

Representations to Cheshire West & Chester Local Plan Issues and Options Consultation (Regulation 18)

Land East of King Street, Northwich

On behalf of NPL Group

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1. Introduction

- 1.1. Pegasus Group has been instructed by NPL Group to prepare these representations to the Cheshire West & Chester Issues and Options Regulation 18 Consultation. NPL Group are one of the UK's leading groups of privately-owned brownfield regeneration, remediation and land development companies.
- 1.2. These representations are made in the context of NPL Group's land at King Street, Rudheath, Northwich as identified on the red edge plan (**Appendix 1 – Site Location Plan**). The land is being promoted for employment development, and these representations focus on the deliverability of the site, the Council's employment evidence base, and the relevant questions within the Options Regulation 18 Consultation report which relate to employment needs and development.
- 1.3. The High Speed Phase 2b route and temporary construction areas encroach into the site. However, following the cancellation of HS2, it is simply a matter of time until the safeguarding is lifted. A Vision Document for the site has previously been prepared without the HS2 safeguarding in place and submitted with earlier representations demonstrating the deliverability of the whole site for 76.9ha of employment development (**Appendix 2 – Vision Document**).
- 1.4. An alternative Concept Masterplan has also been prepared for the site if safeguarding remains in place and in the event that HS2 is implemented (**Appendix 3 – Concept Masterplan**). The Concept Masterplan shows a first phase of 38.6ha of employment development, accessed from King Street, with retained and augmented landscaping, which is not constrained in any way by the current safeguarding. A second phase of 13.5ha of employment development is also shown to the north of the rail alignment and to the south of the link road to Penny's Lane making best use of the temporary construction areas.
- 1.5. Even with the delivery of HS2, the land at King Street is capable of being delivered and outperforms potential employment sites identified in the Issues and Options Consultation report in terms of sustainability, market and long-term economic contribution.
- 1.6. The structure of these representations takes the following form:
 - **Section 2** provides details of the site context and Concept Masterplan for employment development;
 - **Section 3** comments on the Introduction section of the Issues and Options Regulation 18 Consultation report
 - **Section 4** comments on the Spatial Strategy section of the Issues and Options Regulation 18 Consultation report
 - **Section 5** comments on the Economic Growth, Employment and Enterprise section of the Issues and Options Regulation 18 Consultation report.
- 1.7. The statements demonstrate that:
 1. There is insufficient justification not to allocate the entirety of the land at King Street for development in the Local Plan, which can deliver 76.9ha of employment land. The



Council have not been clear as to their reasoning as to why the land has not been identified as a potential employment site in the Issues and Options Consultation report. If these reasons relate to the safeguarding of HS2, it is important to note:

- a) HS2 has been cancelled;
 - b) The land safeguarded at King Street is not required for other regional rail improvements such as Northern Powerhouse Rail; and,
 - c) Other conceptual rail improvement projects have not progressed beyond initial feasibility, are unfunded and there are no timescales for delivery.
2. The Council's conclusion that the land at King Street is suitable and available for employment development should also apply to the land not affected by HS2. It is therefore also appropriate for the 38.6ha shown as a first phase of development to be allocated for development, with the remaining 13.5ha identified for future development.

