART OF THE DEVELOPMENT CONDITIONS MAY BE REQUIRED TO SECURE THEIR REMOVAL WHEN NOT IN USE;

- (v) THE PROPOSAL SHOULD BE LOCATED NEAR AN EXISTING OR PROPOSED BRIDLEPATH;
- (vi) THE PROPOSAL SHOULD MEET THE NECESSARY STANDARDS FOR VISIBILITY, PARKING AND ACCESS INCLUDING THE PROVISION OF AREAS FOR UNLOADING AND LOADING OF HORSES AND STAFF ACCESS ONTO THE HIGHWAY FOR BOTH HORSES AND VEHICLES.

EQUINE DEVELOPMENT SHOULD NOT GIVE RISE TO UNACCEPTABLE NUISANCE, DANGER OR INCREASES IN VEHICLE MOVEMENTS;

- (vii) PROPOSALS FOR SMALL-SCALE EQUINE DEVELOPMENT FOR PRIVATE RECREATIONAL OR COMMERCIAL USE (OUTSIDE RESIDENTIAL CURTILAGES) SHOULD BE CONSTRUCTED OF TEMPORARY MATERIALS SUCH AS TIMBER. CONDITIONS WILL BE ATTACHED TO SUCH PERMISSIONS REQUIRING THAT STABLES ARE REMOVED ON THE CESSATION OF THEIR USAGE. NEW DWELLINGS OR CONVERSIONS ASSOCIATED WITH SMALL SCALE EQUINE DEVELOPMENT WILL NOT BE PERMITTED; AND
- (viii) PROPOSALS FOR LARGE SCALE COMMERCIAL OR PRIVATE RECREATIONAL EQUINE DEVELOPMENT SHOULD UTILISE EXISTING RURAL BUILDINGS PARTICULARLY IN THE GREEN BELT, WHERE ONLY SMALL SCALE NEW DEVELOPMENT WILL BE PERMITTED. IN THE OPEN COUNTRYSIDE NEW DEVELOPMENT WILL BE PERMITTED AT AN APPROPRIATE SCALE AND SHOULD BE LOCATED IN CLOSE PROXIMITY TO AN EXISTING COMPLEX OF BUILDINGS (SEE ALSO FARM DIVERSIFICATION POLICY). NEW STABLE DEVELOPMENT SHOULD NOT EXCEED THE REQUIREMENTS OF THE EQUINE ENTERPRISE AND SHOULD HAVE AN APPROPRIATE INTERNAL LAYOUT AND EXTERNAL APPEARANCE. RESIDENTIAL DEVELOPMENT WILL BE PERMITTED ONLY WHERE IT IS ASSOCIATED WITH A LARGER SCALE COMMERCIAL PROPOSAL, WHERE THE APPLICANT CAN SHOW THAT THERE IS A REQUIREMENT FOR ON-SITE SUPERVISION WHICH CANNOT BE MET THROUGH AN EXISTING DWELLING, AND IN THE GREEN BELT WHERE THE DWELLING IS PROVIDED THROUGH THE CONVERSION OF AN EXISTING RURAL BUILDING ON THE APPLICATION SITE (SEE ALSO GS7).

