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Planning Policy

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Our reference NP013

Please ask for: Catherine Morgetroyd

Date:30.01.26

Dear Laura

Cheshire West and Chester (CWaC) comments on the Blacon Community Neighbourhood Plan (Submission Version: October 2025) and Blacon Community Neighbourhood Development Order (Submission Version: October 2025)

1. Introduction

- 1.1 The Council welcomes the opportunity to comment on this Neighbourhood Plan and Neighbourhood Development Order (NDO), which represent considerable hard work by the local community and the Blacon Neighbourhood Alliance Neighbourhood Forum; a culmination of more than two years work. The Neighbourhood Plan has been positively prepared.
- 1.2 As well as commenting on conformity with the Local Plan, this response also includes general comments where it is felt that the Neighbourhood Plan and NDO could be improved in terms of clarity, format and scope. Comments are included from other relevant teams within the Council where relevant.

2. Blacon Neighbourhood Area

- 2.1 The Blacon Neighbourhood Area was formally designated on 22 August 2023. The Neighbourhood Area covers the urban area of Blacon and does not overlap with any other Neighbourhood Areas. It shares a boundary with Upton-by-Chester and District Neighbourhood Plan to the north east and the national boundary with Wales to the west.



2.2 The Neighbourhood Area does not include any existing parished areas and as such, work on the Neighbourhood Plan has been undertaken by the Blacon Neighbourhood Alliance Neighbourhood Forum, with assistance from consultants.

3. Relationship between the Blacon Neighbourhood Plan and the adopted Local Plan

3.1 The Local Plan for the borough of Cheshire West and Chester (established as a unitary authority in 2009) has been developed in two parts. The Local Plan (Part One) Strategic Policies was adopted in January 2015 and sets out the strategic framework for development and land use planning in the borough. It can be viewed at [Local Plan \(Part One\) Strategic Policies | Cheshire West Planning Policy](#)

3.2 The Local Plan (Part Two) Land Allocations and Detailed Policies was adopted on 18th July 2019. It can be viewed at: [Local Plan \(Part Two\) Land Allocations and Detailed Policies | Cheshire West Planning Policy](#). Some of the policies within this plan are also considered to be strategic for the purposes of Neighbourhood Planning. The Council produced an updated list of these strategic policies in November 2019 available at: [Guidance on strategic policies final \(Dec 2019\).pdf](#).

4. Local Plan context for Blacon Neighbourhood Area

4.1 The Blacon Neighbourhood Plan and NDO have had regard to the Local Plan (Part One) and Local Plan (Part Two). They generally conform with the strategic policies, but there are some potential conflicts. A summary of relevant Local Plan policies, together with an indication of how the draft Neighbourhood Plan policies and NDO relate to them, is included in appendix 1 and appendix 2 to this letter.

4.2 The spatial strategy of the Local Plan (Part One) STRAT 1 and STRAT 2 is to direct new development primarily to the four main urban areas of Chester, Ellesmere Port, Northwich and Winsford. This will enable the best use of previously developed land and allow the integration of homes, jobs, services and facilities in the most accessible locations. Blacon forms part of the urban area of Chester and is covered by policies STRA 3 and CH 1.

4.3 A small section on the eastern side of Blacon Neighbourhood Area is located within the Green Belt and is therefore covered by policy STRAT 9. The southern section of Blacon Neighbourhood Area is located within Flood Zone 3, which is covered by policy ENV 1. The Greenway runs through the centre of the Neighbourhood Area. This is a green corridor, which is covered by policy SOC 6 and the Mickle Trafford to Shotton disused railway corridor, which is covered by policy T 4. There are also several other open spaces, sport and recreation facilities within Blacon, including the football pitches that form part of the NDO site.

- 4.4 Other strategic local plan policies relevant to the Neighbourhood Plan include those relating to infrastructure, the economy, health and wellbeing, natural and built environment and design (Part One STRAT 11, ECON 2, SOC 5, ENV 2, ENV 3, ENV 4, ENV 6, Part Two DM 44).
- 4.5 The Council provided comments on the pre-submission (regulation 14) consultation in May 2025, and these comments are set out in Appendix 3.
- 4.6 Amendments were made to the Neighbourhood Plan and NDO prior to Regulation 15 stage which took account of some of the comments made at previous stages and additional information was provided. We welcome the changes and additions made to the Plan prior to submission. The detailed comments below are provided to ensure policies are clear and unambiguous and align with the Local Plan.

5. Comments regarding the Neighbourhood Plan and NDO and the basic conditions

- 5.1 Paragraph 104 of the NPPF states that “Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 5.2 Policy SOC 6 of the Local Plan (Part One) is a strategic policy and states that “Proposals will be supported that: improve the quality and quantity of accessible open space, sport and recreation facilities in the local area.” It also states that “Proposals on existing open space, sport and recreation facilities will only be permitted where:
- A. Equivalent or better replacement quantity and quality open space, sport or recreation facilities will be provided in a suitable location: or
 - B. An assessment has clearly demonstrated the site to be surplus for its current open space, sport or recreation function; and
 - C. It could not fulfil other unsatisfied open space, sport or recreation needs; and
 - D. In circumstances where the open space, sport or recreation facility has been demonstrated to be surplus to need for that function in accordance with part C of this policy any proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or
 - E. The development will be incidental to the use of the open space, sport or recreation facility.

