

Planning Policy
Cheshire West and Chester Council
The Portal
Wellington Road
Ellesmere Port
CH65 0BA

GP/01
29th August 2025

Dear Sirs

**RE: CHESHIRE WEST AND CHESTER LOCAL PLAN ISSUES AND OPTIONS (REGULATION 18)
CONSULTATION
ON BEHALF OF GRIMSTER PLANNING LTD**

We hereby write in response to the Council's current Local Plan Issues and Options (Regulation 18) consultation.

We welcome the opportunity to actively engage with the Council's in its plan-making process to ensure that economic and housing growth across the Borough is proactively planned for to meet both current and future needs.

This submission provides our Client's comments in response to a number of the Questions set out within the Issues and Options (Regulation 18) consultation document (hereafter referred to as the "I&O").

Issues and Options Consultation (Regulation 18)

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?

The evidence base documents listed at paragraph 1.19 of the I&O, and within the evidence base section of the planning policy webpages, are considered to form a strong basis to inform and shape the new Local Plan.

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The *Green Belt Study* should be a Borough-wide assessment of the Green Belt, as opposed to simply focusing on an assessment of Green Belt land around Chester, as was the case in the preparation of the 2015 Part One Local Plan. This aligns with our comments later in this representation on Green Belt release across the Borough. Furthermore, the Green Belt assessment should include a specific assessment of those sites in the Green Belt that have been submitted to the Council as part of its Call for Sites, rather than those sites simply being assessed as part of a wider “parcel” of land. This will ensure that individual sites, in particular previously developed sites with clear development potential, are not identified as making a strong contribution to the Green Belt purposes as a consequence of the inclusion of additional land within a “parcel” that might not have been put forward for development and would not be suitable for development (for example, a brownfield parcel of land being assessed as part of a wider greenfield land parcel).

It is considered that a *Settlement Hierarchy* assessment should be undertaken with clear criteria established to determine where settlements sit within the hierarchy, based on access to services, education and public transport amongst others.

A *Settlement Limits Review* should also be undertaken, demonstrating how settlement boundaries within each of the settlements identified for growth within the new Local Plan (to be confirmed as part of the Local Plan process) will be adjusted to accommodate new housing and (where appropriate) economic growth. This includes any existing housing commitments which remain extant and where a lawful material start has been made, and any new housing commitments that may be granted during the Local Plan preparation process.

Question IN 3 - Do you have any comments or views on the proposed plan period for the new Local Plan?

In accordance with paragraph 22 of the National Planning Policy Framework (NPPF) published in December 2024, the strategic policies of the new Local Plan should cover a minimum 15-year period from adoption. It is not considered that the Council should consider new settlements as part of its development strategy such that it would warrant an extended, 30-year Local Plan period.

Question IN 6 - Do you have any comments on what role Neighbourhood Plans should play in terms of meeting Cheshire West’s development needs and other suggested policy approaches for the new Local Plan? This could include things like meeting housing needs, local connection tests, or design etc.

There are a significant number of ‘made’ Neighbourhood Plans across the Cheshire West and Chester Borough. Very few of these allocate any land for housing, and housing policies contained within largely repeat the guidance contained within the Local Plan. To this end, their purpose in relation to the principle of housing development is somewhat limited.

Given that it is a requirement for Neighbourhood Plan policies to conform with the strategic policies of the Local Plan, it is not considered advisable that updated and new Neighbourhood Plans be progressed until such time that the strategic policies of the new Local Plan have been tested and found sound. This would ensure that Officer time and resource is not taken up assisting with the preparation of Neighbourhood Plans that might be viewed as premature to the new Local Plan.

We would encourage Neighbourhood Plans to be streamlined, to avoid repeating existing Local Plan policies. Instead, the policies contained within should instead focus on specific local needs, offering guidance on potential house types and tenures that are required in a local area, any community needs and aspirations, and any important design considerations (for example, where there is a Conservation Area).

Neighbourhood Plans should not include onerous policies aimed at restricting or frustrating development that would otherwise accord with the Local Plan; instead, they should carefully facilitate development which is in accordance with the justified policies contained within it and the Local Plan to ensure that the Council's development and spatial strategy can be met.

Question SS 1- Is there any reason for the Council not to plan for delivering a minimum of 1,914 new homes each year?

No. The Council's new Local Plan should plan positively for growth consistent with paragraph 36(a) of the NPPF. The latter is clear that Local Plans should provide a strategy which "as a minimum seeks to meet the area's objectively assessed needs."