## Reasons and Explanations

- (i) Whilst equine development is appropriate in the rural areas the policy seeks to ensure that such development is not detrimental to either the openness in the Green Belt or the character of the landscape.
- (ii) Small-scale new stables are an appropriate use in the Green Belt. In terms of this policy, small-scale is considered to be 55 sq. metres floor area of stables and tack or store rooms totalling 15 sq. metres. These figures are based on the standards recommended by the British Horse Society. Stables within domestic curtilages (which is usually defined as a small area attached to a dwelling, containing domestic outbuildings and the garden and/or yard) are usually allowed under the General Development Order 1995, where they provide for the private residential use only of the dwelling's inhabitants.
- (iii) Commercial equine development will usually be of a larger scale but occasionally there will be larger private recreational proposals. If such developments require new stable development particular care will be needed in order that this development is not detrimental to its surroundings. Only small scale new stable developments will be appropriate in the Green Belt and accordingly the majority of the development should be accommodated in existing buildings. The Borough Council's view of what would constitute small scale is set out in (ii) of the reasons and explanations. In the Open Countryside larger scale development may be possible if the development proposal can satisfy all the relevant criteria of the policy. Any development should be of an appropriate scale which the Borough Council considers to be no more than 165 sq. metres of new stables and 50 sq. metres of storage and tack rooms in total. Again this figure is based on the standards of the British Horse Society and would accommodate approximately 12-15 horses. Further advice about the detailed design of stables can be obtained from the British Horse Society or the Countryside Agency document "Horses in the Countryside".
- (iv) In addition to the requirements for the accommodation of horses it is also necessary to consider the welfare, comfort and safety of the horses and the effect that they may have on the surrounding land if they overgraze it. In assessing whether sufficient land is available for grazing the Borough Council will be guided by the advice of the British Horse Society, National Farmers Union and the Countryside Agency and that one acre (0.5 hectares) grazing land per horse plus additional exercising area is required to prevent overgrazing. Applicants may be asked for their assessment of how the proposed development would affect erosion and vegetation. The guide produced by the Countryside Agency "Horses in the Countryside" also gives advice on Pasture Management.

### Policy Derivation

PPG7 "The Countryside - Environmental Quality and Economic and Social Development"

PPG 2 "Green Belts"

The British Horse Society "Minimum Standards for Livery Yards and Trekking Centres"

Countryside Agency "Horses in the Countryside"

## Kennels and Catteries

### RE10

#### PROPOSALS FOR CATTERIES AND KENNELS SHOULD MEET THE FOLLOWING CRITERIA:

- (i) **THE PROPOSAL SHOULD MEET THE REQUIREMENTS OF BE1 WITH REGARD PARTICULARLY TO ADEQUATE ACCESS AND PARKING AND SHOULD NOT BE DETRIMENTAL TO NEIGHBOURING USES;**

- (ii) **THE PROPOSAL SHOULD BE LOCATED IN EXISTING BUILDINGS (IN THE GREEN BELT) OR WITHIN OR ADJACENT TO AN EXISTING COMPLEX OF BUILDINGS (OPEN COUNTRYSIDE). NEW DEVELOPMENT IN THE OPEN COUNTRYSIDE SHOULD BE OF A SMALL SCALE;**
- (iii) **PROPOSALS SHOULD NOT DETRACT FROM THE APPEARANCE AND CHARACTER OF THE COUNTRYSIDE AND BE SENSITIVELY DESIGNED IN RELATION TO THEIR SETTING AND SHOULD INCLUDE LANDSCAPING AND SCREENING WHERE APPROPRIATE.**

#### **Reasons and Explanations**

- (i) New development is inappropriate in the Green Belt, although the reuse of existing buildings is acceptable. Policy RE5 relates to the conversion and reuse of existing buildings and should be referred to in such cases.
- (ii) Kennels are often located in the countryside in order to avoid causing noise nuisance to adjoining properties. Kennels and catteries are not, however, considered to be a specifically rural land use. They can be accommodated in urban areas, particularly catteries, but it is recognised that it can be difficult to find suitable premises, especially as on-site residence is normally required. Correspondingly, the Borough Council accepts that rural locations can meet a need for premises that would be difficult (but not impossible) to locate in towns.
- (iii) The amenity of neighbouring properties will be protected by the requirements of policy BE1.
- (iv) The character of the countryside should be protected. Development should therefore be suitably designed and screened to be unobtrusive in its surroundings. It should not take the form of isolated development.
- (v) Kennels and catteries are controlled by the Animal Boarding Establishment Act 1963, which requires all boarding accommodation to be licensed. The Borough Council is the local licensing authority, and exercises this duty through the Community Services Directorate.