- 5.3 It is clear that the proposals set out in the NDO and in policy BLACON1 of the Neighbourhood Plan aim to improve the quality of sport and recreation facilities, but they would also reduce the quantity of playing field and grass sports provision. The proposals would involve a net loss of playing field land and loss of the 5v5 football pitch.
- 5.4 The Cheshire West and Chester Council (CW&C) Playing Pitch Strategy (February 2025) identifies that at the Cairns Crescent site, the mini pitch is played to capacity at peak time, the 11v11 is overplayed by 1.5 match equivalent sessions per week and the adult pitch only has 0.5 match equivalent sessions of spare capacity. The Neighbourhood Plan and NDO do not include any evidence indicating that the existing pitches at Cairns Crescent (including the 5v5 pitch which would be lost as part of the proposals) are surplus to requirements.
- 5.4 The proposals are for two repositioned grass pitches and one indoor mini pitch. The policy BLACON1 states that the two existing full size football pitches are retained per their existing specification, but the pitch dimensions are unclear and from the drawings provided, as such, they may not be exactly the same size as the existing pitches and may not be FA compliant. The Neighbourhood Plan identifies that the hub building can accommodate five a side football but given the lack of detailed information about the design and layout of the hub building, it is not clear whether a five a side indoor pitch could be incorporated into the building and if this was done, whether it would meet the required standards. No information has been provided as part of the NDO or Neighbourhood Plan regarding flooring material, height to ceiling or the exact layout of the building. In their consultation response of 29 January 2026, Sport England have objected to the NDO and they state that the detail submitted is insufficient to demonstrate accordance with any exception to their playing fields policy.
- 5.5 Policy BLACON1 refers to a sports and community hub that comprises space and facilities capable of being used for both indoor sports and community uses. It identifies that the building will need to include changing rooms that meet the required standards but doesn't provide clarity regarding the proposed indoor football provision and could potentially result in a building that is predominantly community uses, rather than indoor sports. The NDO refers to sports and recreation, and community uses and doesn't specify the extent of the area within the building that will be used for football or sports facilities.
- 5.6 The NDO includes a concept building layout. CW&C appreciate that this is only indicative, but some of the facilities shown (such as the changing rooms) seem smaller than is likely to be required. As such, it is not completely clear whether there is sufficient room on the proposed developable area of the site to be able to fit all the proposed facilities within the building, along with the play areas and other necessary facilities such as parking and bicycle storage. The NDO identifies that the maximum building height would be 8.1 metres, which could possibly allow the introduction of a mezzanine or second storey in the building, but this would compromise indoor floor to ceiling heights for sports.
- 5.7 No details have been provided regarding the likely levels of traffic using the site and how that would be accommodated within the existing highway network. It is not clear whether the proposed level of car parking would be sufficient for the proposed uses, especially at

those times where use of the building would overlap with use of the outdoor pitches for football matches.

- 5.8 The text of the NDO refers to provision of a sustainable drainage strategy within the site to deal with the surface water flood risk on the site. It isn't clear whether is sufficient space within the site to provide the proposed sustainable drainage systems (SuDS)
- 5.7 Due to the reasons set out above, the information provided as part of the Neighbourhood Plan and NDO does not clearly show that the proposals fully have regard to national policies and advice or that they are in general conformity with the strategic policies contained within the development plan (including policies SOC 6, STRAT 10 and ENV1 of the Local Plan (Part One)).

6. Detailed comments on the submission version of the Blacon Community Neighbourhood Plan

Paragraph and page number or policy	Comments
Policy BLACON1	<p>The policies in the Neighbourhood Plan need to be in general conformity with the strategic policies in the Local Plan. Policy SOC 6 is a strategic policy and as set out above, it is not clear whether the proposals are in general conformity with policy SOC 6.</p> <p>It is clear that the proposals aim to improve the quality of sport and recreation facilities, but they would also reduce the quantity of playing field and grass sports provision. The proposals would involve a net loss of playing field land and loss of the 5v5 football pitch and insufficient detail has been provided to show that the benefits of the proposed indoor football facilities and other proposed sports facilities would replace or outweigh the loss.</p>
Policy BLACON2	<p>This refers to proposals being considered against the policies of the development plan relating to culture and community facilities. Policy DM 39 does refer to culture and community facilities, but BLACON2 just refers to community facilities, so it should remove reference to culture facilities.</p> <p>Community facilities JH Godwin Primary School and Stepping Stones Pre School are listed as number 12. They are on the same site, but it may be better if they are listed separately.</p>
Policy BLACON3	No comments
Policy BLACON4	Local Green Space 12, Kipling Road is part of the neighbouring school site, and it is not publicly accessible at the current time.
Page 23	Cranleigh Crescent Green Space – the explanation below the photo seems to relate to Graham Road Playing Field rather than Cranleigh Crescent Green Space – although it is different to the explanation for Graham Road Playing Field.