Based on the Local Housing Needs Figures published by the Government in December 2024, the Council should plan for the Local Plan's development and spatial strategy to deliver 1,914 dwellings per year across at least a 15-year period, as a minimum (and any subsequent adjustments to the Local Housing Needs figure for the Borough). Given that the adopted Local Plan covers a period of 20 years, there is no reason why a new 20-year Local Plan period could not be advanced, particularly given the considered need for strategic Green Belt release across the Borough; this would allow for amended Green Belt boundaries to endure for a longer period.

Question SS 2 - Do you think the Council should consider a stepped housing requirement that plans for a lower level of housing delivery earlier in the plan period?

No. The Council's development and spatial strategy should ensure that there is a sufficient supply of deliverable housing land across the Borough to meet its minimum housing requirement from Year One of the new Local Plan period. This can be achieved by ensuring that land is allocated for housing across the Borough, in all of the Main Towns, larger villages and smaller villages as a minimum approach. There is no

reason not to adopt this positive approach to housing delivery, particularly given that a large area of the Borough is located outside of the Green Belt.

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?

The identification of Chester as the City, plus the 5 no. Main Towns, is supported.

Clarification is required as to which settlements lie within the Northwich "Main Town" area. For example, Weaverham, Barnton, Lostock Gralam, Hartford, Davenham and Moulton are recognised as being villages in their own right and are not viewed as being part of the town of Northwich "on the ground." It is therefore questionable whether these should instead be identified as a settlements in their own right, comparable to the likes of Cuddington and Sandiway, Farndon, Helsby, Kelsall, Malpas, Tarporley, Tarvin and Tattenhall.

It is noted that reference is made to smaller settlements with a lower level of services and access to public transport possibly being suitable for infill development and brownfield development. This approach is far too restrictive. There are a number of smaller settlements which are capable of accommodating smaller, major housing schemes (10-30 dwellings for example), rather than simply being restricted to infill or brownfield development. There are some smaller settlements, some of which are identified as Local Service Centres in the Part Two Local Plan, which can accommodate such growth and have access to public transport, primary school and other services; there is no need to restrict growth in these villages. This includes the likes of Burton, Duddon, Higher Wincham, Ashton Hayes, Waverton, Little Budworth and Kingsley.

Paragraph 83 of the NPPF is clear that housing should be located in rural areas where it will "enhance or maintain the vitality of rural communities." There are many rural communities across the Borough where services have closed (i.e. shops, post offices), and public transport services have ceased (i.e. bus services) owing to a lack of customers; these rural communities need more housing (including affordable housing) and more people living within them to support and sustain them. The new Local Plan should ensure that this is the case, rather than continuing to adopt the stance that they are only suitable for limited growth; that very approach in the currently adopted Local Plan has contributed to some of the issues now facing the smaller villages and communities across the Borough.

Question SS 6 - Should all settlements have some level of development, regardless of whether they are identified in the settlement hierarchy?

Yes. There is the need for a balanced distribution of housing across the Borough over the next Local Plan period. Housing land should be allocated on deliverable and developable brownfield and greenfield land (Green Belt and Open Countryside) across the Borough in the Main Towns, larger villages, smaller villages, and on lawful previously developed sites in the Green Belt and open countryside which have a degree of

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locational sustainability that would make them suitable for a residential land-use (consistent with paragraph 148 of the NPPF). This approach will ensure that new housing is not just directed towards the Mains Towns and larger villages, adding pressure to existing infrastructure and services; it will also mean that smaller villages and rural areas/communities are much better supported than they have been since the current Part One Local Plan was adopted in 2015. This approach will also provide for the efficient use of brownfield land in the rural area outside of the Main Towns, larger villages and smaller villages which would otherwise likely remain vacant and derelict (and represent something of a missed opportunity).

Question SS 8 - Do you agree that in smaller settlements, the character should be protected and development should not exceed the capacity of existing services and infrastructure?

As outlined above, it is considered that new housing over the duration of the new Local Plan period should firstly be directed towards the Main Town, larger village and smaller villages, with smaller levels of sustainable growth elsewhere within the Rural Area. The character of a smaller village requires no further protection than that in a larger village; ultimately, delivering new housing will inevitably have some degree of impact on the character of a settlement, regardless of its scale. The focus should instead be on ensuring that the new Local Plan provides for a balanced distribution of housing directed primarily towards the Main Towns, larger villages and smaller villages (but not excluding other parts of the Rural Area).

Question SS 9 - Have circumstances changed since the adoption of the Local Plan (Part One), that would now justify Green Belt release?