#### **Policy Derivation**

PPG 2 "Green Belts"

PPG 7 "The Countryside - Environmental Quality and Economic and Social Development"

### **Private Airstrips**

#### **RE11**

**THE USE OF LAND AS PRIVATE AIRSTRIPS WILL BE ALLOWED IN AREAS MORE THAN ONE MILE FROM THE SETTLEMENT POLICY BOUNDARIES OF NORTHWICH, WINSFORD, BARNTON, CUDDINGTON, DAVENHAM, HARTFORD, LOSTOCK GRALAM, MOULTON, RUDHEATH, TARPORLEY, FRODSHAM, HELSBY, HIGHER WINCHAM AND WEAVERHAM ONLY IF THE DEVELOPMENT:**

- (i) **DOES NOT SPOIL THE QUIET ATTRACTIVENESS OF THE COUNTRYSIDE, NOR HAS A DETRIMENTAL EFFECT ON AGRICULTURE OR DESIGNATED ECOLOGICAL SITES AS DEFINED IN POLICY NE2 AND NE3;**
- (ii) **DOES NOT GENERATE SUFFICIENT AIR TRAFFIC TO CAUSE A NUISANCE OR DANGER TO NEARBY RESIDENTS;**
- (iii) **DOES NOT REQUIRE ANY NEW BUILDINGS. ANY NECESSARY ANCILLARY STORAGE REQUIRED FOR THE ENTERPRISE ONLY SHOULD UTILISE EXISTING BUILDINGS. ANY NECESSARY CONDITIONS WILL BE USED TO ENSURE SUCH IS ONLY FOR THE AIRSTRIP.**

## Reasons and Explanations

- (i) Airstrips in Vale Royal Borough should not have a detrimental effect on the character of the countryside or on residential amenity. It is envisaged that any airstrips permitted under this policy will be small in scale, for use by private light aircraft only.
- (ii) The Civil Aviation Authority will be consulted on applications for private airfields to give technical advice and to prevent any conflict with air traffic control at existing airports.

## Farm Diversification

### RE12

**DEVELOPMENT ASSOCIATED WITH THE DIVERSIFICATION OF AN EXISTING AGRICULTURAL HOLDING WILL BE ALLOWED WHERE THE FOLLOWING CRITERIA CAN BE MET:**

- (i) **THE EXISTING HOLDING IS OVER 5 HECTARES IN SIZE;**
- (ii) **THE PROPOSAL SHOULD RETAIN EXISTING EMPLOYMENT ON THE SITE AND WHERE POSSIBLE LEAD TO THE CREATION OF NEW EMPLOYMENT;**
- (iii) **THE PROPOSED DIVERSIFICATION AND ANY FURTHER EXPANSION SHOULD REMAIN SUBORDINATE TO THE ORIGINAL AGRICULTURAL ENTERPRISE. THE BOROUGH COUNCIL WILL REQUIRE THAT THE NEW ENTERPRISE IS TIED TO THE ORIGINAL AGRICULTURAL ENTERPRISE THROUGH A LEGAL AGREEMENT;**
- (iv) **APPLICANTS WILL BE ENCOURAGED TO PRODUCE FARM PLANS WHICH WILL OUTLINE THE PRESENT FARMS PROFILE, PRESENT AND PROPOSED ACTIVITIES, AND ITS ENVIRONMENTAL AND AMENITY EFFECTS;**
- (v) **THE PROPOSAL FOR DIVERSIFICATION SHOULD NOT RESULT IN THE LOSS OF BEST AND MOST VERSATILE AGRICULTURAL LAND;**
- (vi) **ANY PROPOSAL AND ANY SUBSEQUENT EXPANSION SHOULD UTILISE EXISTING BUILDINGS ON THE HOLDING. THE BOROUGH COUNCIL WILL REQUIRE APPLICANTS TO PROVIDE CLEAR EVIDENCE THAT CHANGES OF USE PROPOSED IN AGRICULTURAL BUILDINGS UNDER 4 YEARS OLD ERECTED UNDER PERMITTED DEVELOPMENT WERE GENUINELY USED FOR AGRICULTURAL PURPOSES. WHILST CHANGES OF USE OF REDUNDANT FARM BUILDINGS TO EMPLOYMENT USES WILL BE ENCOURAGED, SUCH CHANGES OF USE WILL NOT BE GRANTED WHERE THE CUMULATIVE EFFECT OF THE EXPANSION OF THE PROPOSAL WOULD LEAD TO AN UNACCEPTABLE INTENSIFICATION WHICH WOULD MEAN THAT THE NEW DIVERSIFIED ENTERPRISE WOULD NO LONGER SATISFY THE CRITERIA OF THE POLICY;**
- (vii) **WHERE THE REUSE OF EXISTING BUILDINGS IS NOT FEASIBLE, AND WHERE NEW BUILDINGS ARE PROPOSED, THESE SHALL BE SUBJECT TO THE POLICIES CONTROLLING DEVELOPMENT IN THE GREEN BELT AND THE OPEN COUNTRYSIDE. ANY NEW BUILDINGS SHOULD BE SMALL IN SCALE, RELATED TO EXISTING DEVELOPMENT AND SHOULD HAVE NO ADVERSE EFFECT ON THE AREA;**