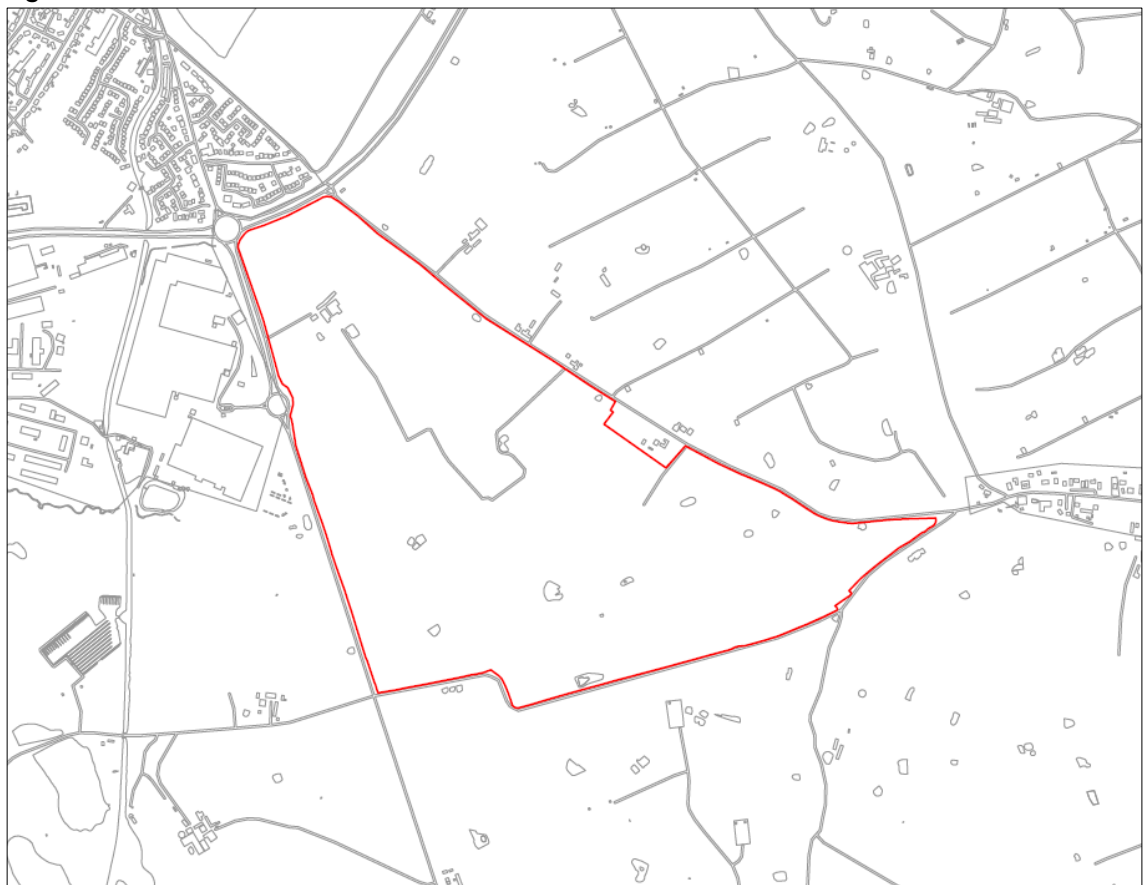
2. Site

- 2.1. This section provides details of the site context and Concept Masterplan for employment development.

Site Context

- 2.2. The 102.7ha site is sustainably located at the southern end of Northwich (**Figure 3.1** and **Appendix 1 – Site Location Plan**). Northwich is identified as a main town and is second on the settlement hierarchy after Chester.

Figure 3.1: Site Location Plan

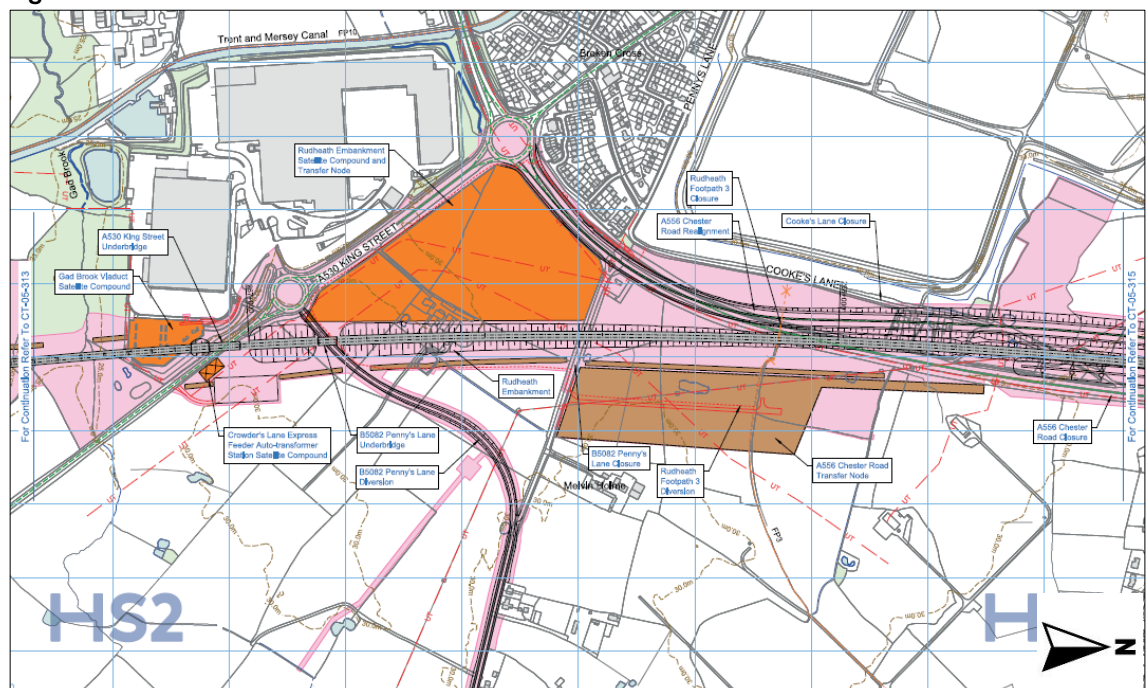


- 2.3. The site is bound by the A556 to the north, King Street to the west, Crowder's Lane to the south, and Penny's Lane to the east, with open countryside beyond to the south and east.
- 2.4. The site comprises agricultural fields of varying shapes and sizes defined by hedgerow and trees. The site includes a watercourse within its southern extent and several field ponds with associated vegetation, which are typical of the surrounding landscape. Two overhead lines supported by steel lattice pylons cross the site, through the western and eastern extent of the site.
- 2.5. The principle of developing the site is established by its planning history. In December 2009 planning permission was granted for underground gas storage caverns, a gas processing facility, ancillary infrastructure required to undertake solution mining, and a

58km dedicated twin pipeline system to facilitate the transportation of leaching water and the discharge of brine (references: 4/O7/2846/FZ5; APP/ZO645/A/O8/2O93471/NWF, 3/P/2O08/111/XX/59; 4/O8/O181/FZ5; O6/O8/OO172/CPO; APP/ZO645/A/O8/2O93465). NPL then secured the various authorisations, licences and hazardous substances consents which would facilitate the implementation of the project. In August 2011 Cheshire West and Cheshire Council confirmed that the permissions had been duly implemented.