Yes. The annual housing requirement of the adopted Local Plan is set at 22,000 dwellings over 20 years, at a rate of 1,100 dwellings per annum.

The delivery of 1,914 dwellings per year over a 20-year period would equate to 38,280 new homes. This is a significant (74%) increase over the adopted Local Plan requirement. Even just a 15-year Local Plan period would require 28,170 new homes.

Given that a significant amount of previously developed land has been redeveloped for housing since 2010 as a result of developer-led proposals, there is now a reduction in the amount of available brownfield land to meet future needs (other than land for example identified for regeneration projects, and commercial/employment uses).

In line with paragraphs 145 to 147 of the NPPF, it is considered that exceptional circumstances exist to justify a change to the Green Belt boundaries across the Borough; this should not just be restricted to Chester and should involve a full and thorough assessment of the Borough's Green Belt land to inform future land releases and boundary adjustments in its towns and villages. Priority should be given to the release of lawful previously developed land in the Green Belt, consistent with paragraph 148 of the NPPF.

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Question SS 11- Please select the option which is the most appropriate spatial strategy for Cheshire West and Chester:

- a. Option A - Retain the Green Belt**
- b. Option B - Follow current Local Plan level and distribution of development**
- c. Option C - Sustainable transport corridors**
- d. None of these**

Please refer to comments in response to questions SS14, SS15 and SS17 below.

Question SS 13 - Aside from those settlements identified in the spatial strategy options, should new housing or other development be allowed in other settlements? If so, please specify what type of development? For example, infill etc?

Yes. The new Local Plan should support and facilitate lower levels of growth in rural parts of the Borough (i.e those parts of the rural area that sit below the existing Local Service Centre tier of the adopted Local Plan), something which the policies of the adopted Local Plan do not currently support and facilitate (with the exception of some conversion schemes and rural workers dwellings).

The new Local Plan should recognise and support opportunities for infill development, self-build dwellings, and the redevelopment of lawful, previously developed land which can otherwise make a valuable contribution towards the Borough's housing and/or employment needs. This includes lawful, previously developed land in the Green Belt, consistent with paragraph 148 of the NPPF.

Question SS 14 - Do you feel that Option A is an appropriate spatial strategy for the new Local Plan?

For the reasons outlined in response to earlier questions, Option A is not considered to be an appropriate strategy to meet the Borough's housing and economic requirements over a 15-20 year Local Plan period.

Question SS 16 - Do you feel that Option B is an appropriate spatial strategy for the new Local Plan?

Option B would underplay the role of the larger and smaller villages, with the suggestion that they would cumulatively deliver 5,500 new homes. If the requirement over a 20-year Local Plan period is 38,280 new homes, this equates to just 14% of the overall housing growth in the most sustainable settlements of the Borough (and 19.15% over a 15-year Local Plan period). This is not considered to be representative of a sustainable spatial strategy.

Question SS 18 - Do you feel that Option C is an appropriate spatial strategy for the new Local Plan?

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Option C is predicated on directing new development towards locations which benefit from access to public transport, be it access to the rail network or a regular bus service. This should, in theory, ensure that a large proportion of new development is directed towards the most sustainable parts of the Borough. The benefit of this Option is that it should enable a more balanced distribution of housing across the Borough, in line with a settlement hierarchy approach (i.e. Main Towns, Larger Villages, Smaller Villages, Rural Area).

Question SS 19 - If you do not feel that Option C is an appropriate spatial strategy option, are there any changes that you could suggest?

It is considered that the strategy should provide an indicative, minimum, housing target for the Main Towns, Larger Villages and Smaller Villages, and the remainder of the rural area. These should only be indicative, and not treated as a 'cap.'

In respect of remainder of the rural area, it is considered that Option C should be amended to support and facilitate lower levels of growth in the rural parts of the Borough (i.e those parts of the rural area that sit below the existing Local Service Centre tier of the adopted Local Plan), something which the policies of the adopted Local Plan do not currently support and facilitate (save for conversion schemes and rural workers dwellings). This aligns with our response to Question SS 13.

Question SS 35- Which of the identified potential growth areas around Cuddington and Sandiway do you consider to be the most suitable?

As a settlement, Cuddington and Sandiway has both Green Belt and Open Countryside designated land. The land to the south of Chester Road, running along the southern edge of the settlement, is Open Countryside; the land to the west, east and north of the settlement is Green Belt.