- (viii) THE PROPOSAL AND ANY SUBSEQUENT EXPANSION SHOULD NOT LEAD TO INCREASE IN TRAFFIC FLOWS ON LOCAL ROADS WHICH WOULD HAVE A DETRIMENTAL IMPACT. A TRAFFIC IMPACT ASSESSMENT WILL BE REQUIRED IN SENSITIVE LOCATIONS. THE PROPOSED ACCESS SHOULD BE APPROPRIATE FOR THE NEW ENTERPRISE AND ITS ANTICIPATED VEHICLE MOVEMENTS.**
- (ix) THE BOROUGH COUNCIL WILL REQUIRE THE REMOVAL OF AGRICULTURAL BUILDINGS IN ACCORDANCE WITH THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995;**
- (x) THE BOROUGH COUNCIL WILL, WHERE NECESSARY, ATTACH CONDITIONS TO PERMISSIONS FOR RURAL DIVERSIFICATION WHICH CONTROL THE EXPANSION OF THE ENTERPRISE BEYOND AN ACCEPTABLE LEVEL AND ALSO TO CONTROL THE NATURE OF THE ENTERPRISE. APPLICATIONS FOR EXPANSION SHOULD BE OF A SMALL SCALE AND THE CUMULATIVE EFFECT OF THE EXPANSION ALONG WITH THE EXISTING DEVELOPMENT WILL BE CONSIDERED.**
- (xi) PROPOSALS SHOULD BE APPROPRIATELY LANDSCAPED TO REDUCE VISUAL INTRUSION AND WHERE POSSIBLE SHOULD LEAD TO ENVIRONMENTAL IMPROVEMENTS.**

### **Reasons and Explanations**

- (i) Farm diversification can encompass many types of development which are covered by other parts of the Plan. Examples of types of development are farm based food processing and packing, farm sports (Recreation and Tourism chapter), farm workshops and farm shops (Shopping), tourist accommodation, an extensive list is included in "Planning for Rural Diversification", Table 4.1.
- (ii) It is intended that policies of this kind will allow farms to change over time but ensure that employment is retained in rural areas. However, it is important to ensure that such diversification does not have a detrimental impact on the rural environment in terms of traffic, built development, advertising or nuisance.
- (iii) Farmers who do diversify will be encouraged to produce farm plans which outline the changes they wish to make. A farm plan should outline the present farm's profile, the present and proposed activities, the nature of the proposal and its implications.