Paragraph and page number or policy	Comments
Page 27	Refers to Willian Road / William Road – but it should be Willan Road.
Page 33	Identifies that CWaC have committed to fund refurbishment of the Cairns Crescent play area. The Council’s Green Infrastructure Officer and Principal Planning Obligations Monitoring Officer are not aware of any Council funds allocated for improving play provision at this site.

7. Detailed comments on the submission version of the Blacon Community Neighbourhood Development Order

Paragraph and page number or policy	Comments
	<p>The NDO needs to be in general conformity with the strategic policies in the Local Plan. Policy SOC 6 is a strategic policy and as set out above, it is not clear whether the proposals in the NDO are in general conformity with policy SOC 6.</p> <p>It is clear that the proposals aim to improve the quality of sport and recreation facilities, but they would also reduce the quantity of playing field and grass sports provision. The proposals would involve a net loss of playing field land and loss of the 5v5 football pitch and insufficient detail has been provided to show that the benefits of the proposed indoor football facilities and other proposed sports facilities would replace or outweigh the loss.</p> <p>The indoor space to be provided in the building doesn’t seem to be able to accommodate everything that is proposed and the sizes shown on different drawings don’t match up. The drawings indicate that the hall will be 38-40m x 78m, but then also state that the example includes a multi-use hall of 47.5m x 40m (to include a 5 a side football pitch) and a multi-use sports area of 40m x 30.5m for boxing / flexible sports activities and changing facilities within a 6m services strip. That would only leave 40m x 24.5m for the boxing / flexible sports activities (which would be 980m², not 1,220m² as shown on one of the drawings) and there may also need to be space to get to and from the changing rooms and café and any potential café seating area. A second floor or mezzanine within the building would provide more internal floorspace but would compromise ceiling heights for sports.</p> <p>It is appreciated that the drawings are just examples to show what may be achieved, but they don’t seem to provide sufficient detail to provide that all of the proposed facilities can be provided within the building and developable area.</p> <p>Without more detailed drawings, it isn’t clear whether the remaining area outside the pitches and building would be capable of providing the required car parking,</p>

Paragraph and page number or policy	Comments
	<p>children’s play area, cycle parking, access and circulation space. As such, the proposals may not be in general conformity with Local Plan policies STRAT 10, SOC 5, SOC 6, ENV 6 and T 5.</p> <p>The text refers to provision of a sustainable drainage strategy within the site to deal with the surface water flood risk on the site. It isn’t clear whether is sufficient space within the site to provide the proposed sustainable drainage systems (SuDS), given that there is very little remaining space outside the pitch areas and space will also need to be provided for spectators and officials at football matches.</p> <p>The proposals involve the demolition of the existing youth club building and storage building. It isn’t clear exactly what space those buildings provided, how they were used and whether the provision will be replaced in the proposed new building.</p> <p><u>Conditions:</u></p> <p>The NDO states at paragraph 2.5 that the making of the NDO will be subject to the discharge of conditions covering 17 different matters. No detailed conditions have been provided. Detailed conditions need to be agreed between the Neighbourhood Forum and CW&C before the NDO is taken to referendum. We have prepared a draft list of potential conditions, which are set out at Appendix 4. These conditions are based on the matters listed in the NDO, but with additional requirements and details. The draft conditions also incorporate the suggestions made by Sport England in their consultation response dated 29 January 2026.</p> <p>We are of the understanding that once the NDO is approved, this would effectively grant planning permission subject to any specified conditions. We also understand that any conditions would be approved via discharge of conditions and reserved matters applications cannot be required. The NDO as submitted includes very few details regarding the proposed access, design, scale and layout of the site. It does not provide any detailed drainage information or proposals and does not provide any ecological surveys. It does not provide designs that clearly show that the indoor football pitch provision, changing rooms and toilet facilities will meet required standards or that the designs can meet BREEAM requirements. As such, the current approach risks setting conditions that cannot be met.</p> <p>We have included a draft list of conditions at Appendix 4 in case sufficient details can be provided as part of the NDO, but based on the current level of information available we are not confident that these conditions are capable of being approved. We have set out [NOTES] below relevant conditions to highlight specific issues. These notes would not form part of the conditions and for the Neighbourhood Forum and Examiner’s information only. We would welcome advice from the Examiner on this issue.</p>

8. Detailed comments on the Basic Conditions Statement for the Neighbourhood Plan

Paragraph and page number or policy	Comments
Table below paragraph 2.5	This makes reference to some football improvements at Blacon High, which the author states can be counted as mitigation for any loss / reduction at Cairns Crescent. The Council's Green Infrastructure Officer is not aware of any proposals relating to the school and it is unclear if the improvements mentioned have been implemented or are just under discussion.
Paragraph 4.31	This refers to the developable area being far enough away from the residential properties to avoid overlooking. The building zone shown on Plan C on page 9 of the NDO appears quite close to nearby properties and without designs being available showing the height and position of windows, it isn't clear whether there would be potential for overlooking. It also refers to existing trees and the potential for additional planting as part of the landscaping scheme, but no landscaping details have been provided at this stage and as such, it isn't clear whether any existing trees within the boundary would be retained, or whether additional trees could be provided without compromising the size of the pitches, building, car parking or play area.