Given that Green Belt is considered to be worth of greater protection, Options CUD02 and CUD03 are considered to be the most suitable options for future growth, subject to addressing key policy considerations and ensuring a proportionate level of growth is delivered. The release of some of this land would not cause any issues of coalescence between Cuddington and Sandiway, and Whitegate/Winsford to the south. We are aware of 2 no. live planning applications on this land at the time of writing (Application Ref.'s 25/02017/FUL and 25/02111/FUL); this representation is by no means an endorsement or representation of support for these proposals, which are subject to a separate planning process.

Of the Green Belt land release options, CUD04 would provide for the expansion of the settlement in this location, on individual land parcels located within it.

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CUD05 is too detached from the existing settlement pattern and settlement boundary and would not represent a logical extension. It would represent significant urban sprawl. There are a number of constraints associated with this land, including topography and sub-standard accessibility. This area also serves to prevent coalescence between Cuddington and Delamere Park. As such, it makes a strong contribution towards meeting Green Belt purposes and should remain free from any built development. This land does would also not appear to have been put forward by the landowner as a development opportunity in the Council's Land Availability Assessment published alongside the I&O.

CUD01 would represent a continuation of the existing settlement pattern, in a northerly direction. However, it would lead to significant urban sprawl into the Green Belt, resulting in the loss of large swathes of agricultural land and valued rolling landscape with topographical challenges which forms an important part of the landscape character around Cuddington and Sandiway. The land also contains a number of protected trees. A small land release, comprising land immediately adjacent to the settlement, might be viewed as appropriate and proportionate, but a single, large scale-release is in no way appropriate and would conflict with some of the key purposes of Green Belt set out in paragraph 143 of the NPPF, resulting in significant harm of the openness of the Green Belt.

Question GB 1 - Do you agree with the suggested policy approach towards Green Belt and countryside, as set out in GB 1 'Green Belt and countryside' above? If not, please suggest how it could be amended.

It is important that Policy STRAT1, insofar as it relates to development in the Green Belt, is fully consistent with paragraphs 154 and 155 of the NPPF. The latter set out the type of development that is deemed appropriate in the Green Belt, and Policy GB1 of the new Local Plan should not deviate from this.

This includes allowing for infill development within villages as opposed to restricting infill development to just those villages named/identified in the Local Plan; the NPPF does not restrict infill development in villages to just named/identified settlements within a Local Plan (for example, as it does for exception sites for affordable housing under paragraph 154(f)).

It is also considered that infill development should be listed and identified as acceptable development in the Countryside, on land outside of the Green Belt. Given that this land is afforded less protection than Green Belt land, it seems both unnecessary and a missed opportunity to prevent infill development in the Countryside, where it meets the definition of infill development (a small gap in an otherwise built-up frontage). Policy STRAT9 does not currently allow for this.

Policy STRAT9 does also not need to include the test that restricts development to that which requires a countryside location and cannot be accommodated within identified settlements. This is an overly restrictive and unnecessary policy test; as long as development complies with the types of development that are

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permitted within the Countryside, as will be set out under Policy GB1, this is simply an additional and unnecessary policy requirement.

Question HO 1 - Do you agree with the suggested policy approach towards mix and type and specialist housing in new developments, as set out in HO 1 'Mix and type of housing in new developments and specialist housing' above? If not please suggest how it could be amended?

It is accepted that a mix of house types and tenures are needed over the next Local Plan period to meet the needs of all age groups; be it Affordable Homes, including First Homes, family housing, and accommodation for the Over 55's in the form of apartments and smaller homes (i.e bungalows). However, there are site-specific and locational considerations to be taken into account as to whether all house types and tenures would be appropriate on all sites, as part of a "one size fits all" strategy.

Question HO 2 - Should the housing mix and type and specialist housing be delivered through a percentage policy approach that sets requirements for each category of housing?

No. This approach is too prescriptive and would fail to take account of the site-specific and locational considerations referred to below. For example, a site in a more rural location would not necessarily be appropriate for first time buyers of older people, who would likely want more closer access to jobs and services (i.e. healthcare) respectively. Furthermore, an overly prescriptive housing mix requirement can impact on the viability of sites coming forward for development, particularly brownfield sites with remediation issues, as well as all sites which now have to consider Biodiversity Net Gain and the Council's longstanding (and ever increasing) Community Infrastructure Levy costs.

If percentage policy requirements are going to be imposed, these should clearly presented as an "indicative" target to afford maximum flexibility to landowners and developers.

Question HO 4 - Do you agree with the suggested policy approach towards delivering affordable housing, as set out in HO 2 'Delivering affordable housing' above? If not please suggest how it could be amended?