### **Policy Derivation**

PPG 7 "The Countryside - Environmental Quality and Economic and Social Development"

## IMPLEMENTATION

A number of agencies are deeply involved in rural issues and play a significant role in rural developments. Among their number are the Ministry of Agriculture, Fisheries and Food (MAFF), the Environment Agency and the Countryside Agency. Rural Parish Councils and locally based organisations also have a particular interest in, and involvement with, rural development proposals.

The Environment Agency, the successor of the NRA, takes particular interest in rural enterprises that may pose a pollution threat to watercourses. These include intensive livestock units, dairy farms and any other businesses which produce substantial quantities of organic waste. Careful management can ensure that such wastes have no detrimental effect on the environment, advice on best practise is available from MAFF and the Environment Agency.

The Countryside Agency was established in 1999 from the merger of the Rural Development Commission and the Countryside Commission. Their main tasks include conserving and enhancing the countryside; and, promoting social equity and economic opportunity for the countryside's population. They provide a wide range of publications promoting the countryside and guidance and advice to assist in its conservation and enhancement. The Countryside Agency also have an influential role in central and local government and are involved in the support and implementation of many practical projects. Information on rural enterprise support, along with rights of way, horses in the countryside, and similar topics are available from the publications section of the Countryside Agency.

Guidance on the conversion of old rural buildings is available separately as supplementary planning guidance. The guidance provides detailed advice with regard to design and conservation matters when old rural buildings are being converted.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

Development within rural areas is likely to be some distance from established settlements. They may therefore increase the need to travel in areas predominantly dependant upon the use of the private car. Transport emissions may be increased thereby increasing the use of energy and fossil fuels.

### **Use of Natural Resources**

There is a threat to water quality through the contamination and spread of livestock waste, however, where this arises from new development there is scope to impose controls over this. New agricultural buildings generally involve the use of non-renewable mineral resources. Stables are encouraged to be constructed in timber which can be from sustainable sources. Because of the need to assimilate new developments into the surrounding rural landscape it is expected that many schemes will have to be accompanied by additional tree planting.

### **Local Environment**

Agricultural and other appropriate rural development can be potentially damaging to local nature conservation. New buildings can undermine landscape quality and the character of open countryside. Modern agricultural buildings can also often detract from adjacent farmsteads which may comprise attractive groups of buildings and therefore harm the quality of the built environment. The policies permit some non-agricultural uses and this rural diversification may strengthen the local economy and improve quality of life.

# AFTER USE OF MINERAL WORKINGS

## chapter 13

### INTRODUCTION

Mineral Extraction and Waste Disposal are matters for which the County Council is the Local Planning Authority. These operations are controlled by policies contained in the Cheshire Minerals Local Plan and the Cheshire Waste Disposal Plan.

The Borough Council supports the policies in the County Minerals Local Plan which seek to ensure that, where technically and economically feasible, mineral workings are returned to a condition fit for agriculture, forestry or natural conservation as appropriate.

The Borough Council similarly supports the policies in the County Waste Local Plan which seek to ensure a high standard of landscaping and after care of landfill sites.

If former mineral workings and landfill sites are used for purposes other than agriculture, forestry, or nature conservation, then the Borough Council will be responsible for planning controls over these uses. The Borough Council will exercise that jurisdiction in two ways:

- i) By recommending to the County Council, landscaping and after care conditions on permissions to extract minerals or deposit waste.
- ii) In determining applications for development after the cessation of extraction or tipping.

The following policies relate to after-uses of mineral extraction and landfill sites. Surface mineral workings in Vale Royal are most generally sand workings, many of which result in the creation of lagoons of various sizes, for which there are demands for use for water based recreation.

In many cases, sites will be capable of accommodating a variety of uses. Successful operation of combined uses will be as dependent on good management of the site as on the preparation of a restoration scheme or the planned provision of facilities. Careful planning and management will, however, maximise the opportunity for sites to develop as sites of nature conservation interest whilst at the same time accommodating active or passive leisure activities.