9. Detailed comments on the Basic Conditions Statement for the NDO

Paragraph and page number or policy	Comments
Paragraph 34	It identifies in paragraph 34 that "provision of new sport and recreation facilities will be supported in line with the priorities of the Draft Sports Facilities Strategy, subject to relevant development plan policies". It then references the Playing Pitch Strategy. It needs to be made clear that the Sports Facilities Strategy is different to the Playing Pitch Strategy as the Sports Facilities Strategy just covers non-playing pitch sports.
Paragraph 35	This makes reference to some football improvements at Blacon High, which the author states can be counted as mitigation for any loss / reduction at Cairns Crescent. The Council's Green Infrastructure Officer is not aware of any proposals relating to the school and it is unclear if the

Paragraph and page number or policy	Comments
	improvements mentioned have been implemented or are just under discussion.
Paragraph 47	This refers to the developable area being far enough away from the residential properties to avoid overlooking. The building zone shown on Plan C on page 9 of the NDO appears quite close to nearby properties and without designs being available showing the height and position of windows, it isn't clear whether there would be potential for overlooking. It also refers to existing trees and the potential for additional planting as part of the landscaping scheme, but no landscaping details have been provided at this stage and as such, it isn't clear whether any existing trees within the boundary would be retained, or whether additional trees could be provided without compromising the size of the pitches, building, car parking or play area.

In addition to the comments made above from a planning perspective, it should also be noted that CW&C are the landowners of the Cairns Crescent site. This site is leased to Avenue Services for 99 years from 2016. Blacon Neighbourhood Alliance Neighbourhood Forum and Blacon Community Development Trust should liaise closely with Avenue Services to ensure that the Trust have the necessary consents under the terms of their lease from Avenue Services to carry out the proposed development. Avenue Services may need to apply for consent from CW&C to enable the development on the site or grant a long lease. A 'licence to alter' may also be required for the proposals at Cairns Crescent.

I hope these comments are of assistance in the examination of the Blacon Community Neighbourhood Plan and the Blacon Community Neighbourhood Development Order.

Yours sincerely



Catherine Morgetroyd

Principal Planning Officer, Planning Policy Team

Attached:

- Appendix 1 – conformity of the Blacon Neighbourhood Plan with Strategic Policies of the Local Plan
- Appendix 2 – conformity of the Blacon Neighbourhood Development Order with the Strategic Policies of the Local Plan
- Appendix 3 – Councils response from pre-submission (regulation 14) consultation
- Appendix 4 – Suggested conditions for the NDO

Appendix 1 – conformity of the Blacon Neighbourhood Plan with the strategic policies of Local Plan

Local Plan policy	Relevant Neighbourhood Plan policies	In general conformity?
Relevant Local Plan (Part One) Strategic Policies		
STRAT 1 Sustainable development	All policies	Yes
STRAT 3 Chester	All policies	Yes
STRAT 9 Green Belt and countryside	BLACON2 – Community facilities	Yes
STRAT 10 Transport and accessibility	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Insufficient information provided to show whether adequate levels of car and cycle parking can be provided within the site and if additional traffic can be accommodated safely and satisfactorily within the highway network.
STRAT 11 Infrastructure	BLACON1 – Sports & Community Hub Building, Cairns Crescent BLACON2 – Community facilities BLACON3 - Western Avenue Local Retail Centre BLACON4 – Local Green Spaces	The proposals will provide additional facilities for residents through provision of the sports and community hub building but involve loss of and impacts on existing grass football pitches. Yes Yes Yes
ECON 1 Economic growth, employment and enterprise	BLACON3 - Western Avenue Local Retail Centre	Yes
ECON 2 Town Centres	BLACON2 – Community facilities	Yes
SOC 5 Health and well being	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Provides additional community and sport facilities but involves loss of and impacts on existing grass football pitches. Insufficient information provided to show whether adequate levels of car and cycle parking can be provided within the site and if additional traffic can be accommodated safely and satisfactorily within the highway network.

	BLACON2 – Community facilities	Yes
	BLACON3 - Western Avenue Local Retail Centre	Yes
	BLACON4 – Local Green Spaces	Yes
SOC 6 Open space, sport and recreation	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Provides additional community and sport facilities but involves loss of and impacts on existing grass football pitches.
	BLACON2 – Community facilities	Yes
	BLACON4 – Local Green Spaces	Yes
ENV 1 Flood risk and water management	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Not clear whether the SuDS proposed to deal with the surface water flooding will fit on the site.
ENV 2 Landscape	BLACON4 – Local Green Spaces	Yes
ENV 3 Green Infrastructure	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Proposal will involve loss of a section of existing open space / Green Infrastructure.
	BLACON4 – Local Green Spaces	Yes
ENV 4 Biodiversity and geodiversity	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Yes
	BLACON4 – Local Green Spaces	Yes
ENV 6 High quality design and sustainable construction	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Insufficient information has been provided to show whether the proposals will involve high quality design and sustainable construction
Local Plan (Part Two) Land Allocations and Detailed Policies		
CH1 – Chester Settlement Area	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Yes
	BLACON2 – Community facilities	Yes
	BLACON3 - Western Avenue Local Retail Centre	Yes
	BLACON4 – Local Green Spaces	Yes
T4 Rail Corridors	BLACON4 – Local Green Spaces	Yes