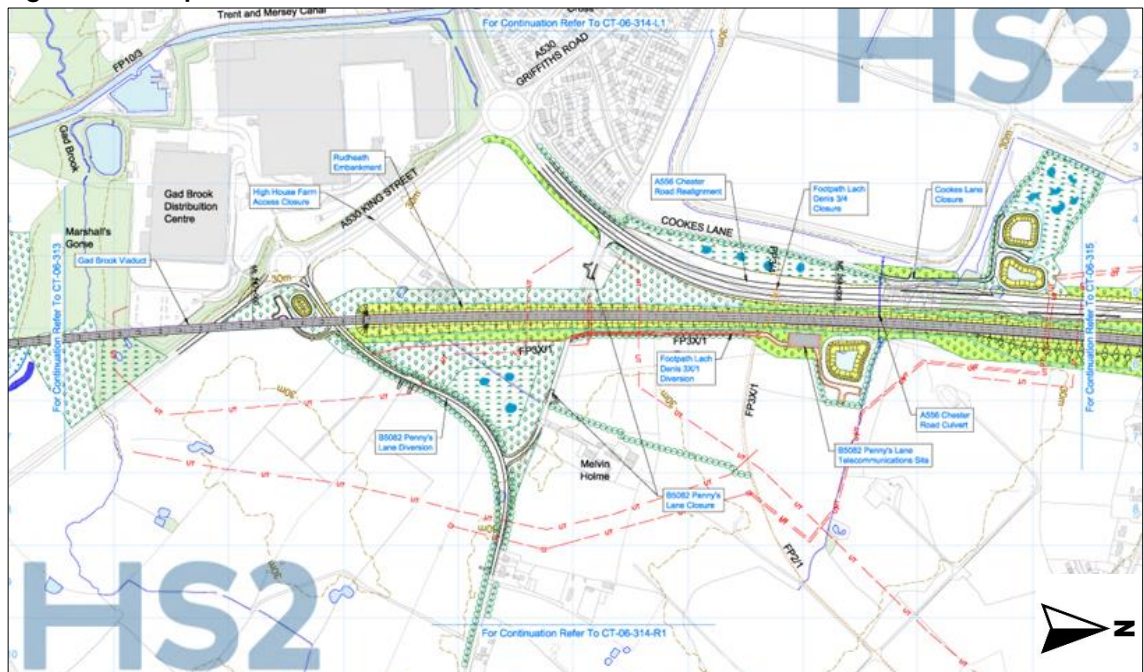
- 2.6. The Cheshire West and Chester Housing and Employment Land Availability Assessment 2017 identified the site as suitable and available for employment development. Despite that, it is not allocated in the current development plan, and it is understood that this is simply owing to uncertainties around HS2.
- 2.7. This site is considered in the Stage One Land Availability Assessment Update 2025, and it is identified as being potentially suitable for mixed employment development (B2, B8, Eg). No better performing site has been identified.
- 2.8. The Council has not provided sufficient justification to discount the land at King Street as an allocation. Having established that the site is suitable and available it must clearly explain why it has not been identified as a potential allocation in the Issues and Options Consultation report.
- 2.9. A drawing of the construction phase of the HS2 Phase 2b route at the site is provided below for reference (**Figure 3.2**) and shows:
 - Land potentially required during construction (pink);
 - Satellite construction compounds, the largest of which lies between the railway alignment at the A556 (orange); and,
 - Temporary material stockpiles (brown).

Figure 3.2: Construction Phase



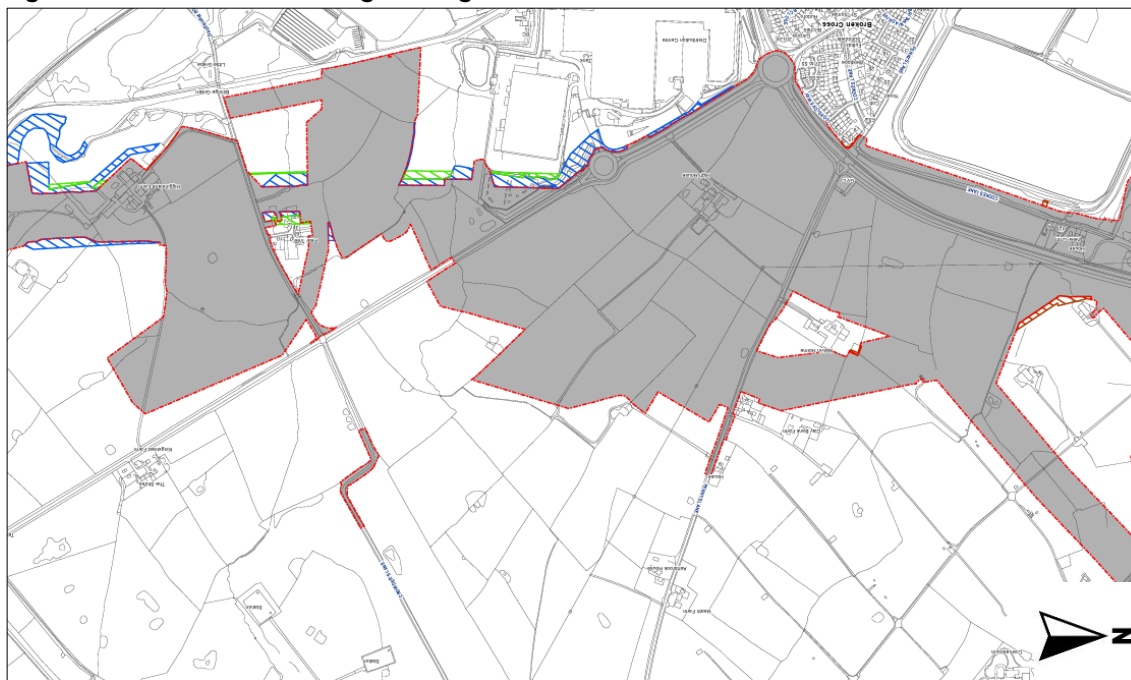
- 2.10. Land has been safeguarded to serve a purely temporary function during the construction of HS2. Even in the event that a new railway alignment and link road to Penny's Lane comes forward, of which there is significant doubts, there will be a substantial amount of safeguarded land that is not required in the longer-term and is developable employment land.
- 2.11. The plans show that if constructed the rail alignment will only impact a small area of the land at King Street leaving a significant proportion of the site unaffected and available for development. The conclusions of the Council (that the land at King Street is suitable for development) will still apply. The land should therefore be allocated, notwithstanding HS2 or at least identified for future development.
- 2.12. This is apparent when looking at the drawing of the proposed scheme, which is provided below (**Figure 3.3**) and shows much of the safeguarded land serving no long-term function.