### General Considerations

#### MW1

**APPLICATIONS FOR PLANNING PERMISSION FOR NEW USES AT THE SITES OF FORMER MINERAL WORKINGS AND LANDFILL SITES WILL BE DETERMINED HAVING REGARD IN PRINCIPAL, TO NOISE, NATURE CONSERVATION, AMENITY, HIGHWAY AND ACCESS CONSIDERATIONS, VISUAL IMPACT, AIR QUALITY AND WATER POLLUTION.**

## Reasons and Explanations

- (i) The Borough Council is the Local Planning Authority responsible for the control of uses of land at mineral extraction and waste disposal sites after the cessation of those operations.
- (ii) Many exhausted, current and future sites are located within rural areas and the Borough Council wishes to ensure that in the long term, use of such sites is compatible with the rural scene.

### Policy Derivation

Cheshire Replacement Structure Plan (Cheshire 2011) Policies GEN3 and R7

## Consultation on County Matters

### MW2

**WHEN CONSULTED IN RESPECT OF MINERAL OR WASTE DISPOSAL APPLICATIONS, THE BOROUGH COUNCIL WILL ENCOURAGE THE COUNTY COUNCIL TO APPLY TO ANY PLANNING PERMISSION IT MAY GIVE, CONDITIONS WHICH WILL ENABLE SITES ULTIMATELY TO BE USED FOR SUCH USES FOR WHICH A DEMAND AND ACCEPTABILITY CAN REASONABLY BE ANTICIPATED.**

### Reasons and Explanations

- (i) When an application for planning permission to extract minerals or dispose of waste is made, the County Council consults the Borough Council in respect of the use and of conditions which may be applied to a permission given. The Borough Council wishes to assist the County Council to prepare for the long term use of sites.
- (ii) The Borough Council recognises that the demand for a variety of types of recreational activity at former mineral sites is increasing but would not wish to accommodate these demands in a way which results in unreasonable detriment to amenities enjoyed by residents, other users of, or visitors to the Borough.

### Policy Derivation

MPG1 Minerals Planning Guidance Note 1, "General Considerations"

## After Uses

### MW3

**PLANNING PERMISSION FOR RECREATION USES OF RESTORED MINERAL AND WASTE DISPOSAL SITES WILL BE RESTRICTED TO LOW-INTENSITY LAND-BASED ACTIVITIES, NON-ENGINE POWERED WATER SPORTS AND NATURE CONSERVATION. EXCEPTIONS WILL ONLY BE PERMITTED AT THE FOLLOWING SITES, OR WHERE IT CAN BE DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE NUISANCE BY WAY OF NOISE OR OTHER DISTURBANCE TO NEARBY RESIDENTS, NOR ANY UNACCEPTABLE DAMAGE TO THE NATURAL ENVIRONMENT:**

- (A) **Fourways Quarry, Oakmere, WHERE DEVELOPMENT WILL TAKE PLACE IN ACCORDANCE WITH THE FOLLOWING PRINCIPLES:**
  - (i) **THE SITE BE USED FOR NON-ENGINE POWERED WATER SPORTS;**

- (ii) **THE ANCILLARY DEVELOPMENT THAT WILL BE ALLOWED IS: A WATER SPORTS CLUB WITH CHANGING FACILITIES; A FISHING CLUB AND TIMBER CHALETs, THE NUMBER AND LOCATION OF WHICH IS TO BE AGREED WITH THE BOROUGH COUNCIL;**
- (iii) **CHALETs ARE ONLY TO BE USED IN CONJUNCTION WITH THE RECREATIONAL USEs, NOT AS PERMANENT DWELLINGs (REF POLICY RT11);**
- (iv) **THE PROPOSALs SATISFY THE CRITERIA IN POLICIEs RT11 AND RT22.**
- (B) Nunsmere, Sandiway, WHERE DEVELOPMENT WILL TAKE PLACE IN ACCORDANCE WITH THE FOLLOWING PRINCIPLEs:**
  - (i) **THE ANCILLARY DEVELOPMENT THAT WILL BE ALLOWED IS: A HARBOUR; CHANGING FACILITIES AND TIMBER CHALETs, THE NUMBER AND LOCATION TO BE AGREED WITH THE BOROUGH COUNCIL;**
  - (ii) **THE CHALETs ARE ONLY TO BE USED IN CONJUNCTION WITH THE RECREATIONAL USEs, NOT AS PERMANENT DWELLINGs (REF POLICY RT11);**
  - (iii) **THE PROPOSALs SATISFY THE CRITERIA IN POLICIEs RT11 AND RT22.**