T 5 Parking and access	BLACON1 – Sports & Community Hub Building, Cairns Crescent	Insufficient information provided to show whether adequate levels of car and cycle parking can be provided within the site.
DM 44 Protecting and enhancing the natural environment	BLACON1 – Sports & Community Hub Building, Cairns Crescent BLACON2 – Community facilities BLACON4 – Local Green Spaces	The proposals will involve loss of a section of existing open space which forms part of the borough's ecological network (core area). Yes Yes
DM45 Trees, woodland and hedgerows	BLACON1 – Sports & Community Hub Building, Cairns Crescent BLACON2 – Community facilities BLACON4 – Local Green Spaces	It isn't clear whether the proposals will involve any loss of existing trees or hedgerows. Yes Yes

Appendix 2 – conformity of the Blacon Neighbourhood Development Order with the strategic policies of Local Plan

Local Plan policy	In general conformity?
STRAT 1 Sustainable development	Yes
STRAT 3 Chester	Yes
STRAT 9 Green Belt and countryside	Yes
STRAT 10 Transport and accessibility	Insufficient information provided to show whether adequate levels of car and cycle parking can be provided within the site and if additional traffic can be accommodated safely and satisfactorily within the highway network.
STRAT 11 Infrastructure	The proposals will provide additional facilities for residents through provision of the sports and community hub building but involve loss of and impacts on existing grass football pitches.
ECON 2 Town Centres	Yes
SOC 5 Health and well being	Provides additional community and sport facilities but involves loss of and impacts on existing grass football pitches. Insufficient information provided to show whether adequate levels of car and cycle parking can be provided within the site and if additional traffic can

	be accommodated safely and satisfactorily within the highway network.
SOC 6 Open space, sport and recreation	Provides additional community and sport facilities but involves loss of and impacts on existing grass football pitches.
ENV 1 Flood risk and water management	Not clear whether the SuDS proposed to deal with the surface water flooding will fit on the site.
ENV 2 Landscape	Yes
ENV 3 Green Infrastructure	Proposal will involve loss of a section of existing open space / Green Infrastructure.
ENV 4 Biodiversity and geodiversity	Yes
ENV 6 High quality design and sustainable construction	Insufficient information has been provided to show whether the proposals will involve high quality design and sustainable construction
CH1 – Chester Settlement Area	Yes
T4 Rail Corridors	Yes
T 5 Parking and access	Insufficient information provided to show whether adequate levels of car and cycle parking can be provided within the site.
DM 44 Protecting and enhancing the natural environment	The proposals will involve loss of a section of existing open space which forms part of the borough's ecological network (core area).
DM 45 Trees, woodland and hedgerows	It isn't clear whether the proposals will involve any loss of existing trees or hedgerows.

Appendix 3 – Council's response from pre-submission (regulation 14) consultation

General Comments

The Local Plan (Part One) Strategic Policies (adopted in January 2015) and the Local Plan (Part Two) Land Allocations and Detailed Policies (adopted July 2019) provide the framework for preparation of the Neighbourhood Plan.

Local Plan strategic policies which are particularly relevant to the Blacon Neighbourhood Plan are:

- STRAT 1 Sustainable development
- STRAT 2 Strategic development
- STRAT 3 Chester
- STRAT 9 Green Belt and countryside
- STRAT 10 Transport and accessibility
- STRAT 11 Infrastructure
- ECON 1 Economic growth, employment and enterprise
- ECON 2 Town centres
- SOC 5 Health and well-being

- SOC 6 Open space, sport and recreation
- ENV 1 Flood risk and water management
- ENV 2 Landscape
- ENV 3 Green infrastructure
- ENV 4 Biodiversity and geodiversity
- ENV 6 High quality design and sustainable construction
- CH 1 Chester settlement area
- GBC2 Protection of landscape
- T5 Parking and access
- DM 44 Protecting and enhancing the natural environment

Strategic policies for Neighbourhood Plans can be viewed at:

<https://consult.cheshirewestandchester.gov.uk/file/5539202>

The following non-strategic policies of the Local Plan (Part Two) are also particularly relevant:

- DM 1 Development of previously developed land
- DM 2 Impact on residential amenity
- DM 3 Design, character and visual amenity
- DM 15 District and local retail centres
- DM 29 Health impacts of new development
- DM 30 Noise
- DM 36 Provision for sport and recreation
- DM 39 Culture and community facilities
- DM 44 Protecting and enhancing the natural environment
- DM 45 Trees, woodland and hedgerows

The Council have undertaken Strategic Environmental Assessment (SEA), Habitats Regulations Assessment (HRA) and Marine Plan screening of your draft Neighbourhood Plan which has been subject to consultation with the relevant statutory bodies. The responses from the statutory bodies agreed with the conclusion of the SEA/HRA/Marine Plan Screening Opinion that there would be no significant environmental effects arising from the draft NDP policies.