Figure 3.3: Proposed Scheme



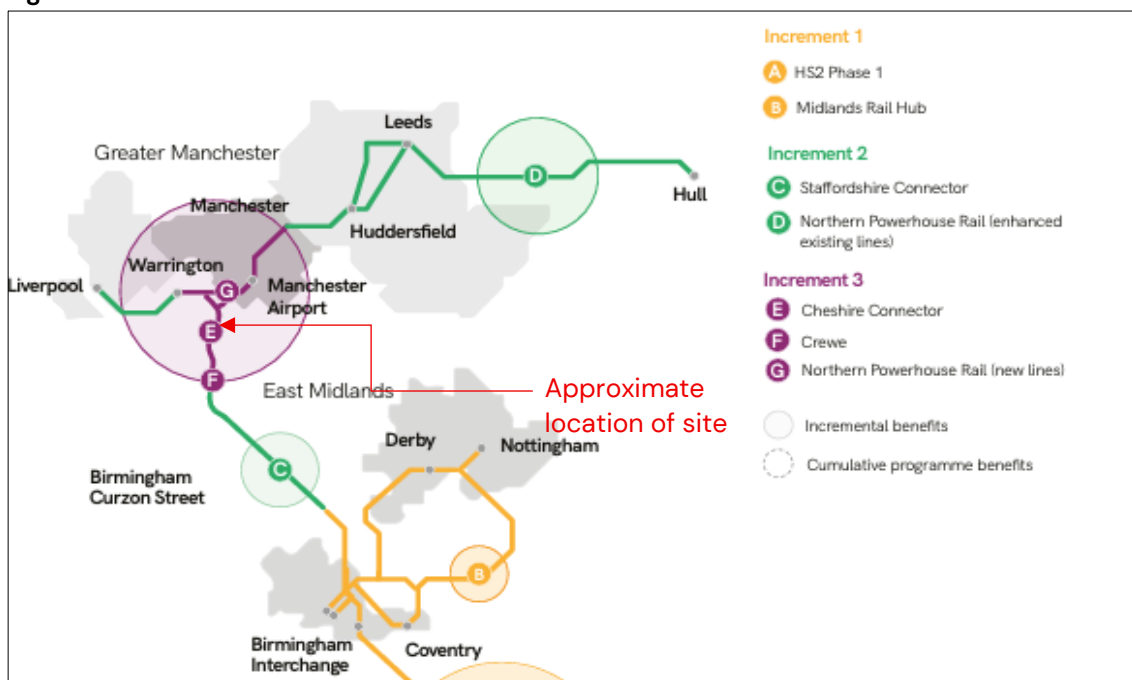
- 2.13. In October 2023, Government cancelled HS2 although safeguarding remains in place on the Phase 2b Western leg between Crewe and Manchester, pending further decisions by Government (**Figure 3.4**).

Figure 3.4: HS2 Phase 2 Safeguarding



2.14. Whilst we do not know what is informing these further decisions by Government, it could be that a decision to keep the safeguarding in place for the time being is owing to the mooted Midlands–North West Rail Link (MNWRL), which is a private enterprise that is being speculatively promoted by a consortium of private companies. The proposal has not progressed beyond initial feasibility. There is no funding for the project and concern has been expressed over engagement by stakeholders. There is therefore significant doubt as to whether MNWRL will ever happen. It should not therefore be a material consideration in determining the allocation of the land at King Street (**Figure 3.5**).