#### **Reasons and Explanations**

- (i) Low intensity uses include activities such as fishing and walking. This is to minimise environmental damage and to avoid disturbance to nearby residents.
- (ii) Non-engine powered water sports include activities such as sailing, canoeing and windsurfing.
- (iii) "Recreational uses" refer only to the use of land. It does not include the erection of holiday homes, tourist accommodation or other substantial building development. However, development ancillary to the permitted recreational use (e.g. clubhouses, boat storage, jetties, launching ramps, etc.) will normally be permitted as provided by policy MW4.
- (iv) At Fourways Quarry, Oakmere, only non-engine powered water sports will be allowed to preserve the nature conservation value of the site. The site should include undisturbed areas of water edge and boundary, areas of open grassland/heath, planted with native species, to support existing butterfly and invertebrate colonies.
- (v) At Nunsmere the site is already used for both non-engine and engine powered water sports for up to 50 designatees and their guests. Development on this site should keep to the same level of provision with associated ancillary development of a harbour, changing facilities and timber chalets.

#### **Policy Derivation**

PPG17 'Sport and Recreation'

## Ancillary Development

### MW4

**PROPOSALS FOR DEVELOPMENT ANCILLARY TO THE RECREATIONAL USE OF LAND OR WATER AREAS WILL BE PERMITTED WHERE THEY SATISFY ALL OF THE FOLLOWING CRITERIA:**

- (i) THE PROPOSALS ARE OF A SMALL SCALE IN THE CONTEXT OF THE OVERALL SITE AND WILL BE UNOBTRUSIVE;**
- (ii) THEY DISPLAY A HIGH STANDARD OF DESIGN;**
- (iii) THEY ARE DIRECTLY RELATED AND SUBORDINATE TO THE PRIMARY RECREATIONAL USE;**
- (iv) THE BOROUGH COUNCIL IS SATISFIED AND FACILITIES ARE NEEDED FOR THE PARTICIPANTS IN THE RECREATIONAL ACTIVITIES;**
- (v) THE BOROUGH COUNCIL IS SATISFIED THAT THE FACILITIES MUST BE SITED IN CLOSE PROXIMITY TO THE PRIMARY RECREATIONAL USE.**

**ANCILLARY DEVELOPMENT DOES NOT INCLUDE ANY FORM OF RESIDENTIAL OR PERMANENT RETAIL DEVELOPMENT.**

### Reasons and Explanations

- (i) The Borough Council wishes to ensure that any necessary ancillary development does not have an unacceptable impact. In particular, the attractions of the recreational resource should not be diminished by the insensitive design of car parking areas, the erection of unattractive buildings or the imposition of visually obtrusive structures. The impact of ancillary development should be kept to a minimum, especially in the open countryside.
- (ii) Ancillary development should be for the use of participants of the recreational activity, whether this is a formal activity (eg watersports) or informal recreation (eg walking and quiet enjoyment of the countryside). Examples include car parking, toilets, changing rooms, storage facilities and other incidental development whose sole purpose is to provide facilities that contribute to the primary recreational use. Ancillary development should not in itself attract additional car journeys to the countryside by non-participants.
- (iii) Permanent retail development will not be considered ancillary to recreational uses in open countryside. However, small-scale temporary/infrequent retailing (eg ice-cream stands) that is directly associated with the recreational use may be considered an ancillary development, provided it is unlikely to attract customers who are not participants in the recreational activities at the site. Associated retail development will normally be strictly limited by planning conditions with respect to the range of goods for sale, opening hours, signage from the road, and future expansion.
- (iv) Cafes and bars open to the general public will not be considered to be ancillary development.