Please see below a table of detailed comments for your consideration:

Neighbourhood Plan

Section	Comment
Paragraph 1.2	This refers to two CWaC electoral wards in Blacon, but there is only one ward in Blacon.
Policy BLACON 1	It's not clear what 'primarily' means in the first bullet or what it refers to. It implies that the sports must be primarily indoor sports, I assume this isn't the intention, as football wouldn't be considered an indoor sport. Does the 'primarily' also apply to the needs of the established outdoor sports use? Is it

	<p>proposed that ‘primarily’ is to be measured by floorspace given over to a use and if so, would this mean a majority of the space? If so, is there likely to be sufficient space for more than 50% of the maximum 3,000sqm floorspace to be used for these purposes while still leaving enough room for the youth club, changing facilities, storage, and the cafe? How does this relate to the NDO, which says that it is primarily a Class E(d) use with ancillary F2 use?</p> <p>The first bullet point refers to an ancillary canteen for building users and visitors. Is it proposed that seating will be provided for the canteen / café? This doesn’t seem to be shown on the indicative plans.</p> <p>The sixth bullet refers to meeting sustainable construction and drainage standards. What are the standards that are to be met?</p> <p>The final bullet refers to control of the land and operation of the hub by a community-led organisation on a not-for-profit basis. Control of the land and operation of the hub are not planning issues and cannot be controlled through the planning process.</p> <p>Para 3.8: ‘should not cause amenity harm’ –would suggest inserting ‘significant’ after ‘cause’, as it is unlikely that any proposals would not cause any harm at all.</p> <p>Para 3.9: Refers to flood risk and the sequential and exception tests. From the information provided to date, it is not clear whether the sequential test has been met and whether the exception test is required. This should be covered within the NDO and further information on this should be provided.</p> <p>Para 3.10 – It isn’t clear why the group aren’t applying for planning permission for the sports hub, rather than going through the NDO process.</p>
Policy BLACON 2	<p>The wording of this policy is unclear and confusing. It refers to ‘proposals that will harm or result in the loss of a Community Facility’. What does this mean? How can a use be harmed? Can it be harmed by a proposal on adjacent land?</p> <p>The policy refers to replacement buildings / land but doesn’t require it to be in the same use. It also refers to the ‘built-up area’, but it isn’t clear whether this means the neighbourhood centre, or the whole of Blacon or the whole of Chester.</p> <p>It may be better just to list/map the community facilities and then to make it clear that policy DM39 of the Cheshire West and Chester Local Plan (Part Two) applies.</p>
Policy BLACON 3	<p>The wording of this policy is confusing. It currently refers to resisting the loss of an active use of a ground floor frontage. Does this mean that if the use had ceased and the unit was vacant, a change of use would be acceptable (as it wouldn’t be the loss of an active use). What is meant by ground floor frontage? Is this trying to protect active frontages or uses? Would an alternative non-class E use be ok if it has an active frontage?</p>

Paragraph 3.13	This refers to shops and services – which types of uses are you trying to protect? Does this include hot food takeaways? If a shop was to be replaced with a new hot food takeaway would that be ok?
Policy BLACON 4	‘Proposals for development in a local green space will only be supported in very special circumstances.’ The wording should be amended to refer to ‘proposals for inappropriate development in a local green space...’ – as some forms of development would be appropriate in a local green space. Evidence should be provided to show how the local green spaces meet the requirements in the NPPF and to explain why they are demonstrably special to the local community and hold a particular local significance.

Neighbourhood Development Order

Theme	Comment
Uses	The description of the order states that the sports and community hub facility is primarily a Class E(d) use with an ancillary F2 use. Class E(d) is indoor sport and recreation, whilst F2 includes community halls and meeting places and outdoor sport or recreation. Do the use classes just refer to the indoor sports facility? How does this relate to the description of uses in policy BLACON 1 in the Neighbourhood Plan?
Additional information required	In order to establish whether the NDO meets the basic conditions and is in general conformity with the strategic policies within the Local Plan, the following additional information is required: <ul style="list-style-type: none"> - Information about the current uses / facilities within the existing buildings on the site that will be lost – including details of the size of the buildings and size of the sections of the building used for different purposes (e.g. changing / storage etc). - More detailed plans showing the footprint of the building, car parking (layout, number and location of parking spaces, access, space available for movement), play area size, cycle parking area (how it is accessed, number of spaces, dimensions, shelter and securing details, location and access to the cycle parking area). - Detailed plans of the internal layout of the building. The exact design could be covered by condition, but we need enough information to show that the proposed pitch, boxing/dance area, changing facilities, storage, toilets and café facility (including any seating for canteen/café users) etc are of sufficient size and compliant with any national governing body / Sport England design guidance (for example to enable it to be used and accessed properly, including disabled access). If parts of the building are to be multi-use it needs to be made clear which sections are multi-use and how the competing uses will be managed. - Detailed technical information about the proposed indoor football pitch including the size of the pitch, the distance from the edge of the pitch to the internal walls, surface material for the pitch, ceiling height etc.