Figure 3.5: Midlands–North West Rail Link



- 2.15. There are significant doubts over the delivery of the MNWRL given the following, and NPL remain of the view presented in the original Vision Document promoting the site that the safeguarding will be lifted soon given that:
- The Staffordshire Connector requires help from Government maintaining ownership of the current landholdings on the former Phase 2a route from Handsacre to Crewe while this work is underway and reinstating safeguarding for the land not yet-acquired;
 - The Cheshire Connector would require land north of Crewe being secured through future consents for Northern Powerhouse Rail, however, the Liverpool-Manchester Railway is not dependent on the Cheshire Connector coming forward¹ and that north/south connection is one of a number of options currently being considered to make that connection (if indeed it is necessary);
 - These two connectors will need to 'join' in Crewe which is a complex web of tracks, platforms, freight yards and sidings, with a mix of passenger and freight trains moving in multiple different directions at uneven times;
 - Any solution to increase north-south capacity through Crewe will be challenging and requires more detailed development work with Network Rail and local stakeholders;
 - Financing for the project needs to be maximised from the private sector, and we are not aware of any funding having been secured. We are also not aware of any committed central or local governments partnering to fund the balance; and,
 - Whilst the MNWRL seeks to build upon the work do date on HS2, there are no detailed routes or designs for MNWRL.
- 2.16. The above factors raise significant questions over any prospective regional rail improvements involving the land at King Street. In addition to there being no available funding for any such projects, there are significant practical and logistical constraints that clearly indicate that the retention of safeguarding for HS2 (or other rail project) is completely unwarranted.
- 2.17. Nevertheless, there are Concept Masterplans for the site, one without the railway alignment and link road to Penny's Lane (**Appendix 2 – Vision Document**), and the other with the rail alignment and link road (**Appendix 3 – Concept Masterplan**). Both demonstrate that the site is suitable and deliverable for employment development.

Concept Masterplans

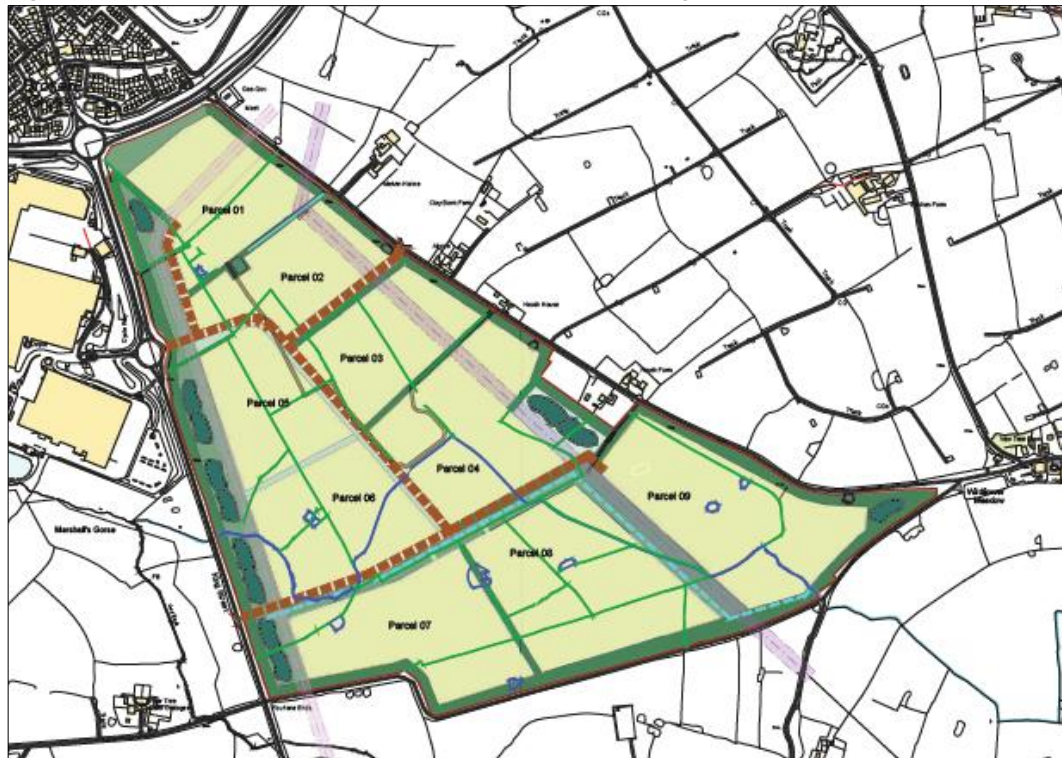
Without the Railway Alignment and Link Road to Penny's Lane

- 2.18. If a railway alignment and link road to Penny's Lane are never delivered as we strongly believe will be the case, the entirety of the site is available, suitable and deliverable. A Concept Masterplan and Vision Document for the site has previously been prepared assuming that land would not need to be safeguarded owing to the cancellation of HS2

¹ Connecting the North West to drive national prosperity, May 2025

Phase 2 and submitted with earlier representations (**Appendix 2**). It showed a minimum of 76.9ha of development with various access options from King Street (**Figure 3.6**).

Figure 3.6: Concept Masterplan – without Railway Alignment and Link Road



- 2.19. The Concept Masterplan responds to the existing landscape framework and creates new opportunities for sustainable drainage and landscape enhancement. Boundary hedgerow and trees provide some existing visual containment of the site and will be retained where appropriate. Landscape buffers, including native planting, will reinforce existing boundary vegetation along the site's boundaries. These will mitigate the effect on views and minimise influence of the development on the wider countryside in the southern context of the site, and to contribute to the relevant Mersey Forest Plan woodland target. Hedgerow and trees, field ponds and associated vegetation within the site will also be retained and augmented where appropriate to integrate the development into the landscape framework and to provide landscape and ecology benefits. The watercourse running through the site will be retained and enhanced, as appropriate.
- 2.20. Access is taken from King Street, possibly via a signalised junction, to the south of King Street roundabout. The junction would be situated at least 160m from existing junctions on King Street in line with the Design Manual for Roads and Bridges (DMRB) Stopping Sight Distance for the 50mph road speed. The accesses would be subject to detailed capacity assessments and material development traffic impacts would be appropriately mitigated. Other off-site junctions may need to be considered and the wider study area for the traffic impact could be agreed with the Local Highway Authority.
- 2.21. The Cheshire West and Chester Housing and Employment Land Availability Assessment 2017 identified this site as suitable and available for employment development. This site is also considered in the Stage One Land Availability Assessment Update 2025, and it is identified as being potentially suitable for mixed employment development (B2, B8, Eg). The