The Council's affordable housing policy should be informed by an Economic Viability Assessment to understand what proportion of affordable housing can be provided to ensure that development proposals remain viable, particularly taking into account other development costs now associated with residential proposals on more than 0.5 hectares of land.

The threshold of affordable housing being provided on sites of 10 or more dwellings is supported. However, we do not support the threshold of three or more dwellings in the rural area; this is not consistent with the Planning Practice Guidance which sets the threshold at residential schemes of 10 or more dwellings, and it

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has been found that this approach does not work in practice (with evidence of schemes either failing to come forward as a result of the affordable housing requirement, or affordable homes subsequently being changed to market homes (and S106 Deed of Variations being required) as there are no Housing Associations interested in acquiring and assuming the management of 1 or 2 affordable homes on small sites in the rural area).

The threshold for affordable housing across all part of the Borough should therefore be set at schemes of 10 or more dwellings, regardless of a site's location.

In terms of sites within the Green Belt, an “*at least 50% affordable housing*” requirement is in no way considered to be justified. We object to such an approach. For previously developed land in the Green Belt, there are likely to be some abnormal costs associated with redevelopment, together with the ever-increasing associated development costs. Furthermore, land in the Green Belt will be located towards the edge of existing settlements and/or in the rural area; these may not be the most appropriate locations for such a large proportion of affordable housing, which typically attracts a lower level of car ownership.

Question HO 5 - Do you have any views on thresholds for affordable housing in relation to applying a lower threshold for designated rural areas and what approach could be taken to parts of the borough not subject to the designation?

Please refer to comments in response to Question HO 4 above.

Question HO 6 - Do you agree with the suggested policy approach for residential development proposals, as set out in HO 3 'Proposals for residential development' above? If not, please suggest how it could be amended?

No. It is considered that Policy DM19 needs revising and amending accordingly, as per comments set out in response to Question HO 7 below.

Amendments to Policy DM21 and DM22 are also considered to be warranted, for the reasons set out in response to Question HO 7 below.

Question HO 7 - Are Local Plan (Part Two) policies DM 19, DM 21 and DM 22 working effectively; remain relevant; or are all issues covered by current national policy and guidance?

Policy DM19 is not considered to be an effective policy.

Firstly, it fails to identify and list “infill development” as an appropriate use in the Countryside (including Green Belt) in Parts 1-7 of the Policy. This is contrary to paragraph 154(e) of the NPPF, which clearly

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identifies “limited infilling in villages” as an appropriate use in the Green Belt and does not restrict infill development to only those villages identified in a development plan (in the way that paragraph 154(f) of the NPPF does, for example).

Secondly, part of Policy DM19 relates to residential development in the “Countryside.” Part 7 of the Policy then identifies a number of criteria that previously developed land/sites must satisfy in order to be appropriate *development in the “Countryside.”* This includes *“good access to public transport” and being “location within reasonable walking distance of local services and facilities along a safe route.”*

The application of this Policy in practice is such that very few previously developed sites in the “Countryside” can meet these particular policy requirements. This is unsurprising, given it is unclear how previously developed sites in the “Countryside,” which encompasses the rural areas of the Borough which extend beyond the Main Towns, Key Service Centres and Local Service Centres in the adopted Local Plan, can be expected to have access to a bus service, footpaths and streetlights (all of which are commonly cited by the Council when determining such applications)? There are not characteristic features of the rural area and “Countryside” – the Policy effectively applies urban expectations on land outwith. This is simply not realistic.

Accordingly, the tests for previously developed sites in the Countryside (including the Green Belt), need to be re-considered, and the current wording suitably amended to provide for much greater flexibility and a realistic expectation of what previously developed sites in the Countryside will have access to (in terms of public transport, footpaths, streetlights, and distances to services).

In respect of Policy DM21, this has been largely effective in managing residential extensions and outbuildings. However, it is considered that the current 10% allowance to increase the size of replacement dwellings in the Green Belt (over the size of the existing dwelling it replaces) should be amended to 30% as part of the “materially larger” test; this reflects the fact that a replacement dwelling outside of the Green Belt can currently be 30% larger than the dwelling it replaces under the same policy considerations.

Turning to Policy DM22, it is considered that Part 1 of the tests set out under “Countryside” should be deleted. It is not clear why only redundant or disused buildings should be capable of a change of use or conversion; this is overly restrictive and unjustified.

Summary

We welcome the opportunity to submit these representations to the Council for consideration. We look forward to engaging further in the ongoing preparation of the new Local Plan and its evidence base.

Yours Sincerely

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