	<ul style="list-style-type: none"> - Details of the loss of the existing outdoor pitch. Would the small pitch be lost, but the two larger pitches retained? What is the size (in square metres) of the pitch being lost. An accurate plan showing the size and layout of the proposed outdoor pitches should be provided. One of the outdoor pitches is moving closer to the boundary of the site – would this still meet any national governing body / Sport England requirements for distances and would it still be possible to have the necessary respect line etc. Would this result in increased disturbance for neighbours or more balls going over into gardens / requirements for higher fencing? - The NDO states that the two 11v11 pitches will be retained and will also allow for two 7v7 pitches to be created within each adult pitch. How would this be marked out and would this result in confusing pitch markings? How would changes be made to goal sizes for the two different age groups? Would the two different age groups use the pitches at different times, or would there be conflicting requirements? - Ecology surveys. - Information about any existing trees and hedgerows on the site and whether any of these will be lost as part of the development. - Flood risk assessment and drainage / SuDS proposals. - Evidence of any discussions and agreements reached with Sport England.
Proposed planning conditions	<p>The following conditions would be necessary:</p> <ul style="list-style-type: none"> - Details of the appearance, layout and scale of the development approved to be submitted for approval prior to commencement. - Development to be carried out in accordance with approved drawings. - Development to be carried out within prescribed time limit. - Details of a construction management plan prior to commencement. - Details of a scheme of drainage prior to commencement. - Details of scheme of hard and soft landscaping to be submitted prior to occupation. - Details of external facing materials to be used in buildings to be submitted prior to commencement. - Submission of a preliminary BREEAM assessment showing a rating of at least 'excellent' OR a preliminary BREEAM assessment showing a rating of at least 'very good' and supported by technical or financial justification as to why a rating of 'excellent' cannot be achieved. - Submission of a final BREEAM assessment and completion certification showing the agreed rating has been achieved. - Details of a scheme of lighting prior to occupation. - Details of a Travel Plan prior to occupation. - Details of a scheme of secure cycle parking prior to occupation. - Laying out of playing pitches in line with approved details. - Car parking to be made available prior to occupation. - Restriction on hours of use.

	<ul style="list-style-type: none"> - Any café use to be ancillary to the use of the site as a sports facility. <p>Further conditions may be necessary depending on assessment of additional information:</p> <ul style="list-style-type: none"> - Details of a community use agreement and any requirements that stem from consultation with Sport England or justification for the loss of pitches (including details of pitch layout). - Possible conditions relating to ecological enhancement/mitigation. - Possible flood risk mitigation. - Possible tree protection measures.
<p>Information outside the planning process, but relating to the future operation and use of the site</p>	<p>This information is required from a land ownership perspective, rather than a planning perspective:</p> <ul style="list-style-type: none"> - Evidence of engagement with and support from Blacon Youth FC, the boxing club, youth club and any other relevant clubs who would be using the facility. Are they happy with the proposals? What are the current tenancy arrangements for the site and how would this change with the new indoor facilities? - Would provision of boxing facilities in Blacon result in closure of the existing facility in Saltney? - What evidence is there of the need/demand for the sports facility and the proposed uses? - Have the group investigated the potential for Community Asset Transfer? This enables community organisations to take a long lease for community assets and use this to access funding. If you are interested in Community Asset Transfer, please let us know and I can forward details of the relevant team to speak to. - Which parts of the site are proposed to be in community ownership / managed by the community? Is it just the sports hub building? What about the car park / cycle parking / outdoor pitches / play area? They are shown within the red line of the NDO. Would the play equipment be managed and maintained by the local community? - There doesn't seem to be any space shown for storage of sports equipment for football / boxing / dance / youth club etc. Would storage be provided and if so, how would access to the storage area be controlled? - Are there problems with flooding / drainage on the existing outdoor pitches that prevent matches / training on these pitches? Could this result in problems using / letting out the pitches? Is additional drainage work required to improve the pitches? The text of the NDO 'National Policy' section states that the current five a side pitch is more prone to surface water flooding. However, the proposals move the main 11v11 pitch onto the site of the current five a side pitch, so this may mean that the 11v11 pitch cannot be used as often if it is relocated. - How will the building and ancillary works be funded?

	<ul style="list-style-type: none"> - What are the proposed timescales for start and completion of the sports hub and associated external works. - Which part of the sports hub building would the youth club use? - How would the differing needs and timings for the different users be managed? Would there be conflicts between proposed use of the hall for football, boxing, dance and the youth club? How would people access the changing facilities and café when the pitch, hall or sports area were in use? - Would the café part be accessible to members of the public? If so, would this result in potential safeguarding issues with children’s clubs on the site? - How would the sports hub and pitches be managed and operated? - Who would be responsible for opening / locking up the building, running the café, maintaining the building, maintaining the pitches, maintaining the play area / car park / boundary fencing etc. - How would operation and maintenance of the sports hub and pitches be managed and funded? - What will the operating costs be and how will this be funded? - How will the facilities remain accessible and affordable to the local community, whilst still being sufficient to meet the operating costs? Confidence in the sustainability of the facility will be crucial if / when the Council is required to support any external funding applications.
Land ownership	<p>- The land is owned by CWaC and there would be an obligation for the group to obtain a Licence to alter for this proposal. The group should obtain additional advice on what this involves. This is separate to the NDO progress and planning process.</p>

Appendix 4 – draft conditions

1. Details of the access, appearance, landscaping, layout, and scale shall be submitted to and approved in writing by the local planning authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

[NOTE: If NDOs cannot be approved in outline form then it follows that details of appearance, access, layout, landscaping and scale should be provided prior to the determination of the NDO application. This has not been done. However, we have drafted a condition without prejudice in case there is scope to approve the NDO without this detail].