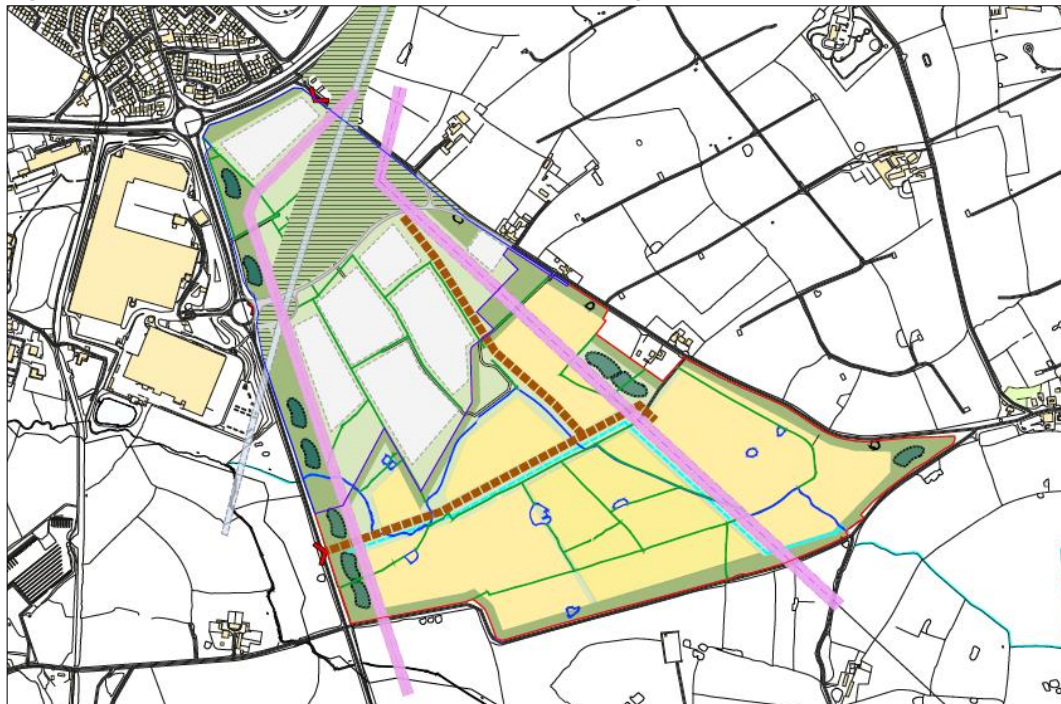
site is demonstrably suitable, available and developable and should be identified as an allocation in the Local Plan.

- 2.22. The Council has not provided sufficient justification to discount the land at King Street as an allocation. Having established that the site is suitable and available it must clearly explain why it has not been identified as a potential employment site in the Issues and Options Consultation report.

With the Railway Alignment and Link Road to Penny’s Lane

- 2.23. Whilst we believe that the safeguarding will be lifted, a Concept Masterplan has also been prepared for the site which demonstrates that it can be delivered for employment with a new railway alignment and link road to Penny’s Lane in place (**Figure 3.7 and Appendix 3 – Concept Masterplan**). Indeed, any current uncertainty around the safeguarding should not inhibit the Council from identifying suitable land for employment development which this site demonstrably is.

Figure 3.7: Concept Masterplan – with Railway Alignment and Link Road



- 2.24. If the railway alignment and link road to Penny’s Lane is delivered, the site should be viewed as a phased development opportunity across the plan period, with the first phase suitable, available and deliverable now and whilst the safeguarding remains in place. The Concept Masterplan shows a first phase of 38.6ha of employment development, accessed from King Street, with retained and augmented landscaping. It is not constrained in any way by the current safeguarding.
- 2.25. If the Council are not minded to allocate the entirety of the land at King Street (using draft allocations in the Green Belt) then they should allocate the 38.6ha identified on the above masterplan for development as a minimum.



- 2.26. A second phase of 13.5ha of employment development is also shown to the north of the rail alignment and to the south of the link road to Penny's Lane, with potential access from the link road and a large landscape buffer to the east and west of the rail alignment. This should be identified as employment expansion.
- 2.27. The alternative plan still outperforms other potential employment sites and should be allocated ahead of land in the Green Belt. The Council's conclusions still apply. Non-Green Belt land is still available, suitable and deliverable.

3. Response to Questions: Introduction

Evidence Base

Question IN 1 – Do you agree that this is the right evidence that we need to inform the new Local Plan? Is there further evidence that you think will be required?