### Policy Derivation

PPG 13 "Transport"

Cheshire Replacement Structure Plan (2001) Policy ENV2.

## IMPLEMENTATION

Quarries and tips are generally restored by the mineral or waste disposal company which created them. Thereafter the site is usually sold on for another land use. Traditionally this has been to agricultural use, although in Vale Royal flooded lagoons are also common. With the recent changes in agriculture, combined with the growth of leisure time in the population as a whole, many sites are now sold on for recreational after-uses. This is a positive after use of mineral and waste disposal sites that is generally welcomed by the Borough Council.

The majority of quarries in Vale Royal are sand pits which, when worked out, usually become man-made lakes. They offer good potential for all types of water sports, including sailing, canoeing and water skiing. For example, lakes that now play an important role in providing local leisure facilities include Nunsmere, Marton and Shakerly Mere, Allostock. Many other lagoons provide opportunities for quieter appreciation, such as walking, bird watching and nature conservation. Fishing is also popular, and Angling Associations take an interest in some of these sites.

The Sports Council recognises the opportunity that Vale Royal Borough's man-made lakes offer for water sports in North West England. In a report into encouraging outdoor sport, entitled "Into Wild County" (1994), the Sports Council identify Vale Royal as having particular potential for a regional water skiing facility. The Borough Local Plan helps enable this potential to be realised by the identification of Fourways Quarry as a suitable site for this type of activity (Policy MW3).

While most man-made lakes stay in private ownership, the general public can usually gain access via rights of way and, where applicable, membership of clubs or associations that have the use of the lakes. Quality restoration and proper management of these sites is therefore a matter of interest and concern to all.

Waste disposal sites have a rather different contribution to make to the quality of life in Vale Royal. Most of the Borough's tips are located on the outskirts of Northwich, including a number of large industrial waste lime beds at Winnington, Marston and Lostock Gralam. The Borough's household waste was, until recently, tipped at the Witton Landfill site, north of Leicester Street, near Northwich town centre. This site has recently been restored. These waste disposal sites, together with many others in the Borough, fall within the area covered by The Mersey Forest Proposals. The Mersey Forest Plan anticipates the development of greater woodland cover in and around many of the waste disposal sites. In particular, the Mersey Forest Plan proposes a "community woodland" on the northern edge of Northwich. This area includes the Witton household waste site.

Nature conservation and the creation of new habitats (particularly woodlands) is thus becoming an important feature in the after-use of waste disposal sites. This does not necessarily go hand in hand with public access however, and many sites remain inaccessible. Some waste disposal sites are, in any event, inhospitable sites for humans. Nevertheless, their contribution to a more varied environment, rich in wildlife, should not be underestimated. The nature conservation interest of restored waste disposal sites can indirectly enhance the recreational potential of the countryside.

## **ENVIRONMENTAL APPRAISAL**

### **Global Environment**

Former mineral workings will not generally be accessible by public transport and will generally be located away from centres of population. Their re-use for leisure purposes may increase travel by private car and hence increase transport emissions and energy/fossil fuel usage. There is scope for biodiversity to be enhanced.

### **Use of Natural Resources**

Dependence on the private car to reach these sites could reduce air quality although the level of use is unlikely to be substantial because of the low intensity of such uses. Water quality may be affected by powered water sports, but this is unlikely to be significant. Proposals for re-use do involve the recycling of developed land and may reduce recreational pressure on more sensitive areas. There should be no net loss of trees through re-use proposals.

### **The Local Environment**

There is the potential for local nature conservation to be damaged but also scope for such to be enhanced as part of any re-use. Certain leisure developments may result in a number of new buildings, e.g. holiday chalets which may threaten landscape quality. By their nature, the use of sites will retain significant areas of open space and depending upon the particular use, public access may be increased.