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall not be commenced until a construction management plan which shall include full details of the phasing of the demolition and construction traffic for the development (including, suitable off-highway parking for all construction related vehicles), site compound and storage areas locations, dust suppression measures, wheel washing facilities and hours of construction has been submitted to and approved in writing by the local Planning Authority prior to the commencement of the development. The development shall be constructed wholly in accordance with the approved construction management plan.

Reason: In the interests of highway safety and residential amenity.

4. The development hereby approved shall not be commenced until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The drainage scheme shall include details of a scheme for the drainage of the playing field specified by a qualified sports turf consultant.

The development shall only be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

Reason: To prevent hydraulic overloading on the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

[NOTE: Typically, the Council would expect an application for planning permission to demonstrate that there is a viable way to drain a site in accordance with local and national planning policy and level of detail would often be required and the Lead Local Flood Authority consulted prior to determination.]

5. Ecology / trees condition

[NOTE: The ecological impacts of development are fundamental to the acceptability of the proposal and cannot be dealt with by way of planning condition. There is a requirement to demonstrate that the proposal accords with local and national policy in respect of the ecological impacts prior to the granting of planning permission. Without any ecological surveys or other details, we cannot draft a condition as it is unclear what, if anything, would need to be secured.]

6. The development hereby approved shall not be commenced until details of the layout of changing room and toilet facilities which shall be designed to Football Foundation standards (or any updated

standards published by Football Foundation or a successor to Football Foundation) are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out wholly in accordance with the approved details.

Reason: To ensure suitable provision of ancillary development for playing pitches.

[NOTE: We would normally require an indicative scheme to show how they intend to achieve compliance with local and national planning policy.]

7. The development hereby approved shall not be commenced until details of all external facing materials to be used in the buildings hereby approved are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out wholly in accordance with the approved details.

Reason: In the interests of visual amenity.

8. Prior to the commencement of the development hereby approved, a BREEAM assessment for the buildings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The assessment shall be completed by a licensed and fully contracted BREEAM/HQM assessor. The assessment shall include evidence of the building's potential to achieve the agreed target rating of "Very Good" and the Interim Stage certificate, as well as evidence that the development is registered with the certification body. The development shall be carried out in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority. Within twelve months of completion of the development, the final BREEAM Certificate certifying that the buildings hereby approved and listed below have achieved (as a minimum) the rating attained at the interim BREEAM certificate stage shall be submitted to the Local Planning Authority.

Reason: To promote sustainable methods of construction.

[NOTE: Local Plan (Part Two) policy DM 4 requires that a BREEAM assessment is carried out in relation to non-domestic buildings, and such buildings demonstrate that a rating of 'excellent' can be achieved unless it can be shown that it is not technically or financially viable. Details of scale, appearance and layout are required to be able to assess whether the proposal is likely to be able to achieve a BREEAM excellent rating. We have drafted a condition in case these details can be provided. If not, it is fundamental to the acceptability of the development and could not be conditioned post approval.]

9. The development hereby approved shall not be occupied until details of a scheme of external lighting are submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development (or otherwise in accordance with a timetable which shall have been approved in writing by the Local Planning Authority prior to the occupation of the development) and retained in the approved form only. No external lighting shall be installed on the site except in accordance with the approved scheme.

In the interests of visual and neighbouring residential amenity.

10. No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including the provision for the appointment of a Travel Plan Co-ordinator, targets, a timetable and enforcement mechanism) and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.

Reason: To encourage the use of sustainable forms of transport to the site.

11. The playing pitches hereby approved shall be laid out in accordance with details and a timetable which shall have been submitted to and approved in writing by the Local Planning Authority. The pitches shall be retained that form in perpetuity thereafter. The details submitted shall be in accordance with Sport England's Natural Turf for Sports Guidance and the FA's Guide to Pitch and Goalpost Dimensions (or any updated guidance on these issues published by Sport England or the FA).

Reason: To ensure suitable provision playing pitches.

[NOTE: We would normally require an indicative scheme as part of the application to show how they intend to achieve compliance with local and national planning policy.]

12. The approved car parking scheme shall be implemented in full prior to the first use of the playing pitches or the sports hall hereby approved.

Reason: To ensure adequate car parking provision.

13. The development hereby approved shall only be operational between the hours of XXXX and XXXX.

Reason: In the interests of neighbouring residential amenity.

[NOTE: times to be agreed between the Local Authority and the Neighbourhood Forum.]

14. Prior to the playing pitches being brought into use, a community use agreement for the approved playing fields shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall include details of community use targets/sports development plan, affordable pricing policy, hours of school and community use (for term-time and school holidays), access by non-educational establishment users, booking arrangements (including block booking and casual use) and management responsibilities (including provision for a community use management committee) and a mechanism for review. The recreational sports playing field facilities shall not be used at any time other than in strict compliance with the approved community use agreement.

Reason: To ensure suitable access to playing pitches and the provision of sport to the local community.