- 3.1. This site is considered in the Stage One Land Availability Assessment 2025 and given reference 1625. It is identified as being adjacent to the settlement of Northwich and the Gadbrook Park established employment area, and unconstrained by Green Belt, Flood Zone 3 and local greenspace designations. The extent of the site is based on the red line boundary, and it is identified as being **potentially suitable for mixed employment development (B2, B8, Eg). No better performing site has been identified in the Stage One Land Availability Assessment 2025.**
- 3.2. Missing from the evidence base is a transparent methodology of how the sites with employment potential like this site, have resulted in the spatial strategy options and potential growth options in the Options Regulation 18 Consultation report, which excludes this site. Moving forward we fully expect to see a clear site selection methodology, which will be scrutinised as part of future representations.
- 3.3. Also missing from the evidence base is any information on the safeguarding of the land that was required for HS2 and is no longer required for that purpose. Indeed, the Options Regulation 18 Consultation report or supporting evidence base makes no reference whatsoever to the safeguarding of the route.

Monitoring

Question IN 2 – Do you have any comments on what the monitoring framework should include?

- 3.4. Whilst we expect the safeguarded land for HS2 to be lifted, if it remains in place as the Local Plan progresses, the monitoring framework will need to take account of the prospect of this being lifted once the Local Plan is adopted. Triggers for an immediate Local Plan review should be put in place to address the prospect of the safeguarding being lifted during the plan period (if not lifted prior to adoption).
- 3.5. To ensure the employment land needs are met, the monitoring framework should also include employment land completions split by type and use class, size of sites, floorspace etc. Triggers for a Local Plan review should also be put in place to address the prospect of employment land needs not being met on a rolling basis throughout the plan period.

4. Response to Questions: Spatial Strategy

SS 2 Employment Needs

Question SS 3 – Is there any reason for the Council not to plan for delivering a minimum of 9.9 hectares of employment land each year?

- 4.1. The Council should be positively planning to deliver a minimum of 9.9ha of employment land each year, which is endorsed in the Economic Development Needs Assessment 2025.
- 4.2. The 9.9ha figure is based on past completions since 2011. However, completions in 2023 and 2024 have been much higher than the average since 2011. As such, there is justification for a higher employment land requirement based on recent completions, which should be considered as a reasonable alternative in the Sustainability Appraisal.
- 4.3. As also noted in the Economic Development Needs Assessment 2025, to deliver the requirement, there may be a need to switch from previously developed land to greater levels of greenfield provision.
- 4.4. The Stage One Land Availability Assessment 2025 identifies a significant amount of land with employment potential which is adjacent to the urban area and outside of Green Belt, including this site at Northwich (**Table 4.1**). There is no reason the minimum employment land requirements should not be met through an appropriate spatial strategy and employment allocations, and as mentioned a higher employment land requirement would be justified based on recent completions and is achievable.

Table 4.1: Employment and mixed-use sites adjacent to urban areas in the countryside (outside Green Belt)

Identified settlement	Total no of sites	Total site area (ha) (50% on mixed)	Estimated floorspace (sqm)
Chester	0	0	0
Ellesmere Port	2	6.17	24,861
Northwich	9	182.54	733,280
Winsford	6	274.46	1,097,875
Urban area sub-total	17	463.18	1,855,617

Source: Table 4.28, Stage One Land Availability Assessment 2025

- 4.5. The Economic Development Needs Assessment 2025 notes that Ellesmere Port will continue to see most of the future demand, followed by Northwich, and these should be the priority areas for provision. However, whilst the largest demand may be at Ellesmere Port there is also clear market demand for large unconstrained sites, of which there is only 6.17ha identified at Ellesmere Port.

- 4.6. After Ellesmere Port, Northwich has delivered the largest amount of employment floorspace in Cheshire West. As demonstrated in the market evidence section of the Vision Document for the site (**Appendix 2 – Vision Document**), there is clear market demand given the proximity of the site to the strategic road network and also a skilled employment base.
- 4.7. As such, priority should be given to directing significant amounts of employment floorspace towards Northwich, of which there are nine sites identified in the Stage One Land Availability Assessment 2025 which are outside the Green Belt, including this site.
- 4.8. Not all these sites may ultimately be found to be suitable following the second stage of the Land Availability Assessment but what is clear is no better performing site than the King Street site identified in the current evidence base.

SS 3 Spatial Strategy Principles

Question SS 4: Do you agree with the suggested policy approach towards the spatial strategy principles, as set out in SS 3 'Spatial strategy principles' above? If not please suggest how it could be amended?

- 4.9. The spatial strategy seeks to direct new development and allocate land towards previously developed sites within settlements first. It goes on to note that where there are not enough planning permissions and opportunities for redevelopment within urban areas and towns, the approach will be to develop on the edge of existing settlements in locations with the best access to public transport and existing services and infrastructure, as the next best sustainable option.
- 4.10. To deliver the employment requirement there may be a need to switch from previously developed land to greater levels of greenfield provision on non-Green Belt sites first. To be clear, Green Belt sites should not be given priority over non-Green Belt sites for employment development, such as this site. The Council's proposed spatial strategy allows for this occurrence and on this basis, we can support the spatial strategy.

SS 4 Settlement Hierarchy

Question SS 5: Do you agree with the suggested policy approach towards the settlement hierarchy, as set out in SS 4 'Settlement hierarchy' above? If not please suggest how it could be amended?

