

## INDEPENDENT EXAMINATION OF THE HANKELOW NEIGHBOURHOOD PLAN

EXAMINER: Patrick Whitehead DipTP (Nott) MRTPI

John Durrant  
Hankelow Parish Council

Tom Evans  
Cheshire East Council

Examination Ref: 02/PW/HNP

30 November 2020

Dear Mr Durrant and Mr Evans

### HANKELOW NEIGHBOURHOOD PLAN EXAMINATION

Following my visit to the area and my initial appraisal of the Neighbourhood Plan and the supporting evidence, I have some questions on which I would appreciate clarification from the Parish Council. If Cheshire East Council has any observations on the questions, these would also be gratefully received. I would be grateful if written responses can be provided within **two weeks** of receipt of this letter.

- i. Policy NE3: If the reference to new development in the first sentence is to new housing developments, there appears to be significant overlap with the requirements of Policy TC3. The second part of the Policy relates to agricultural development, and the requirements of the 2018 Regulations. However, most farming operations do not require planning permission or are covered by permitted development rules. It is not within the power of the planning system to administer the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 and the Protection of Water Against Agricultural Nitrate Pollution (England and Wales) Regulations 1996. The Agency referred to in those regulations is the Environment Agency. It follows that the second paragraph of Policy NE3 cannot form part of a land use planning policy. Would the Parish Council wish to comment?
- ii. Policy NE4 provides for control over outdoor lighting sources “in all cases”. This could be interpreted to include domestic installations such as forecourt or entrance lighting, normally falling within permitted development rights. Is this the Parish Council’s intention?
- iii. Policy DC1, criterion (g) requires all dwellings capable of being inhabited by families to have private outdoor garden amenity space. Is it the Parish Council’s intention that this criterion should also apply to flats and apartments with two or more bedrooms?
- iv. Has the Parish Council given consideration to including a requirement for new developments to incorporate Sustainable Drainage Systems (SUDS), either as a requirement of Policy TC3, or as an additional criterion in Policy DC1?
- v. Figure H indicates the area to be designated Local Green Space. Can the Parish Council clarify the status of the triangle of land known as “Greenbank”? This appears to be a private house and the designation appears to include it within the LGS, but it is excluded from the cross hatching. Is the triangle intended to be part of the LGS designation?

- vi. Can the Parish Council provide further clarification regarding enabling development to support the establishment of the White Lion Public House as a community hub? During my visit, I saw that a great deal of work is underway on the refurbishment. Could details of the planning permission be provided please?
  
- vii. Can the Parish Council offer comment on an apparent conflict between the provisions of Policy H1 which allocates two sites for new housing, with a total of only 6 new dwellings (giving an average plot size of nearly quarter of an acre), and the requirement of Policy H3, that “*new homes, including those on the allocated sites, should be properties of three bedrooms or less*”?

It is possible that I may have further questions during my examination of the Neighbourhood Plan. Meanwhile, if the Parish Council wishes to provide responses to any of the matters raised in the **Regulation 16 Consultation, I would be grateful if these could be provided within the two week period** so that they can be given full consideration.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on both the Parish Council and the Cheshire East Council websites?

Thank you in advance for your assistance.

Yours sincerely

*Patrick T Whitehead*

Examiner