- 4.11. Northwich is identified as a main town and is second on the settlement hierarchy after Chester, and we support its position within the settlement hierarchy.
- 4.12. Given Northwich's strategic location, market demand, proximity to the strategic road network and also a skilled employment base, it should be directed significant amounts of employment development as and when decisions are made on the distribution of development.

Potential Growth Areas

Question SS 30: Do you have any further comments about any of the potential growth areas identified around Northwich?

- 4.13. Map 5.6 in the Issues and Options Regulation 18 Consultation report shows the potential growth areas at Northwich, including three potential greenfield employment sites including:
- NOR03 Wincham East – 6ha;
 - NOR04 Gadbrook South – 15ha; and,
 - NOR05 Southwest Gadbrook Park – 32ha.
- 4.14. NOR03 encapsulates 1495 Wincham Estate (B), as identified in the Stage One Land Availability Assessment 2025. This is a relatively small site and is unlikely to be suitable for strategic industrial development. Moreover, **the site is within the Green Belt** and has not been identified as having employment potential in the Council's assessment.
- 4.15. NOR04 and NOR05 encapsulates 1402 Land at Gadbrook Park and 0878 Land south of A556, Rudheath as identified in the Stage One Land Availability Assessment 2025. These sites are identified in the current Local Plan for employment development. They have been allocated for four years and, as yet, planning applications have not come forward, although we are aware that applications may be pursued in the not-too-distant future, which we intend to monitor closely.
- 4.16. It is noted in the Issues and Options Regulation 18 Consultation report that the potential sites identified in the document does not indicate that the Council supports their development, and that additional technical work will be needed.
- 4.17. It will be necessary to undertake this additional work diligently and consider in detail all sites that have been identified as suitable for employment development in the Stage One Land Availability Assessment 2025, including this site, and not just those identified within the potential growth options.
- 4.18. Missing from the evidence base is a transparent methodology explaining why these three sites are identified in the Options Regulation 18 Consultation report. Moving forward we fully expect to see a clear site selection methodology that considers all sites, which will be scrutinised as part of future representations.
- 4.19. Indeed, there are other sites which have been identified within the Council's evidence base as having employment potential like the King Street site, which is outside of the Green Belt, and would comply with the approach within the NPPF and align with any of the spatial strategy options taken forward.
- 4.20. There is simply no rationale that we can find as to why Green Belt site NOR03, along with NOR04 and NOR05, are identified as potential sites on Map 5.6 and other sites have been omitted, including this site.
- 4.21. To reiterate, this site is considered in the Stage One Land Availability Assessment 2025, and it is identified as being **potentially suitable for mixed employment development (B2, B8, Eg)**.

5. Response to Questions: Economic Growth, Employment and Enterprise

EG 1 Economic Growth, Employment and Enterprise

Question EG 1: Do you agree with the suggested policy approach towards economic growth, employment and enterprise, as set out in EG 1 'Economic growth, employment and enterprise' above? If not please suggest how it could be amended?

- 5.1. We support the suggestions that to meet future employment land a flexible supply of employment land allocations will need to be identified to cater for a range of types and size of business. These will cover use class B including B2 (General Industrial), B8 (storage or distribution) and Class E (Commercial Business and Service), primarily E(g) (Offices, Research and Development and industrial processes).
- 5.2. We note that the supply will be met through commitments, vacant/previously developed land in established employment areas, expansion land for specific employers or new allocations identified to meet strategic development needs.
- 5.3. The Economic Development Needs Assessment 2025 notes that large scale sites should make up a minimum of 40% of the future total (80ha) but that this could rise to 65% or more (125ha) reflecting trends towards large units for both inward investment and strategic distribution.
- 5.4. Allocating larger scale sites will provide the flexibility the plan needs, as these sites could potentially be delivered for smaller scale employment needs, if demand changes throughout the plan period. Allocating smaller sites simply cannot provide flexibility to deliver larger footplate schemes.
- 5.5. We therefore consider that the employment land provision established in the plan strategy should be closer to the 65% advocated in the Council's evidence for large scale industrial, warehousing or distribution use to reflect current market trends.
- 5.6. Additional locations for economic use may be identified on the edge of settlements, dependent on the chosen plan strategy which is supported. At Northwich, several sites are identified in the Stage One Land Availability Assessment 2025 which are on the edge of the settlement and not within the Green Belt, including this site. Indeed, not all these sites may ultimately be found to be suitable following the second stage of the Land Availability Assessment, but what is clear is that there is no better performing sites with employment potential that this site which are completely unfettered by Green Belt, Flood Zone 3 and local greenspace designations.

6. Conclusions

- 6.1. These representations are made in the context of NPL Group's land at King Street, Rudheath, Northwich. The Council's own evidence base identifies the land as suitable as available for employment development, with the most recent evidence reaffirming its employment potential.
- 6.2. Moving forward, the Council should identify the land at King Street as an employment allocation which can deliver 76.9ha of employment land. If the Council are not minded to allocate the entirety of the land then they should allocate the land that is completely unfettered by HS2 safeguarding which can deliver 38.6ha of employment land and acknowledge the remainder of the land as employment expansion.
- 6.3. Even with the delivery of HS2, the land at King Street is capable of being delivered and out performs potential employment sites identified in the Issues and Options Consultation report in terms of sustainability, market and long-term economic contribution.



Appendix 1 – Site Location Plan



Appendix 2 – Vision Document



Appendix 3 – Concept Masterplan

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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